



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00128

May 27, 2026

OWNER(S): DIANE ALINE SUTHERLAND, 380 High Falls Road, Worthington, Ontario, Canada P0M 3H0

AGENT(S): SEAN SUTHERLAND, 380, WORTHINGTON, ON, Canada P0M 3H0

LOCATION: PIN(s) 733830060, Parcel 25972 SEC SWS SRO, Part Lot 9, Concession 2, Parts 1 to 3, 5 to 7, and 9-17, Plan 53R-7219, Township of Drury, 380 High Falls Road, Whitefish P0M 3H0

SUMMARY

Zoning: The property is zoned RU according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct an addition on a detached accessory building providing a height at variance to the By-law.

Comments concerning this application were submitted as follows:

Sudbury Hydro, May 25, 2026

REVISED
No concerns - falls outside of our service territory.

Development Approvals, May 22, 2026

The purpose and effect of the application is to facilitate the construction of an addition on the existing detached garage, providing a maximum height of 7.8 m, where the height of any building or structure accessory to a residential dwelling shall be 6.5 m. The applicant is requesting to vary Zoning By-law 2010-100Z, as described below.

1. Permit a maximum height of 7.8 m, where the height of any building or structure accessory to a residential dwelling shall be 6.5 m. (Part 4, Section 4.2, subsection 4.2.4 b of Zoning By-law).

The subject lands are designated 'Rural' within the City of Greater Sudbury Official Plan and are zoned 'RU', Rural within the City of Greater Sudbury Zoning By-law. The subject property is currently developed with single detached dwelling, detached garage and tool shed along with a forestry use that has been in operation since 1972. The property is serviced via private well and septic services and is accessed by High Falls Road. Surrounding uses are predominantly rural residential.

The applicant has confirmed that the additional height is required to accommodate larger doors and allow safe storage of oversized equipment in relation to the forestry use on the property, being accessory to the

residential dwelling.

The applicant advised that the addition would maintain the current exterior aesthetics of the existing building. The building is located approximately 94 m from the road. The subject property also appears to be very well vegetated, in the form of mature trees in the front and side yards, which would serve to buffer the proposed development. Therefore, the proposed expansion would not create any negative visual impact from High Falls Road. Further, the proposed building is located approximately 300 m from the western neighbouring residential property, being 472 High Falls Road.

Staff is of the opinion that the application is appropriate development for the property and the variance is not anticipated to impact the character of the area. Staff is of the opinion that the variance is considered to be minor in nature, is an appropriate use of the land, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted.

Sudbury Hydro, May 22, 2026

No Comment Received

Strategic and Environmental Planning, May 21, 2026

The subject lands appear to contain wetland as identified on Schedule 5 of the City of Greater Sudbury Official Plan and an area of wildland fire hazard as identified on Schedule 6b of the City of Greater Sudbury Official Plan. Section 9.2.3 of the Official Plan states that development and site alteration are not permitted on lands adjacent to a sensitive wetland or a provincially significant wetland unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on natural features or ecological functions. Adjacent lands are considered to be within 50 metres of any sensitive wetland. Policy 1 of 10.8 Wildland Fire generally directs development to areas outside of lands that are unsafe due to the presence of hazardous forest types for wildland fire. However, the site contains existing buildings and structures located east of the wetland and fire hazard features and the proposal is for an addition to an existing structure. As such, staff in SEP do not object to the proposed development and do not require additional information.

The applicant is advised that compliance with the provincial Fish and Wildlife Conservation Act, 1997 and Species Conservation Act, 2025, and the federal Migratory Bird Convention Act, 1994 and Species At Risk Act, 2002, is their sole responsibility.

The applicant is advised that wildland fire mitigation best practices can be found in provincial standards such as FireSmart.

Building Services, May 20, 2026

Based on the information provided, Building Services has no concerns with this application. Applicant/Owner to be advised of the following comments:

1) We acknowledge the receipt of associated building permit (BP-NEW-2024-01841) for the construction of the proposed detached garage/shop addition.

Development Engineering, May 20, 2026

No Concerns

Corridor Management, May 19, 2026

No Comment Received

Hydro One, May 19, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), May 19, 2026

No Comment Received

Ministry of Transportation, May 15, 2026

I can confirm that the subject lands are not within the MTO's Permit Control Area; therefore, we have no comments to provide at this time.

Conservation Sudbury, May 13, 2026

No Concerns

Site Plan, May 13, 2026

No Concerns

Meeting Minutes:

05/27/2026 The applicant, Sean Sutherland, appeared before Committee and provided a summary of the Application.
The Committee Members and the Chair had no questions and expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

DIANE ALINE SUTHERLAND

the owner(s) of PIN(s) 733830060, Parcel 25972 SEC SWS SRO, Part Lot 9, Concession 2, Parts 1 to 3, 5 to 7, and 9-17, Plan 53R-7219, Township of Drury, 380 High Falls Road, Whitefish P0M 3H0

for relief from Part 4, Section 4.2, subsection 4.2.4 b) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of an addition on the existing detached garage providing a maximum height of 7.8m, where the height of any building or structure accessory to a residential dwelling shall be 6.5m, be granted.

Consideration was given to Section 45(1) of the *Planning Act*, R.S.O.1990, c. P.13, as amended, including written and oral submissions related to the application, it is our opinion the variance is minor in nature and is desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan are maintained.

As no public comment, written or oral, has been received, there was no effect on the Committee of Adjustment's decision.

Member	Status
CATHY CASTANZA	Concurring
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00021

May 27, 2026

OWNER(S): KROBERGE PROPERTIES INC., 477 White Ave, Sudbury, ON, Canada P3C2G5

AGENT(S): KROBERGE PROPERTIES INC., 477 White Ave, Sudbury, ON, Canada P3C2G5

LOCATION: PIN(s) 021340013, Parcel 19511 SEC SES, Lot 58, Plan M-309, Part Lot 7, Concession 4, Township of McKim, 476 White Avenue, Sudbury P3C 2G5

SUMMARY

Zoning: The property is zoned R1-5 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to permit two existing dwelling units within the existing two-unit dwelling for a total of four-dwelling units providing aisle and access driveway at variance to the By-law.

Comments concerning this application were submitted as follows:

Ministry of Transportation, May 15, 2026

I can confirm that the subject lands are not within the MTO's Permit Control Area; therefore, we have no comments to provide at this time.

Sudbury Hydro, May 25, 2026

REVISED
No objection.

Development Engineering, May 22, 2026

Landscaping Condition:
The owner must complete the landscaping as indicated on the plans to reduce the entrance width to 6.3m.

Sudbury Hydro, May 22, 2026

No Comment Received

Development Approvals, May 21, 2026

The purpose and effect of the application is to request parking-related variances to bring the property towards compliance through the legalization of two (2) of the existing four (4) dwelling units on the subject property.

Variations requested for the proposed development are the following:

1. A minimum parking aisle width of 4.79 m, where the minimum width of a parking aisle providing access to a parking space within a parking area shall be 6.0 m (Section 5.2.9.2 of Zoning By-law).
2. A driveway accessing a parking area to be a minimum width of 2.9 m, where driveways accessing a parking area shall be a minimum width of 6.0m for two-way traffic (Section 5.2.9.3 of Zoning By-law).

