



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00137

November 12, 2025

OWNER(S): 2166069 ONTARIO INC, 10158 Jane Street, MAPLE, ON, Canada

AGENT(S): API DEVELOPMENT CONSULTANTS INC., 1464 Cornwall Rd, Oakville, ON, Canada

LOCATION: PIN(s) 735730370, Part Lot 12, Concession 4, as in LT200406, except Parts 1-7, Plan SR-2625, Parts 1-3, Plan 53R-10708, Parts 1-4, Plan 53R-15217 and Part 1, 53R-20656, Township of Neelon, 400 Second Avenue, Sudbury P3B 4A4

SUMMARY

Zoning: The property is zoned R4(7) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to permit an addition on the existing retirement home, construction of a 3-storey parking structure and retaining wall and to permit an existing retaining wall on the subject property providing encroachments, setbacks and location of loading spaces at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, November 6, 2025

No Comment Received

Development Approvals, November 6, 2025

The purpose and effect of the application is to facilitate the construction of a six-storey addition on the existing retirement home and construction of a 3-storey parking structure with the following variances:

1. a 4.40m high retaining wall on the south side of the subject property to provide a 0.77m setback from the south interior side lot line and no setback (0.0m) from the front lot line, where accessory structures greater than 2.5m in height shall be no closer than 1.2m from the side lot line and where a 10.0m setback from the front lot line is required;
2. a 1.5m high retaining wall located in the required front yard to provide no setback (0.0m) from the front lot line, where a 10.0m setback from the front lot line is required;
3. a 7.5m setback from the rear lot line for the parking structure, where 9.0m is required;
4. the three required loading spaces in the front yard as shown on the Site Plan submitted with the Application, where loading spaces are not permitted in the front yard;
5. the southern most loading space to be setback 2.43m from the interior side lot line, where a loading space in a residential zone shall be setback 3.0m from the interior side lot line;
6. a 4.3m setback from the front lot line for the 3-storey parking structure, where 10.0m is required;
7. a 1.2m setback from the north interior side lot line for the 3-storey parking structure, where 10.0m is required.

The subject lands contain an existing retirement home and retaining wall. The lands are serviced by a municipal water and sanitary connection and are accessed from Second Avenue.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan, are zoned 'R4(7)', High Density Residential Special within the City of Greater Sudbury Zoning By-law, and are located in the Ramsey Lake Intake Protection Zone IV within the Source Water Protection Plan.

Surrounding uses are low density residential, open space conservation, commercial, and industrial in nature.

The lands are subject to a Site Plan Control Application.

The proposed parking structure is comprised of two parking levels partially below grade and the top level of parking at grade level. When viewing the structure from Second Avenue the parking area would appear similar to a surface level parking area. However, due to the topography of the lands more of the parking structure is exposed above grade level from the interior side lot lines and rear lot line.

Staff are of the opinion that the proposed 4.3 m front yard setback is appropriate given that the parking deck wall will be flush with the street, and be similar in appearance to surface level parking area which requires a 3 m setback. Additionally, for the portion of the structure that will visibly be above ground, roads staff did not provide any visual sightline concerns. Staff are of the opinion that the proposed rear yard setback of 7.5 m is appropriate distance between two residential uses and recognize that the required landscape buffering provisions will be adhered to between the subject lands and lower residential use to the rear. Staff are of the opinion that the proposed 1.2 m interior side yard setback will maintain adequate distance for access and maintenance purposes and recognize that the proposed parking structure will abut an industrial parking area.

Site Plan staff did not identify any functional concerns with the proposed location of the loading spaces or retaining walls. It is also recognized that the retaining walls are a requirement of compliance with the Ontario Building Code.

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

Development Engineering, November 6, 2025

No Concerns

Hydro One, November 6, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), November 6, 2025

No Comment Received

Building Services, November 5, 2025

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

Applicant/Owner to be advised of the following comments:

1) A search of our records indicates an incomplete building permit for the subject property for the Retirement Residence (B18-1364). Please contact Building Services to proceed in closing this project.

2) A Building Permit and documents will be required to be completed to the satisfaction of the Chief Building Official for the proposed phase 2 of the retirement residence, retaining walls & parking structure.

Source Water Protection, November 5, 2025

No significant drinking water threat identified at this time.

Strategic and Environmental Planning, November 5, 2025

The applicant is advised that compliance with the federal Migratory Bird Convention Act, 1994, the provincial Fish and Wildlife Conservation Act, 1997, and the provincial Endangered Species Act, 2007 is their sole responsibility.

Sudbury Hydro, November 5, 2025

Maintain proper clearance from energized apparatus and conductors as per latest edition of Ontario Electrical Safety Code.

Site Plan, November 4, 2025

No Concerns

Conservation Sudbury, October 30, 2025

No Concerns

Ministry of Transportation, October 30, 2025

That the subject property is located outside the MTO's permit control area (PCA); therefore, we have no comments to provide at this time.

