



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00083

October 1, 2025

OWNER(S): ROLAND M. DUTRISAC, 45 Main St, Chelmsford, ON, Canada
EVELYN DUTRISAC, 45 Main Street, Chelmsford, ON, Canada P0M1L0

AGENT(S): EVELYN DUTRISAC, 45 Main Street, Chelmsford, ON, Canada P0M1L0

LOCATION: PIN(s) 733510035, 733510048, Parcels 968 and 1266 SEC SWS, Lot 50-51, Plan M-18, Part Lot 2, Concession 4, Township of Balfour, 45 Main Street, Chelmsford P0M 1L0

SUMMARY

Zoning: The property is zoned C6(1) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to permit three existing units within the existing building to be located on the main floor and basement and also reduced parking at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, September 25, 2025

No Comment Received

Development Approvals, September 24, 2025

The purpose and effect of the application is to permit:

1. Two existing dwelling units on the main floor and one existing dwelling unit in the basement of the existing mixed-use building, where in a mixed use building, the residential use shall be located above the non-residential uses; and
2. a minimum of 7 parking spaces, where 23 are required.

The subject lands contain a mixed-use building comprised of six existing dwelling units and a recreation center use. The lands are serviced by a municipal water and sanitary connection and are accessed by an existing driveway off O'Connor Street.

The subject lands are designated 'Town Centre' within the City of Greater Sudbury Official Plan and are zoned 'C6(1)' Downtown Commercial within the City of Greater Sudbury Zoning By-law.

Surrounding uses are low density residential and commercial in nature.

Town Centres will be planned to include a diverse mix of land uses, an appropriate range of housing types, high quality public spaces and the provision of easy access to stores, services and recreational opportunities. Town centres will be planned as high quality areas that support active transportation and transit.

Medium density residential uses up to a maximum of 30 units per building may be permitted, provided that the net residential density does not exceed 90 units per hectare subject to servicing capacity.

Parking requirements for new development in Town Centres may be reduced where off-street municipal or privately owned communal parking facilities already exist and can accommodate additional automobiles.

Staff are of the opinion that the mixed-use building is in conformity with Official Plan policies for Town Centres. The building contains a total of 6 dwelling units (60 units/ha) and 7 parking spaces are provided. Staff are satisfied that each dwelling unit has a parking space and that the commercial use parking can be accommodated during business hours by on street parking (4 hour maximum on O'Connor). The subject lands abut a GOVA route and are located within walking distance from commercial and recreational uses. Surrounding uses include both commercial and residential ground-oriented buildings in the Town Centre. Staff are of the opinion that the ground floor residential is compatible with surrounding uses and that the zoning maintains flexibility for future conversion back to commercial should the need arise.

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

Development Engineering, September 24, 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 Main Street, and only short term on-street parking (maximum of 4 hours) is available on O'Connor Street, therefore any overflow parking that may occur from this site will affect the neighbouring property owners on O'Connor Street or other area roadways.

Ministry of Transportation, September 24, 2025

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

Strategic and Environmental Planning, September 24, 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, September 24, 2025

No concerns - outside of our territory.

Building Services, September 23, 2025

Building Services has reviewed your documents and sketches for the requested minor variances and can advise that we have no concerns with the proposal.

We acknowledge Building Permit application BP-NEW-2025-00119 for the proposed change of use from commercial spaces to residential apartments.

Conservation Sudbury, September 18, 2025

No Concerns

Site Plan, September 18, 2025

No Concerns

Meeting Minutes:

10/01/2025 The applicants, Evelyn Dutriscac and Roland Dutriscac, appeared before Committee and provided a summary of the Application. The Secretary-Treasurer confirmed with Committee their receipt of the four letters of support received from area residents. Committee Members and the Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

ROLAND M. DUTRISAC AND EVELYN DUTRISAC

the owner(s) of PIN(s) 733510035, 733510048, Parcels 968 and 1266 SEC SWS, Lot 50-51, Plan M-18, Part Lot 2, Concession 4, Township of Balfour, 45 Main Street, Chelmsford P0M 1L0

for relief from Part 5, Section 5.3, Table 5.4 and subsection 5.5.2, Table 5.6 and Part 11, Section 2, subsection (6), paragraph (a), clause (iv) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit 2 existing units on the main floor and 1 existing unit in the basement of the existing mixed-use building, where in a mixed use building, where the uses consist of both residential and non-residential uses, the residential use shall be located above the non-residential uses, and also, 7 parking spaces, where a total of 23 parking spaces are 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 not minor in nature and are not 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 would not be 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-2025-00123

October 1, 2025

OWNER(S): STEVE KINNUNEN, 1124 Perreault, Chelmsford, ON, Canada

AGENT(S): STEVE KINNUNEN, 1124 Perreault, Chelmsford, ON, Canada

LOCATION: PIN(s) 733690035, Parcel 24756 SWS SRO, Part Lot 10, Concession 6, Parts 11 & 12, Plan SR-508, Township of Snider, 1124 Perreault Drive, Chelmsford P0M 1L0

SUMMARY

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

Application: Approval to alter the existing dwelling and construct an addition on the existing dwelling providing a high water mark setback and shoreline structure at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, September 25, 2025

No Comment Received

Development Approvals, September 25, 2025

The purpose and effect of the application is to facilitate the alteration and addition of the existing dwelling with the following variances:

1. a high water mark setback of 18.6m for the dwelling, where no person shall erect any residential building closer than 30.0m to the high water mark of a lake or a river, and
2. permit a dwelling in the shoreline buffer area, where only the accessory structures as set out in subsection 4.41.2, boat launches, marine railways, waterlines and heat pump loops are permitted within 20.0m of a high water mark and the area permitted to be cleared of natural vegetation in Section 4.41.3.