The subject property is designated 'Living Area I' within the City of Greater Sudbury Official Plan, is zoned 'R1 -5', Low Density Residential within the City of Greater Sudbury Zoning By-law and is currently developed with two (2) legal residential dwelling units, two (2) illegal dwelling units, and a detached garage in the rear yard. The property is serviced by municipal water and sanitary sewer and is accessed from White Avenue. Surrounding uses are predominantly low density residential except for the Elm West Playground, directly across the street from the subject property.

Staff have no concerns with the requested relief as it would generally be an improvement to the subject property, particularly regarding bringing the front yard in compliance and legalizing existing dwelling units. Staff is of the opinion that there are no land use compatibility concerns between the subject lands and abutting properties. Staff is of the opinion that the variance is considered to be minor in nature, is an appropriate use of the land, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted.

Strategic and Environmental Planning, May 21, 2026

The applicant is advised that compliance with the provincial Fish and Wildlife Conservation Act, 1997 and Species Conservation Act, 2025, and the federal Migratory Bird Convention Act, 1994 and Species At Risk Act, 2002, is their sole responsibility.

Building Services, May 20, 2026

Based on the information provided, Building Services has no concerns with this application. Applicant/Owner to be advised of the following comments:

- 1) We acknowledge the receipt of associated building permit (BP-NEW-2026-00102) for the construction of two additional dwelling units in the existing duplex.

Corridor Management, May 19, 2026

No Comment Received

Hydro One, May 19, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), May 19, 2026

No Comment Received

Conservation Sudbury, May 13, 2026

No Concerns

Site Plan, May 13, 2026

No Concerns

Meeting Minutes:

05/27/2026 The owner, Kathy Roberge, appeared before Committee and provided a summary of the Application.
Committee Member Castanza advised Committee that she attended the site and confirmed with the owner that the fourth parking spot would be located within the existing detached garage. The Committee Members and the Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:
KROBERGE PROPERTIES INC.
the owner(s) of PIN(s) 021340013, Parcel 19511 SEC SES, Lot 58, Plan M-309, Part Lot 7, Concession 4, Township of McKim, 476 White Avenue, Sudbury P3C 2G5

for relief from Part 5, Section 5.2, subsection 5.2.9.2 and 5.2.9.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit two existing dwelling units within the existing two-unit dwelling for a total of four-dwelling units providing, firstly, a minimum parking aisle width of 4.79m, where the minimum width of a parking aisle providing access to a parking space within a parking area shall be 6.0m, secondly, a driveway accessing a parking area to be a minimum width of 2.9m, where driveways accessing a parking area shall be a minimum width of 6.0m for two-way traffic, be granted.

Consideration was given to Section 45(1) of the *Planning Act*, R.S.O.1990, c. P.13, as amended, including written and oral submissions related to the Application, it is our opinion the variances are minor in nature and are desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-law and the Official Plan are maintained.

As no public comment, written or oral, has been received, there was no effect on the Committee of Adjustment's decision.

Member	Status
CATHY CASTANZA	Concurring
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00031

May 27, 2026

OWNER(S): 1001471304 ONTARIO LTD, 485 SPRUCE STREET, SUDBURY, ON, Canada

AGENT(S): CR DESIGN, 2200 - 3609 Lakeshore Blvd West, Toronto, ON, Canada M8V1A4

LOCATION: PIN(s) 021350050, Lot 54, Plan 1-SC, Part Lot 6, Concession 4, Township of McKim, 234 Bloor Street, Sudbury, ON

SUMMARY

Zoning: The property is zoned R3-1 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a building containing six dwelling units providing setbacks, number of parking spaces, location of parking spaces, tandem parking space, lot area per unit and lot frontage at variance to the By-law.

Comments concerning this application were submitted as follows:

Sudbury Hydro, May 25, 2026

REVISED

All structures, equipment and personnel must maintain proper clearance from energized electrical conductors and apparatus as per the latest edition of the Ontario Electrical Safety Code.

Sudbury Hydro, May 22, 2026

No Comment Received

CN, May 21, 2026

No Comment Received

Corridor Management, May 21, 2026

No Comment Received

Development Approvals, May 21, 2026

The purpose and effect of the application is to facilitate the construction of a multiple dwelling, containing six (6) dwelling units. Variances requested for the proposed development are the following:

1. Permit rear yard setback of 6.91 m, where 7.5 m is required (Table 6.5 of Zoning By-law)
2. Permit corner side yard setback of 3.89 m, where 4.5 m is required (Table 6.5 of Zoning By-law)
3. Permit proposed two (2) parking spaces to be located within the required corner side yard, both providing corner side yard setbacks of 0.84 m, where no part of any parking area shall be located in any required corner side yard in any Residential Zone (Section 5.2.4.3 d) of Zoning By-law)
4. Permit proposed six (6) parking spaces, where nine (9) parking spaces are required (Table 5.5 of Zoning By-law)
5. Permit one (1) tandem parking space, where each required parking space shall be accessible at all times and where only lots containing not more than 4 dwelling units is permitted a tandem parking space (Section 5.2.9.1.1 of Zoning By-law)
6. Permit a lot area of 92.9 m² per unit, where 110.0 m² per unit is required (Table 6.5 of Zoning By-law)
7. Permit minimum lot frontage of 15.25 m, where 20.0 m is required (Table 6.5 of Zoning By-law)

The subject lands are designated 'Mixed Use Commercial' within the City of Greater Sudbury Official Plan and are zoned 'R3-1', Medium Density Residential within the City of Greater Sudbury Zoning By-law and are currently vacant. The lands are serviced by municipal water and sanitary sewer and appear to be currently accessed from Bessie Avenue. Through the proposed development, the applicant is proposing access from Perkovich Lane only. Surrounding land uses are a mix of residential and commercial uses.

Staff generally has no concerns with the requested relief and the proposed development. Building Services staff has noted that refuse storage is not shown on the concept plan provided and that interior refuse storage would be permitted. Staff is of the opinion that there are no land use compatibility concerns between the subject lands and abutting properties. Staff is of the opinion that the variance is considered to be minor in nature, is an appropriate use of the land, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted.

Hydro One, May 21, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), May 21, 2026

No Comment Received

Strategic and Environmental Planning, May 21, 2026

The applicant is advised that compliance with the provincial Fish and Wildlife Conservation Act, 1997 and Species Conservation Act, 2025, and the federal Migratory Bird Convention Act, 1994 and Species At Risk Act, 2002, is their sole responsibility.

Building Services, May 20, 2026

Based on the information provided, Building Services has no concerns with this application.

However, Applicant/Owner to be aware of the following comments:

- 1) For the proposed two-storey multiple dwelling containing six dwelling units, a building permit application and all required supporting documentation shall be submitted to the satisfaction of the Chief Building Official.