Meeting Minutes:

11/12/2025 The applicant's agent, David Barnard of API Development Consultants Inc., appeared before Committee and provided a summary of the Application. Committee Members and the Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

2166069 ONTARIO INC

the owner(s) of PIN(s) 735730370, Part Lot 12, Concession 4, as in LT200406, except Parts 1-7, Plan SR-2625, Parts 1-3, Plan 53R-10708, Parts 1-4, Plan 53R-15217 and Part 1, 53R-20656, Township of Neelon, 400 Second Avenue, Sudbury P3B 4A4

for relief from Part 4, Section 4.2, Table 4.1, Part 5, Section 5.6, subsection 5.6.5 c) and d), Part 6, Section 6.3, Table 6.6 and Part 11, Section 1, subsection (12), paragraph (g), clause (iv) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a six-storey addition on the existing retirement home and construction of a 3-storey parking structure providing, firstly, a 4.40m high retaining wall on the south side of the subject property to provide a 0.77m setback from the south interior side lot line and no setback (0.0m) from the front lot line, where accessory structures greater than 2.5m in height shall be no closer than 1.2m from the side lot line and where a 10.0m setback from the front lot line is required, secondly, a 1.5m high retaining wall located in the required front yard to provide no setback (0.0m) from the front lot line, where a 10.0m setback from the front lot line is required, thirdly, a 7.5m setback from the rear lot line for the parking structure, where 9.0m is required, fourthly, the three required loading spaces in the front yard as shown on the Site Plan submitted with the Application, where loading spaces are not permitted in the front yard, fifthly, the southern most loading space to be setback 2.43m from the interior side lot line, where a loading space in a residential zone shall be setback 3.0m from the interior side lot line, sixthly, a 4.3m setback from the front lot line for the 3-storey parking structure, where 10.0m is required, seventhly, a 1.2m setback from the north interior side lot line for the 3-storey parking structure, where 10.0m 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 is 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-2025-00148

November 12, 2025

OWNER(S): ROBYN GORHAM, 7 Platinum Pl, Greater Sudbury, ON, Canada P3E6L6

AGENT(S): ROBYN GORHAM, 7 Platinum Pl, Greater Sudbury, ON, Canada P3E6L6

LOCATION: PIN(s) 735880871, Lot 20, Plan 53M-1308, Part Lot 8, Concession 2, Township of McKim, 7 Platinum Place, Sudbury P3E 6L6

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 a deck on the subject property providing encroachments/setbacks at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, November 6, 2025

No Comment Received

Development Approvals, November 6, 2025

The purpose and effect of the application is to facilitate the construction of an uncovered deck 1.1m in height to provide a north side lot line setback of 0.7m and a south side lot line setback of 0.6m, where uncovered decks 1.2m or less in height may encroach 1.2 m into the required yard but no closer than 1.2 m to the interior side lot line.

The subject lands contain a single detached dwelling. The lands are serviced by a municipal water and sanitary connection and are accessed from Platinum Place.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan and are zoned 'R1-5', Low Density Residential One within the City of Greater Sudbury Zoning By-law.

Surrounding uses are low density residential in nature.

Staff have no concerns with the setback request of 0.7 m from the deck to the north side lot line given the angular lot line and that the deck will not be placed beyond the north side building face.

Unlike the north side lot line, the south side lot line is perpendicular to the front and rear lot lines and the deck is proposed to be placed beyond the south side building face. It is noted that the abutting lands to the south also contain a raised deck in terms of compatibility.

Both setbacks will maintain adequate distance for rear yard access and maintenance purposes. Given the proposed height of the deck, privacy fencing is strongly encouraged.

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

Development Engineering, November 6, 2025

No Concerns

Hydro One, November 6, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), November 6, 2025

No Comment Received

Building Services, November 5, 2025

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-2025-01377) for the construction of a detached rear deck.

Strategic and Environmental Planning, November 5, 2025

The applicant is advised that compliance with the federal Migratory Bird Convention Act, 1994, the provincial Fish and Wildlife Conservation Act, 1997, and the provincial Endangered Species Act, 2007 is their sole responsibility.

Sudbury Hydro, November 5, 2025

No Objections.

Conservation Sudbury, October 30, 2025

No Concerns

Ministry of Transportation, October 30, 2025

That the subject property is located outside the MTO's permit control area (PCA); therefore, we have no comments to provide at this time.