The subject lands contain a seasonal dwelling and an accessory building. The lands are serviced by a private septic system and lake water and are accessed by an existing driveway off Perreault Drive and a driveway off Del Street. As an advisory comment, it is noted only one driveway is permitted per residential lot.

The subject lands are designated 'Rural' within the City of Greater Sudbury Official Plan, are zoned 'SLS', Seasonal Limited Service within the City of Greater Sudbury Zoning By-law, and are regulated by Conservation Sudbury (NDCA).

Surrounding uses are seasonal limited service and rural in nature.

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

Staff acknowledge that the applicant is unable to expand the dwelling any further to the rear due to the location of the existing septic system. As an advisory comment, the applicant should ensure that the dwelling is maintaining a 5 m setback from the leaching bed in order to comply with the Ontario Building Code. It is also recognized that the septic system must be located a minimum of 3 m from the lot line, leaving little room to push the septic and building back. Additionally, a septic system cannot be located under a driveway, which prevents the system from being relocated on the west side of the detached garage without relocating the garage door. Given the irregular lot fabric, location of the existing seasonal dwelling, detached garage, driveways, and septic system, staff are of the opinion that the applicant has demonstrated sufficient lot depth is not available to accommodate all buildings and structures outside of the high water mark area.

The applicant is proposing to expand the existing seasonal dwelling footprint, including replacing an uncovered deck with a covered deck located within the high water mark and shoreline buffer area. The existing seasonal dwelling has a highwater mark setback of 22 m with a 3.7 m wide uncovered deck with a high water setback of 18.3 m. The proposed alterations would include a covered deck, which is considered part of the dwelling and governed by main use zone standards, as opposed to uncovered decks, which are governed by accessory building provisions and are permitted within the high water mark. The requested setback is 18.6 m, which is 3.4 m closer than the existing building and 0.3 m closer than the former uncovered deck. It is noted that nearly the entire dwelling is located within the high water mark setback today, and that only a portion of the covered deck will be located within the shoreline buffer area.

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

Hydro One, September 25, 2025

No Comment Received

Development Engineering, September 24, 2025

No Concerns

Ministry of Transportation, September 24, 2025

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

Strategic and Environmental Planning, September 24, 2025

Staff in SEP have reviewed the proposed addition to the existing dwelling on the subject parcel. The applicant is requesting relief from the highwater mark setback and encroachment into the required shoreline buffer area. Staff in SEP rely on 8.4.1 in section 8.4 SURFACE WATER RESOURCES – LAKES, RIVERS AND STREAMS of the City's Official Plan. Policy 3 allows for a reduced highwater mark setback in the following circumstances:

- 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.

The applicant is proposing to reuse portions of the foundation to reconstruct the dwelling. The septic system is existing and is located north of the dwelling, between Perreault Drive and the dwelling.

The existing development has a current highwater mark setback to the foundation of 20.35 metres and a highwater mark setback to the existing deck of approximately 16.6 metres. The proposed development shows a setback to the foundation of 22.15 metres and a setback to the covered deck of 18.6 metres. Because the proposed deck is covered, it is considered part of the dwelling and must comply with the standards applied to residential units. As such, the applicant is further encroaching into the highwater mark setback.

The applicant is advised that compliance with the federal Migratory Bird Convention Act, 1994, the federal Fisheries Act, 1985, the provincial Fish and Wildlife Conservation Act, 1997, and the provincial Endangered Species Act, 2007, is their sole responsibility.

Sudbury Hydro, September 24, 2025

No concerns - outside of our territory.

Building Services, September 23, 2025

Building Services has reviewed your documents and sketches for the requested minor variances and can advise that we have no concerns with the proposal.

Applicant to be advise that there are incomplete permits for the garage and sauna. Please contact Building Services to arrange for inspections required to close the permits.

Applicant to be advised that a permit to the satisfaction of the Chief Building Official will be required for the demolition works and construction of the new seasonal dwelling.