The Applicant/Owner is advised that the proposal is subject to the Comprehensive Plot Plan Process and, as part of the building permit submission, shall include a comprehensive plot plan, site statistics table, lot grading plan, and site servicing plan.

Our records indicate that the existing domestic water service is 16 mm (5/8"). In accordance with Division B, Part 7, Article 7.6.3.4.(1) of the Ontario Building Code, water service pipes shall be sized to accommodate peak demand flow and shall not be less than 19 mm (3/4") in diameter. Plumbing calculations to be provided at the time of building permit submission to confirm size of water distribution systems and required pipe size required based on the number of fixture units served.

The location of refuse storage shall be identified on the plot plan provided. If refuse storage is proposed within the building, the location shall also be clearly identified on the site plan and architectural drawings, as applicable

Krista Deredin, Plans Examiner
Building Services

Development Engineering, May 20, 2026

We have some concerns regards to the reduction in the required number of parking spaces, it is important to note that only short term on-street parking (maximum of 4 hours) is available on Bloor Street and Bessie Street, therefore any overflow parking that may occur from this site will affect the neighbouring property owners on Bloor Street or other area roadways.

Ministry of Transportation, May 15, 2026

I can confirm that the subject lands are not within the MTO's Permit Control Area; therefore, we have no comments to provide at this time.

Conservation Sudbury, May 13, 2026

No Concerns

Site Plan, May 13, 2026

No Concerns

Meeting Minutes:

05/27/2026 The applicant's agent, Rohit Walia, appeared before Committee and provided a summary of the Application.
The Committee Members and the Chair had no questions and expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:
1001471304 ONTARIO LTD
the owner(s) of PIN(s) 021350050, Lot 54, Plan 1-SC, Part Lot 6, Concession 4, Township of McKim, 234 Bloor Street, Sudbury, ON

for relief from Part 5, Section 5.2, subsections 5.2.4.3 d), 5.2.9.1 and 5.2.9.1.1, Section 5.5, Table 5.5 and Part 6, Section 6.3, Table 6.5 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a multiple dwelling containing six dwelling units providing, firstly, a rear yard setback of 6.91m, where 7.5m is required, secondly, a corner side yard setback of 3.89m, where 4.5m is required, thirdly, Parking spaces #1 and #2 to be located within the required corner side yard both providing a corner side yard setbacks of 0.84m, where no part of any parking area shall be located in any required corner side yard in any Residential Zone, fourthly, six parking spaces, where 9 parking spaces are required, fifthly, one tandem parking space, where each required parking space shall be accessible at all times and where only lots containing not more than 4 dwelling units is permitted a tandem parking space, sixthly, a lot area of 92.9 sq. m per unit, where 110.0 sq. m per unit is required, and seventhly, a minimum lot frontage of 15.25m, where 20.0m is required, be granted.

Consideration was given to Section 45(1) of the *Planning Act*, R.S.O.1990, c. P.13, as amended, including written and oral submissions related to the Application, it is our opinion the variances are minor in nature and are desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-law and the Official Plan are maintained.

As no public comment, written or oral, has been received, there was no effect on the Committee of Adjustment's decision.

Member	Status
CATHY CASTANZA	Concurring
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00061

May 27, 2026

OWNER(S): SEBASTIAN GONZALEZ, 219 Hyland Drive, Sudbury, ON, Canada

AGENT(S): ANTHONY FARRUGIA, 255 Edmund Street, Sudbury, ON, Canada P3E 1M3

LOCATION: PIN(s) 735850209, Parcel 7904 SEC SES, Lot 539, Plan M-95, Part Lot 6, Concession 3, Township of McKim, 219 Hyland Drive, Sudbury P3E 1R7

SUMMARY

Zoning: The property is zoned R2-2 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct an addition on the existing dwelling providing setbacks and encroachments at variance to the By-law.

Comments concerning this application were submitted as follows:

Sudbury Hydro, May 25, 2026

REVISED

All structures, equipment and personnel must maintain proper clearance from energized electrical conductors and apparatus as per the latest edition of the Ontario Electrical Safety Code.

Sudbury Hydro, May 22, 2026

No Comment Received

Development Approvals, May 21, 2026

The purpose and effect of the application is to facilitate the construction of an addition on the front of the existing dwelling. The following variances are being requested:

- 1.To provide a front yard setback of 4.8 m, where a 6.0 m front yard setback is required (Section Table 6.3 of the Zoning By-law).
- 2.To provide an interior side yard setback of 0.94 m, where a 1.2 m interior side yard setback is required (Table 6.3 of the Zoning By-law).

The subject lands are designated 'Living Area 1' within the City of Greater Sudbury Official Plan and are zoned 'R2-2', Low Density Residential Two within the City of Greater Sudbury Zoning By-law. The land use on the property is a single detached dwelling unit, is serviced by municipal water and sanitary sewer and is

accessed from Hyland Drive. Surrounding uses are residential in nature.

Staff have no concerns with the requested relief. Staff is of the opinion that there are no land use compatibility concerns between the subject lands and abutting properties.

Staff is of the opinion that the variance is considered to be minor in nature, is an appropriate use of the land, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted.

Strategic and Environmental Planning, May 21, 2026

The applicant is advised that compliance with the provincial Fish and Wildlife Conservation Act, 1997 and Species Conservation Act, 2025, and the federal Migratory Bird Convention Act, 1994 and Species At Risk Act, 2002, is their sole responsibility.

Building Services, May 20, 2026

Based on the information provided, Building Services has no concerns with this application.

For the applicants' information:

- 1) A building permit shall be required for the construction of the proposed addition, to the satisfaction of the Chief Building Official.
- 2) Please be advised that walls located at less than 1.2m of the property line require a fire resistance rating of 45 minutes, and combustible projections (eaves) are not permitted within 0.6m of the property line.
- 3) That a search of our records indicates that there are issued permits for:

B09-2541 – 3 Storey Addition (Phase II)

B10-1210 – Interior Alterations

Please contact Building Services to close these projects.

- 4) BP-BCO-2024-00067 (Building Code Order) is still active/in progress. Please contact Building Services for more information at 705-674-4455 Ext. 4278.

Development Engineering, May 20, 2026

No Concerns

Corridor Management, May 19, 2026

No Comment Received

Hydro One, May 19, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), May 19, 2026

No Comment Received

Ministry of Transportation, May 15, 2026

I can confirm that the subject lands are not within the MTO's Permit Control Area; therefore, we have no comments to provide at this time.

Conservation Sudbury, May 13, 2026

No Concerns

Site Plan, May 13, 2026

No Concerns

Meeting Minutes:

05/27/2026 The applicant's agent, Anthony Farrugia, appeared before Committee and provided a summary of the Application.
The Committee Members and the Chair had no questions and expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:
SEBASTIAN GONZALEZ
the owner(s) of PIN(s) 735850209, Parcel 7904 SEC SES, Lot 539, Plan M-95, Part Lot 6, Concession 3, Township of McKim, 219 Hyland Drive, Sudbury P3E 1R7

for relief from Part 6, Section 6.3, Table 6.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of an addition on the front of the existing dwelling providing, firstly, for the addition to provide a front yard setback of 4.8m, where a 6.0m front yard setback is required, and secondly, for the addition to provide an interior side yard setback of 0.94m, where a 1.2m interior side yard setback is required, be granted.