Site Plan, October 30, 2025

No Concerns

Meeting Minutes:

11/12/2025 The applicant, Robyn Gorham, appeared before Committee and provided a summary of the Application.
Committee Member Castanza inquired about the existing deck and retaining wall with the applicant.
Committee Members and the Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

ROBYN GORHAM

the owner(s) of PIN(s) 735880871, Lot 20, Plan 53M-1308, Part Lot 8, Concession 2, Township of McKim, 7 Platinum Place, Sudbury P3E 6L6

for relief from Part 4, Section 4.2, Table 4.1 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of an uncovered deck 1.1m in height to provide a north side lot line setback of 0.7m and a south side lot line setback of 0.6m, where uncovered decks 1.2m or less in height may encroach 1.2 m into the required yard but no closer than 1.2 m to the interior side 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 is 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-2025-00149

November 12, 2025

OWNER(S): 2380363 ONTARIO LIMITED, 219 O'Neil Drive East, Garson, ON, Canada

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

LOCATION: PIN(s) 735081455, Firstly: SRO Part of Carina Drive, Plan M-1006, being Parts 1 and 2, Plan 53R-22011, and Parts 2-4, Plan 53R-16434; Secondly: Part Blocks D and E, Plan M-1006, being Parts 5-9, Plan 53R-16434, Part Lot 12, Concession 2, Township of Capreol, 4428 Notre Dame Avenue, Valley East, Ontario P3P 1X5

SUMMARY

Zoning: The property is zoned C2, R3.D45 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct six multiple dwellings on the subject property providing reduced number of parking spaces at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, November 6, 2025

No Comment Received

Development Approvals, November 6, 2025

The purpose and effect of the application is to facilitate the construction of six multiple dwellings with a total of 84 dwelling units providing a minimum of 115 parking spaces, where a minimum of 126 parking spaces is required.

The subject lands are currently vacant of buildings or structures. The lands will be serviced by a municipal water and sanitary connection and will be accessed from Notre Dame Avenue.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan, are zoned 'C2', General Commercial, and R3.D45, Medium Density Residential with a maximum density of 45 units/ ha within the City of Greater Sudbury Zoning By-law, and are located in the Pharand(F) Wellhead protection area within the Source Water Protection Plan.

Surrounding uses are residential and commercial in nature.

The lands are subject to a Site Plan Control Agreement which was registered in 2024. The Site Plan proposed six multiple dwellings all two stories in height containing a total of 67 dwelling units. The applicant is now proposing six multiple dwellings with a mix of two and three storey heights for a total of 84 dwelling units. The additional 17 dwelling units will be accommodated through third storey additions, maintaining the same building footprints. In terms of parking, the original site plan proposed 114 parking spaces, 5 accessible parking spaces, and 34 bicycle parking spaces. The

revised plan is proposing 115 parking spaces, 3 accessible parking spaces, and 42 bicycle parking spaces. The applicant has requested relief for 115 parking spaces where 126 are required. Site Plan Control staff have advised that an amended to the Site Plan Application is not required given the extent of the parking area and building footprints remain unchanged.

Staff are supportive of the request for 115 parking spaces, as it will provide for more than one parking space per dwelling unit. The nearest bus stop is less than 200 m from the subject lands located on Cote Boulevard.

Staff are of the opinion that the variance is minor in nature, are 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, November 6, 2025

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 Notre Dame Avenue, and/or only short term on-street parking (maximum of 4 hours) is available on Corina Drive, therefore any overflow parking that may occur from this site will affect the neighbouring property owners on Corina Drive or other area roadways.

Municipal Sewer available. Owner to pay for the installation of Service from Main to Lot Line.

Municipal Water available. Owner to pay for the installation of Service from Main to Lot Line.

Hydro One, November 6, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNR), November 6, 2025

No Comment Received

Building Services, November 5, 2025

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

Applicant/Owner to be advised of the following comments:

1) A separate Building Permit and documents will be required to be completed to the satisfaction of the Chief Building Official for each multiple dwelling.

Source Water Protection, November 5, 2025

Proposed development of 6 multi-dwelling structures (84 units) within vulnerable area of Pharand (G) Wells' WHPA-B & WHPA-C zones. Parking lot approximately 0.55 ha in area. No significant drinking water threat identified at this time.

Strategic and Environmental Planning, November 5, 2025

The applicant is advised that compliance with the federal Migratory Bird Convention Act, 1994, the provincial Fish and Wildlife Conservation Act, 1997, and the provincial Endangered Species Act, 2007 is their sole responsibility.

Sudbury Hydro, November 5, 2025

That this Application falls outside of our territory.

Conservation Sudbury, October 30, 2025

No Concerns

Ministry of Transportation, October 30, 2025

That the subject property is located outside the MTO's permit control area (PCA); therefore, we have no comments to provide at this time.

Site Plan, October 30, 2025

No Concerns

Meeting Minutes:

11/12/2025 The applicant's agent, Vanessa Smith of Tulloch Engineering, appeared before Committee and provided a summary of the Application. Committee Members and the Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

2380363 ONTARIO LIMITED

the owner(s) of PIN(s) 735081455, Firstly: SRO Part of Carina Drive, Plan M-1006, being Parts 1 and 2, Plan 53R-22011, and Parts 2-4, Plan 53R-16434; Secondly: Part Blocks D and E, Plan M-1006, being Parts 5-9, Plan 53R-16434, Part Lot 12, Concession 2, Township of Capreol, 4428 Notre Dame Avenue, Valley East, Ontario P3P 1X5

for relief from Part 5, Section 5.5, Table 5.5 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of six multiple dwellings providing a minimum of 115 parking spaces, where a minimum of 126 parking spaces 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 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