Conservation Sudbury, September 22, 2025

No objection to Minor Variance 2025-00123 to facilitate the construction of dwelling w variance to HWM and shoreline structures. Please note that the property contains features regulated by Conservation Sudbury, including an erosion hazard. A permit from Conservation Sudbury will be required for this proposed development at the building permit stage. For more information please email NDCA@ConservationSudbury.ca

Site Plan, September 18, 2025

No Concerns

Meeting Minutes:

10/01/2025 The applicant, Steve Kinnunen and his agent, Dylan Parent of Komri Engineering, appeared before Committee and provided a summary of the Application. The Secretary-Treasurer confirmed with Committee their receipt of the letter and email of support received from area residents. Committee Members and the Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:
STEVE KINNUNEN

the owner(s) of PIN(s) 733690035, Parcel 24756 SWS SRO, Part Lot 10, Concession 6, Parts 11 & 12, Plan SR-508, Township of Snider, 1124 Perreault Drive, Chelmsford P0M 1L0

for relief from Part 4, Section 4.41, subsection 4.41.2 and 4.41.4 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the alteration of the existing dwelling and construct an addition on the existing dwelling providing a high water mark setback of 18.6m, where no person shall erect any residential building closer than 30.0m to the high water mark of a lake or a river, and where only the accessory structures as set out in subsection 4.41.2, boat launches, marine railways, waterlines and heat pump loops are permitted within 20.0m of a high water mark and the area permitted to be cleared of natural vegetation in Section 4.41.3, 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.

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 CASTANZY	Concurring
DAVID MURRAY	Absent
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00130

October 1, 2025

OWNER(S): DEVLA PROPERTIES INC., 3692 Highway 144, Greater Sudbury, ON, Canada

AGENT(S): TULLOCH, 131 Fielding Road, Greater Sudbury, ON, Canada P3Y1L7

LOCATION: PIN(s) 733492176, Part Lot 1, Concession 3, Parts 1, 2, 3, 4, and 5, Plan 53R-22163, Township of Balfour, 3692 Highway 144 Road, Chelmsford P0M 1L0

SUMMARY

Zoning: The property is zoned C2(129) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to permit a multiple dwelling on the subject property provide a reduced drive-aisle width at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, September 26, 2025

No Comment Received

Development Approvals, September 25, 2025

The purpose and effect of the application is to facilitate the construction of a multiple dwelling providing a 1.0m two-way drive aisle width, where a minimum two-way drive aisle of 3.5m is required.

The subject lands are proposed to contain a 10-unit multiple dwelling. The lands will be serviced by a municipal water and sanitary connection and are proposed to be accessed from Highway 144.

The subject lands 'C2(129)', General Commercial Special within the City of Greater Sudbury Zoning By-law.

Surrounding uses are commercial and residential in nature.

The lands are subject to previous consent and rezoning files in 2024 to facilitate the development. The applicant is requesting further relief from the required 6 m wide two-way drive aisle than was contemplated in the site-specific zoning permission of 3.5 m. The applicant has advised they wish to provide additional outdoor amenity space and fencing on the subject lands and as a result are requesting a 1 m two way drive aisle on site, along with a proposed easement on adjacent lands, which would effectively create a 6 m wide two way drive aisle.

Staff have no concerns, so long as the easement is in place to ensure legal access.

Staff are of the opinion that the variance is minor in nature, is an appropriate use of the lands, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted subject to the following condition:

1. That Consent Application PL-CON-2025-00049 be in full force and effect.

Hydro One, September 25, 2025

No Comment Received

Development Engineering, September 24, 2025

No Concerns

Ministry of Transportation, September 24, 2025

The subject lands for PL-MV-2025-00130 (Devla Properties Inc.) are located within the MTO's permit control area (PCA); and therefore, are subject for review under the Public Transportation and Highway Improvement Act R.S.O. 1990 and will require proper MTO permits. I can confirm the MTO supports the proposed drive aisle in principle, with the following comments to consider:

I can confirm the appropriate MTO Building/Land Use Permit has been acquired for the proposed 10-unit building construction. No additional permits required for the subject property. Any future construction will require a new MTO Building/Land Use Permit. Any future development or change in land use must be subject to MTO review/approval.

All permit applications can be made online at the following link: <https://www.hcms.mto.gov.on.ca/>

Strategic and Environmental Planning, September 24, 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, September 24, 2025

No concerns - outside of our territory.

Building Services, September 22, 2025

Building Services has reviewed your documents and sketches for the requested minor variances and can advise of the following:

We acknowledge concurrent application for Consent PL-CON-2025-00049 to provide an additional 2.6m for access. Building Services requests that completion of the proposed Consent be a condition of the Minor Variance approval.

We also acknowledge Building Permit BP-NEW-2024-01265 which has been issued for the multiple dwelling. Applicant to be aware that an up to date plot plan reflecting the new planning applications must be submitted for the permit.

Conservation Sudbury, September 18, 2025

No Concerns

Site Plan, September 18, 2025

No Concerns

Meeting Minutes:

10/01/2025 The applicant's agent, Aaron Ariganello 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:

DEVLA PROPERTIES INC.

the owner(s) of PIN(s) 733492176, Part Lot 1, Concession 3, Parts 1, 2, 3, 4, and 5, Plan 53R-22163, Township of Balfour, 3692 Highway 144 Road, Chelmsford P0M 1L0

for relief from Part 11, Section 2, subsection 2, paragraph (xxxxx), clause (ii) 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 providing a 1.0m two-way drive aisle width, where a minimum two-way drive aisle of 3.5m is required, be granted, subject to the following condition:

1. That Consent Application PL-CON-2025-00049 be in full force and effect.

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