Consideration was given to Section 45(1) of the *Planning Act*, R.S.O.1990, c. P.13, as amended, including written and oral submissions related to the Application, it is our opinion the variances are minor in nature and are desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-law and the Official Plan are maintained.

As no public comment, written or oral, has been received, there was no effect on the Committee of Adjustment's decision.

Member	Status
CATHY CASTANZA	Concurring
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00062

May 27, 2026

OWNER(S): GREATER SUDBURY HOUSING CORPORATION, 10 Elm St, Sudbury, ON, Canada

AGENT(S): GREATER SUDBURY HOUSING CORPORATION, 10 Elm St, Sudbury, ON, Canada

LOCATION: PIN(s) 734940430, Parcel 33092 SEC SES SRO, Part of Lots 3 & 4, Plan M-690, Part Lot 5, Concession 1, Township of Garson, 303 O'Neil Drive, Garson P3L 1J3, 307 O'Neil Drive, Garson, Ontario P3L 1J3, 303 /307 O'Neil Drive, Garson, Ontario P3L 1J3

SUMMARY

Zoning: The property is zoned R3.D60 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to permit two existing driveways on a proposed lot, subject of Consent Application PL-CON-2026-00002, at variance to the By-law.

Comments concerning this application were submitted as follows:

Sudbury Hydro, May 25, 2026

REVISED
No concerns - falls outside of our service territory.

Sudbury Hydro, May 22, 2026

No Comment Received

Building Services, May 21, 2026

Based on the information provided, Building Services has no concerns with this application.

Development Approvals, May 21, 2026

The purpose and effect of the application is to permit the two existing driveways on the subject lands to remain to access the existing semi-detached dwelling. The following variance has been requested for the proposed development:

Permit two driveways on property, where only one driveway is permitted per lot in a residential zone for low-rise residential dwelling units, including a semi-detached dwelling (Section 5.4.2 c) of Zoning By-law).

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan and are zoned 'R3.D60', Medium Density Residential within the City of Greater Sudbury Zoning By-law. The property currently contains a semi-detached dwelling. The lands are serviced by municipal water and sanitary sewer and are accessed by the existing two driveways on O'Neil Drive East. The applicant has advised that the two driveways were established in 1968. Surrounding uses are predominantly low to mid density residential uses. The property is also subject to consent application PL-CON-2026-00002, which is conditional upon the owner/applicant obtaining approval of a Minor Variance Application to permit two driveways for the severed lands, being 303-307 O'Neil Drive East, Garson.

Staff have no concerns with the requested relief to permit the existing two driveways to remain on the severed portion of consent application PL-CON-2026-00002, providing access to the semi-detached dwelling on the subject lands, as no changes are proposed to the driveways. Staff is of the opinion that there are no land use compatibility concerns between the subject lands and abutting properties.

Staff is of the opinion that the variance is considered to be minor in nature, is an appropriate use of the land, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted.

Strategic and Environmental Planning, May 21, 2026

The applicant is advised that compliance with the provincial Fish and Wildlife Conservation Act, 1997 and Species Conservation Act, 2025, and the federal Migratory Bird Convention Act, 1994 and Species At Risk Act, 2002, is their sole responsibility.

Development Engineering, May 20, 2026

No Concerns

Corridor Management, May 19, 2026

No Comment Received

Hydro One, May 19, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), May 19, 2026

No Comment Received

Ministry of Transportation, May 15, 2026

I can confirm that the subject lands are not within the MTO's Permit Control Area; therefore, we have no comments to provide at this time.

Conservation Sudbury, May 13, 2026

No Concerns

Site Plan, May 13, 2026

No Concerns

Meeting Minutes:

05/27/2026 The owner’s authorized representative, Kim Zarichney, appeared before Committee and provided a summary of the Application. The Committee Members and the Chair had no questions and expressed support for the Application and staff’s recommendation.

The following decision was reached:

DECISION:

THAT the application by:
GREATER SUDBURY HOUSING CORPORATION
the owner(s) of PIN(s) 734940430, Parcel 33092 SEC SES SRO, Part of Lots 3 & 4, Plan M-690, Part Lot 5, Concession 1, Township of Garson, 303 O’Neil Drive, Garson P3L 1J3, 307 O’Neil Drive, Garson, Ontario P3L 1J3, 303 /307 O’Neil Drive, Garson, Ontario P3L 1J3

for relief from Part 5, Section 5.4, subsection 5.4.2 c) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit two existing driveways on a proposed lot subject of Consent Application PL-CON-2026-00002, where only one driveway is permitted per lot, be granted.

Consideration was given to Section 45(1) of the *Planning Act*, R.S.O.1990, c. P.13, as amended, including written and oral submissions related to the application, it is our opinion the variance is minor in nature and is desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan are maintained.

As no public comment, written or oral, has been received, there was no effect on the Committee of Adjustment's decision.

Member	Status
CATHY CASTANZA	Concurring
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00064

May 27, 2026

OWNER(S): MEGAN MESSENGER, 171 Edgewater Rd, Sudbury, ON, Canada

AGENT(S): ADAM WHITBY, 171 Edgewater Rd, Sudbury, ON, Canada

LOCATION: PIN(s) 734760125, Parcel 9554 SEC SES, as in LT52283, Part Lot 6, Concession 4, Township of Broder, 171 Edgewater Road, Sudbury P3G 1J8

SUMMARY

Zoning: The property is zoned R1-2 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a detached garage providing setbacks and high water mark setbacks at variance to the By-law.

Comments concerning this application were submitted as follows:

Sudbury Hydro, May 25, 2026

REVISED

All structures, equipment and personnel must maintain proper clearance from energized electrical conductors and apparatus as per the latest edition of the Ontario Electrical Safety Code.

Sudbury Hydro, May 22, 2026

No Comment Received

Building Services, May 21, 2026

Based on the information provided, Building Services has no concerns with this application.

For the applicants' information:?

- 1) Building Services acknowledges Building Permit Application BP-NEW-2026-00472 (Detached Garage).
2) The maximum driveway width permitted at the street line is 6.3m.

Development Approvals, May 21, 2026

The purpose and effect of the application is to facilitate the construction of a detached garage. Variances

requested for the proposed development are the following:

- 1.Reduce high water mark setback to 23 m, where no person shall erect a residential building or other accessory building or structure closer than 30 m to the high water mark of a lake (Part 4, Section 4.41, subsection 4.41.2 a) of Zoning By-law); and
2. Reduce front yard setback to 1.2 m with eaves encroaching an additional 0.5m into the proposed 1.2 m setback, where 6 m is required and where eaves may encroach 1.2 m into the required yard but not closer than 0.6m to the lot line (Section 4.2, subsection 4.2.5, Table 4.1 and Section 6.3, Table 6.2 of Zoning By-law of Zoning By-law)

The subject lands are designated 'Living Area II' within the City of Greater Sudbury Official Plan and are zoned 'R1-2', Low Density Residential One within the City of Greater Sudbury Zoning By-law. The property currently contains a single detached dwelling, deck and shed. The lands are serviced by the lake (water) and private septic system. The property is accessed by Edgewater Road, a municipal road maintained year-round. Most of the subject property is regulated by Conservation Sudbury. A small portion of the property is also located in the flood plain area. However, the proposed garage is located outside of this identified flood plain area.

The property is located on the northeast side of Long Lake. Surrounding uses are primarily residential, with properties abutting Long Lake, to the south of Edgewater Road being zoned 'R1-2', Low Density Residential One, whereas properties to the north of Edgewater Road, in proximity to the subject lands, are zoned 'RU' – Rural.

Staff have no concerns with the requested relief as it generally reflects the existing site conditions. Based on a review of the aerial imagery, there are several properties along the south side of Edgewater Road that have a detached building located near the front property line (close to Edgewater Road). Based on the concept plan, it appears that the owners of 171 Edgewater Road utilize their 'rear yard' abutting the shoreline as their front yard – and 'front yard' abutting Edgewater Road as their rear yard, due to the lands abutting directly onto Long Lake. According to the Zoning By-law, as the property has frontage onto both a street and shoreline – the property line abutting the street is considered the 'front lot line'.

Based on the applicant's concept plan, the proposed detached garage is centered on the property, located away from both abutting property owners. Further, based on the applicant's concept plan, there is approximately 16.45 m between the front lot line and Edgewater Road (due to the curve in the road).

As such, staff is of the opinion that there are no land use compatibility concerns between the subject lands and abutting properties. Staff is of the opinion that the variance is considered to be minor in nature, is an appropriate use of the land, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted.

Development Engineering, May 21, 2026

Eaves Encroachment:

The roof must be complete with eaves troughs and the variance would permit both the structure and its eaves troughs to be 0.6m from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

Strategic and Environmental Planning, May 21, 2026

The applicant is proposing to construct a detached garage providing a high water mark setback of 23.0m, where no person shall erect any residential building or other accessory building or structure closer than 30.0m to the high water mark of a lake.

Policy 3 of section 8.4.1 of the City's Official Plan provides the following criteria when considering reductions to the highwater mark setback:

- a) sufficient lot depth is not available;
- b) terrain or soil conditions exist which make other locations on the lot less suitable;
- c) the proposal is for an addition to an existing building or replacement of a leaching bed where the setback is not further reduced; or
- d) redevelopment is proposed on an existing lot and a net improvement is achieved.

Given the subject lands have a depth of +/-31 m, staff are of the opinion that the subject lands do not have sufficient depth to accommodate the proposed detached garage outside of the high water mark. Staff recognize that the accessory building is proposed to be located closer to the road than the existing dwelling and outside of the shoreline buffer area. Staff therefore have no concerns with the variance request.

The subject lands contain floodplain as per Schedule 6a of the City of Greater Sudbury Official Plan.

The applicant is advised that compliance with the provincial Fish and Wildlife Conservation Act, 1997 and Species Conservation Act, 2025, and the federal Fisheries Act, 1985; Migratory Bird Convention Act, 1994; and, Species At Risk Act, 2002 is their sole responsibility.

Conservation Sudbury, May 19, 2026

No Concerns

Corridor Management, May 19, 2026

No Comment Received

Hydro One, May 19, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), May 19, 2026

No Comment Received

Ministry of Transportation, May 15, 2026

I can confirm that the subject lands are not within the MTO's Permit Control Area; therefore, we have no comments to provide at this time.

Site Plan, May 13, 2026

No Concerns

Meeting Minutes:

05/27/2026 The owner's spouse and agent, Adam Whitby, appeared before Committee and provided a summary of the Application.
Robert Church attended the hearing on behalf of the Long Lake Stewardship Committee and expressed no concern with the Application.
The Secretary-Treasurer advised Committee that the City received a letter from the Long Lake Stewardship Committee expressing no concern with the Application and confirmed Committee's receipt of the same.
The Committee Members and the Chair had no questions and expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:
MEGAN MESSENGER
the owner(s) of PIN(s) 734760125, Parcel 9554 SEC SES, as in LT52283, Part Lot 6, Concession 4, Township of Broder, 171 Edgewater Road, Sudbury P3G 1J8

for relief from Part 4, Section 4.2, subsection 4.2.5, Table 4.1, and Section 4.41, subsection 4.41.2 a), and Part 6, Section 6.3, Table 6.2 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage providing, firstly, a high water mark setback of 23.0m, where no person shall erect any residential building or other accessory building or structure closer than 30.0m to the high water mark of a lake, and secondly, a minimum front yard setback of 1.2m with eaves encroaching an additional 0.5m into the proposed 1.2m setback, where 6.0m is required and where eaves may encroach 1.2m into the required yard but not closer than 0.6m to the lot line, be granted.

Consideration was given to Section 45(1) of the *Planning Act*, R.S.O.1990, c. P.13, as amended, including written and oral submissions related to the Application, it is our opinion the variances are minor in nature and are desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-law and the Official Plan are maintained.

Public comment has been received and considered and had no effect on Committee of Adjustment's decision as the application represents good planning.

Member	Status
CATHY CASTANZA	Concurring
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00065

May 27, 2026

OWNER(S): MOE PAQUETTE, 4404 Odile St, Hanmer, ON, Canada

AGENT(S): MOE PAQUETTE, 4404 Odile St, Hanmer, ON, Canada

LOCATION: PIN(s) 735080585, Parcel 28881 SEC SES SRO, Lot 30, Plan M-476, Part Lot 12, Concession 2, Township of Capreol, 4404 Odile Street, Hanmer P3P 1L9

SUMMARY

Zoning: The property is zoned R1-5 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct an addition on the existing dwelling and an addition on the existing detached garage providing accessory lot coverage, height, setbacks and encroachments at variance to the By-law.

Comments concerning this application were submitted as follows:

Sudbury Hydro, May 25, 2026

REVISED
No concerns - falls outside of our service territory.

Sudbury Hydro, May 22, 2026

No Comment Received

Development Approvals, May 21, 2026

The purpose and effect of the application is to facilitate the construction of an addition on the existing dwelling and an addition on the existing detached garage. It is worth noting that the property owner received minor variance approval in June of 2020 for increased height of the detached garage and an increase in lot coverage for accessory structures. Variances requested for the proposed development are the following:

- 1. Increased accessory lot coverage of 17%, where the total lot coverage of all accessory buildings and structures on a residential lot shall not exceed 10% (Section 4.2.3 of Zoning By-law)
2. Increased maximum height of 6.0 m for the detached garage addition, where the maximum height of any accessory building or structure on a residential lot shall be 5.0 m (Section 4.2.4 a)
3. Reduced front yard setback of 3.66 m for the proposed addition on the existing dwelling with eaves encroaching an additional 0.5 m into the proposed 3.66m, where 6.0 m is required and where eaves may encroach 1.2m into the required yard but not closer than 0.6 m to the lot line (Tables 4.1 and 6.2 of Zoning

By-law)

4.Reduced rear yard setback of 0.9 m for the addition on the existing detached garage with eaves encroaching an additional 0.3 m into the proposed 0.9m setback, where accessory buildings and structures greater than 2.5 m in height shall be no closer than 1.2 m from the rear lot line and where eaves may encroach 1.2 m into the required yard but not closer than 0.6 m to the lot line (Tables 4.1 and 6.2 of Zoning By-law)

The subject lands are designated 'Living Area 1' within the City of Greater Sudbury Official Plan, are zoned 'R1-5', Low Density Residential One within the City of Greater Sudbury Zoning By-law and are within the Wellhead Protection Area – A and B Intake Protection Zone.

The land use on the property is a single detached dwelling unit, is serviced by municipal water and sanitary sewer and is accessed from Odile Street. Surrounding uses are low and medium density residential.

Staff have no concerns with the requested relief. Staff is of the opinion that there are no land use compatibility concerns between the subject lands and abutting properties.

Staff is of the opinion that the variance is considered to be minor in nature, is an appropriate use of the land, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted.

Development Engineering, May 21, 2026

Eaves Encroachment:

The roof must be complete with eaves troughs and the variance would permit both the structure and its eaves troughs to be 0.6m from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

Strategic and Environmental Planning, May 21, 2026

The applicant is advised that compliance with the provincial Fish and Wildlife Conservation Act, 1997 and Species Conservation Act, 2025, and the federal Migratory Bird Convention Act, 1994 and Species At Risk Act, 2002, is their sole responsibility.

Building Services, May 20, 2026

Based on the information provided, Building Services has no concerns with this application.

For the Owner's information Building Services has the following comments,

1. Building permit and building permit documents to be submitted to the satisfaction of the Chief Building Official, is required for the proposed structure.
2. The proposed location provides a setback less than 1.2m and greater than 0.6m. Construction of the wall between 1.2m and 0.6m of the property line will require a minimum fire resistance rating of 45 minutes.
3. Subject property is in a source water protection zone and a Section 59 Notice may be required at time of Building Permit application
4. A search of our records indicates there is a Building Permit which has not been completed. Owner shall contact Building Services to discuss outstanding items. Building Permit No. B14-1330 for Weeping Tiles

Source Water Protection, May 20, 2026

Parcel located within Municipal Well's (Pharand (G)) Wellhead Protection Area "B". Detached garage cannot be used to store organic solvents and dense non-aqueous phase liquid (DNAPLs) in volumes of 25 Ls and above and fuel in volumes of 250Ls and above. No significant drinking water threat identified at this time.

Corridor Management, May 19, 2026

No Comment Received

Hydro One, May 19, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNR), May 19, 2026

No Comment Received

Ministry of Transportation, May 15, 2026

I can confirm that the subject lands are not within the MTO's Permit Control Area; therefore, we have no comments to provide at this time.

Conservation Sudbury, May 13, 2026

No Concerns

Site Plan, May 13, 2026

No Concerns

Meeting Minutes:

05/27/2026 The owner appeared before Committee and provided a summary of the Application. Committee Member Castanza referred to Building Services' comments regarding an outstanding permit and the owner advised that the permit would be completed at the same time. The Member confirmed with the owner that the trailers located on the property were for personal use. The Committee Members and the Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:
MOE PAQUETTE

the owner(s) of PIN(s) 735080585, Parcel 28881 SEC SES SRO, Lot 30, Plan M-476, Part Lot 12, Concession 2, Township of Capreol, 4404 Odile Street, Hanmer P3P 1L9

for relief from Part 4, Section 4.2, subsections 4.2.3, 4.2.4 a) and 4.2.5, Table 4.1 and Part 6, Section 6.3, Table 6.2 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of an addition on the existing dwelling and an addition on the existing detached garage providing, firstly, an accessory lot coverage of 17%, where the total lot coverage of all accessory buildings and structures on a residential lot shall not exceed 10%, secondly, a maximum height of 6.0m for the detached garage addition, where the maximum height of any accessory building or structure on a residential lot shall be 5.0m, thirdly, a front yard setback of 3.66m for the addition on the existing dwelling with eaves encroaching an additional 0.5m into the proposed 3.66m, where 6.0m is required and where eaves may encroach 1.2m into the required yard but not closer than 0.6m to the lot line, and fourthly, a rear yard setback of 0.9m for the addition on the existing detached garage with eaves encroaching an additional 0.3m into the proposed 0.9m setback, where accessory buildings and structures greater than 2.5m in height shall be no closer than 1.2m from the rear lot line and where eaves may encroach 1.2m into the required yard but not closer than 0.6m to the lot line, be granted.

Consideration was given to Section 45(1) of the *Planning Act*, R.S.O.1990, c. P.13, as amended, including written and oral submissions related to the Application, it is our opinion the variances are minor in nature and are desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-law and the Official Plan are maintained.

As no public comment, written or oral, has been received, there was no effect on the Committee of Adjustment's decision.

Member	Status
CATHY CASTANZA	Concurring
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00067

May 27, 2026

OWNER(S): FELIX LOPES JR., 84 Smelter Road, Coniston, ON, Canada

AGENT(S): TULLOCH, 131 Fielding Road, Lively, ON, Canada

LOCATION: PIN(s) 735590116, Part Lot 10, Concession 2, Parts 1-8, Plan 53R-21923, and Parts 1-3, Plan 53R-22391, as in EP5414, Township of Neelon, 0 Dube Road, Sudbury P3B 1A1

SUMMARY

Zoning: The property is zoned R1-1 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct two detached accessory buildings providing a height at variance to the By-law.

Comments concerning this application were submitted as follows:

Sudbury Hydro, May 25, 2026

REVISED
No objection.

Sudbury Hydro, May 22, 2026

No Comment Received

Development Approvals, May 21, 2026

The purpose and effect of the application is to facilitate the construction of a detached garage and tool shed, both exceeding permitted heights for accessory structures in the Zoning By-law. Variances requested for the proposed development are the following:

1. Increase height for the proposed detached garage to 9.0 m, where a maximum of 5.0 m is permitted for an accessory structure in a residential zone (Section 4.2.4 of the Zoning By-law)
2. Increase height for the proposed tool shed to 5.5 m, where a maximum of 5.0 m is permitted for an accessory structure in a residential zone (Section 4.2.4 of the Zoning By-law)

The subject lands are designated 'Living Area II' within the City of Greater Sudbury Official Plan, are zoned 'R1-1', Low Density Residential One within the City of Greater Sudbury Zoning By-law and are developed with a single detached dwelling and several accessory structures throughout the property. The lands are serviced

by well and septic and are accessed from Dube Road. Surrounding land uses are residential except for Moonlight Beach, at approximately 700.0 m distance from the subject lands.

Staff generally have no concerns with the requested relief and are of the opinion that there are no land use compatibility concerns between the subject lands and abutting properties. As addressed in the cover letter provided alongside the application, the subject property is large and well vegetated by coniferous trees, which would act as a buffer between abutting properties.

Staff is of the opinion that the variance is considered to be minor in nature, is an appropriate use of the land, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted.

Development Engineering, May 21, 2026

No Concerns

Strategic and Environmental Planning, May 21, 2026

The subject lands are located in the Ramsey Lake Unserviced Residential Area Specific Policy as per Schedule 2a of the City of Greater Sudbury Official Plan, contain floodplain as per Schedule 6a of the City of Greater Sudbury Official Plan, and are located in an area of wildland fire hazard as per Schedule 6b of the City of Greater Sudbury Official Plan.

The proposed accessory building appears to be setback 31 m from the shoreline. SEP staff have no objection to the variance for accessory building height.

The applicant is advised that compliance with the provincial Fish and Wildlife Conservation Act, 1997 and Species Conservation Act, 2025, and the federal Fisheries Act, 1985; Migratory Bird Convention Act, 1994; and, Species At Risk Act, 2002 is their sole responsibility.

The applicant is advised that wildland fire mitigation best practices can be found in provincial standards such as FireSmart.

Building Services, May 20, 2026

Based on the information provided, Building Services has no concerns with this application.

For the Owner's information Building Services has the following comments,

1. Building permit and building permit documents to be submitted to the satisfaction of the Chief Building Official, is required for the proposed construction.

Conservation Sudbury, May 20, 2026

Conservation Sudbury cannot currently support the Minor Variance MV 2026-00067 for construction of a detached garage and shed. Based on a review of the topography of the site, the proposed garage and shed appear to be located within an erosion hazard regulated by Conservation Sudbury under the Conservation Authorities Act. As a confined system, without further site specific study, the erosion hazard includes a 15 m toe erosion allowance and 3:1 stable slope allowance.

The erosion hazard can be truncated by the presence of consolidated bedrock. Proponent must provide a site specific erosion hazard study to demonstrate the structures are located outside of the erosion hazard, or otherwise demonstrate the presence of consolidated bedrock along the shoreline of the subject property in

order for Conservation Sudbury to support this development. Please send photos by email to NDCA@ConservationSudbury.ca

Source Water Protection, May 20, 2026

Parcel located within Ramsey Lake Intake Protection Zone "3". Proposed construction of detached garage and tool shed on the property. No significant drinking water threat identified at this time.

Corridor Management, May 19, 2026

No Comment Received

Hydro One, May 19, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNR), May 19, 2026

No Comment Received

Ministry of Transportation, May 15, 2026

I can confirm that the subject lands are not within the MTO's Permit Control Area; therefore, we have no comments to provide at this time.

Site Plan, May 13, 2026

No Concerns

Meeting Minutes:

05/27/2026 The owner's agent, Vanessa Smith and Ryland Thompson of Tulloch Engineering, appeared before Committee and provided a summary of the Application. The Committee Members and the Chair had no questions and expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:
FELIX LOPES JR.

the owner(s) of PIN(s) 735590116, Part Lot 10, Concession 2, Parts 1-8, Plan 53R-21923, and Parts 1-3, Plan 53R-22391, as in EP5414, Township of Neelon, 0 Dube Road, Sudbury P3B 1A1

for relief from Part 4, Section 4.2, subsection 4.2.4 a) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction a detached garage and shed providing a maximum height of 9.0m for the detached garage and 5.5m for the shed, where the maximum height of any accessory building or structure on a residential lot shall be 5.0m, be granted.

Consideration was given to Section 45(1) of the *Planning Act*, R.S.O.1990, c. P.13, as amended, including written and oral submissions related to the Application, it is our opinion the variances are minor in nature and are desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-law and the Official Plan are maintained.

As no public comment, written or oral, has been received, there was no effect on the Committee of Adjustment's decision.

Member	Status
CATHY CASTANZA	Concurring
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00068

May 27, 2026

OWNER(S): PAUL CHARBONNEAU, 219 O'Neil Dr E, Hanmer, ON, Canada

AGENT(S): TULLOCH, 131 Fielding Road, Lively, ON, Canada

LOCATION: PIN(s) 735830182, Lots 7 & 8 and Part Lots 3 & 4, Plan 13-SB, Part 2, Plan 53R-13449, Part Lot 4, Concession 3, Township of McKim, 343 /345/347 Cartier Avenue, Sudbury P3B 1C5, 345 Cartier Avenue, Sudbury, Ontario P3B 1C5, 347 Cartier Avenue, Sudbury, Ontario P3B 1C5, 343 Cartier Avenue, Sudbury

SUMMARY

Zoning: The property is zoned R2-3 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Permission under Section 45(2) of the Planning Act, R.S.O. 1990, c. P.13, to expand the legal non-conforming use of the existing property, including the buildings, to increase the number of dwelling units within the existing building and maintain current parking.

Comments concerning this application were submitted as follows:

Sudbury Hydro, May 25, 2026

REVISED
No objection.

Development Approvals, May 22, 2026

The purpose and effect of the application is to expand the legal non-conforming use of the existing building municipally known as 343 Cartier Avenue, from 14 dwelling units to 15 dwelling units, to expand the legal non-conforming use of the existing building municipally known as 345 Cartier Avenue, from 9 dwelling units to 10 dwelling units and to maintain 15 parking spaces for 25 dwelling units, where 15 parking spaces for 23 dwelling units currently exists.

The subject lands are designated 'Living Area 1' and abuts the 'Downtown' within the City of Greater Sudbury Official Plan and are zoned 'R2-3', Low Density Residential Two within the City of Greater Sudbury Zoning By-law. The property is in Intake Protection Zone 2. Land uses in the surrounding area are a mix of low and medium density residential. The property is serviced by municipal water and sanitary sewer and is accessed by Cartier Avenue, a municipal road maintained year-round.

The property currently contains two multiple dwelling buildings (343 and 345 Cartier Avenue). The building on the west side of the property (343 Cartier Avenue) contains 14 dwelling units, whereas the building on the

east side (345 Cartier Avenue) contains 9 dwelling units and 1 non-permitted dwelling unit. The minor variance application seeks to add an additional dwelling unit at 343 Cartier Avenue and to recognize/legalize the existing 10th dwelling unit at 345 Cartier Avenue.

Development Engineering noted concerns with the proposed number of parking spaces for the development and that parking overflows would affect neighbouring properties on Lourdes Street and other roadways. It was also clarified that on-street parking is not permitted on Cartier Avenue, and only short term on-street parking (maximum of 4 hours) is available on Lourdes Street.

Development Engineering has also commented that the existing eight (8) illegal parking spaces within the Cartier Avenue right of way must be eliminated and that a mountable curb and sidewalk, as per city standards, must be extended along the frontage of the property to eliminate the existing illegal parking.

While Staff recognizes that there are existing public transit stops approximately 220 m to the northeast of the subject property on Van Horne Street, Staff maintains the position that no less than 1 parking space per unit is considered to be appropriate in the 'Living Area 1' designation. Staff are of the opinion that increasing the number of residential units without adequate parking in the 'Living Area 1' designation is not an appropriate use of the lands.

It is recommended that the application be denied.

While staff recommendation is for denial, staff would recommend the following condition, as reflected in Development Engineering comments if the Committee of Adjustment were to approve the application, as proposed.

1. As a condition of the minor variance, a mountable curb and sidewalk must be extended along the frontage of this property, as per city standard, to eliminate the illegal parking, and the boulevard must be restored with topsoil and sod. The owner must provide an engineered plan for the work required in road allowance to eliminate the parking, and the work must be completed and approved under an Entrance Permit and Road Occupancy Permit. This work is to be completed to the satisfaction of the Director of Planning Services.

Development Engineering, May 22, 2026

We have some concerns regards to the reduction in the required number of parking spaces, it is important to note that on-street parking is not permitted on Cartier Avenue, and only short term on-street parking (maximum of 4 hours) is available on Lourdes Street, therefore any overflow parking that may occur from this site will affect the neighbouring property owners on Lourdes Street or other area roadways.

To approve the additional units and parking reduction, the illegal parking spaces located within the road allowance must be eliminated. The MV approval must be on condition that mountable curb and sidewalk, as per city standards, be extended along the frontage of this property to eliminate the illegal parking, and that the boulevard be restored with topsoil and sod. The owner must provide an engineered plan for the work required in road allowance to eliminate the parking, and the work must be completed under an Entrance and Road Occupancy Permit.

Sudbury Hydro, May 22, 2026

No Comment Received

Strategic and Environmental Planning, May 21, 2026

The applicant is advised that compliance with the provincial Fish and Wildlife Conservation Act, 1997 and Species Conservation Act, 2025, and the federal Migratory Bird Convention Act, 1994 and Species At Risk

Act, 2002, is their sole responsibility.

Building Services, May 20, 2026

Based on the information provided, Building Services has no concerns with this application.

For the Owner's information Building Services has the following comments,

Building permit and building permit documents to be submitted to the satisfaction of the Chief Building Official, for the proposed dwelling units and any associated construction.

Source Water Protection, May 20, 2026

Parcel located within Ramsey Lake IPZ "2". Application to permit on additional unit in each building on the property for a total of 25 units. Impervious area on the property is lower than 1 ha. No significant drinking water threat identified at this time.

Corridor Management, May 19, 2026

No Comment Received

Hydro One, May 19, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNR), May 19, 2026

No Comment Received

Ministry of Transportation, May 15, 2026

I can confirm that the subject lands are not within the MTO's Permit Control Area; therefore, we have no comments to provide at this time.

Conservation Sudbury, May 13, 2026

No Concerns

Site Plan, May 13, 2026

We do not have a record of a site plan control agreement for this property.

The illegal parking spaces located within the road allowance must be eliminated. As a condition of the minor variance, a mountable curb and sidewalk must be extended along the frontage of this property, as per city standard, to eliminate the illegal parking, and the boulevard must be restored with topsoil and sod. The owner must provide an engineered plan for the work required in road allowance to eliminate the parking, and the work must be completed and approved under an Entrance Permit and Road Occupancy Permit.

Meeting Minutes:

05/27/2026 Jonathan Clark, Subdivision/Site Plan Control Engineer for the City of Greater Sudbury was in attendance.

The owner's agents, Vanessa Smith and Brandon Cormier of Tulloch Engineering, appeared before Committee. The Chair requested the agents to address the comments provided by Development Engineering. Brandon Cormier provided a summary of the Application. Vanessa Smith provided comments addressing Development Engineering's comments and requested Committee to approve the Application without a condition.

Committee Member Castanza advised Committee that she attended the site and felt the condition was unfair and expressed opposition to staff's recommendation to deny the Application.

Committee Member Goswell expressed support for staff's recommendation and asked staff if parking on the City's right-of way was being used and staff advised that aerial images indicated vehicles parking in the right-of-way. Staff also advised that snow storage was a concern. The Member requested the agent to explain the owner's objections to the work. Vanessa Smith explained what the condition required, advised that the owner was not seeking approval to permit the parking in the City's right-of-way, advised that she was aware that the owner typically removes snow from the property and explained that most parking on the street was in the City's right-of-way. The Member expressed support for staff's recommendation.

Committee Member Sawchuk asked staff what the City's responsibility was to curb and landscape. Staff advised that improvements are made through capital budget for maintenance, that through Site Plan Control, developers are responsible up to the curb and that the requested condition would alleviate the fees required through the Site Plan Control process. Vanessa Smith expressed confusion about why the condition was being imposed and why it was not requested in similar applications. The Member expressed support for the Application and opposition to staff's recommendation.

Committee Member Murray requested clarification on staff's comments. Staff advised Committee that development should pay for development, that sidewalks to connect developments would be desired and that those costs are typically imposed on developers. The Member expressed opposition to staff's recommendation.

Committee Chair Dumont advised the agents that Applications are heard on their own merit. The Chair expressed opposition to Development Engineering's requested condition and advised the agents that the parking stalls should be shown on plans to assist Committee in making their decision. Vanessa Smith advised that the parking stalls were shown on the plan and staff confirmed that they were. Staff verified Committee's agenda and found that the parking stalls were not shown on the plan but confirmed that the plan submitted with the Application did show the parking stalls. A copy of the plan showing the parking stalls was provided to the Chair. The Chair expressed opposition to the condition and support for the Application. The Chair requested the agents to address the adverse impacts in future submissions.

Committee Member Castanza expressed concerns with staff's comments and Committee Member Sawchuk suggested that By-law Enforcement could manage the parking.

Committee Member Castanza put forward a motion to grant the Application without a condition and Committee Member Murray seconded the motion. The motion was supported and carried.

The following decision was reached:

DECISION:

THAT the application by:
PAUL CHARBONNEAU
the owner(s) of PIN(s) 735830182, Lots 7 & 8 and Part Lots 3 & 4, Plan 13-SB, Part 2, Plan 53R-13449, Part Lot 4, Concession 3, Township of McKim, 343 /345/347 Cartier Avenue, Sudbury P3B 1C5, 345 Cartier Avenue,

Sudbury, Ontario P3B 1C5, 347 Cartier Avenue, Sudbury, Ontario P3B 1C5, 343 Cartier Avenue, Sudbury

for permission under Section 45(2) of the Planning Act, R.S.O. 1990, c. P.13 to expand the legal non-conforming use of the existing building municipally known as 343 Cartier Avenue, from 14 dwelling units to 15 dwelling units, to expand the legal non-conforming use of the existing building municipally known as 345 Cartier Avenue, from 9 dwelling units to 10 dwelling units and to maintain 15 parking space for 25 dwelling units, where 15 parking spaces for 23 dwelling units currently exists, be granted.

Consideration was given to Section 45(2) of the *Planning Act*, the request is desirable for the appropriate development and use of the property and the general intent and purpose of the By-law and Official Plan are maintained.

As no public comment, written or oral, has been received, there was no effect on the Committee of Adjustment's decision.

Member	Status
CATHY CASTANZA	Concurring
DAVID MURRAY	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring