



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00102

October 29, 2025

OWNER(S): ALBERT VARDY, 1075 Lakeshore Drive, Sudbury, ON, Canada
SANDRA MEWS, 1075 Lakeshore Drive, Sudbury, Ontario, Canada

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

LOCATION: PIN(s) 735810068; 735810071, Parcels 9553 and 9422 SEC SES, Part Lot 2, Concession 3, Township of McKim, 1075 Lakeshore Drive, Sudbury P3B 1E3

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 facilitate the reconstruction of a dwelling with attached balcony and to permit existing accessory buildings/structures on the subject property providing high water mark setbacks, shoreline structures, shoreline buffer, shoreline clearance, yard setbacks, encroachments, eaves, landscaped area and open space and a circular driveway at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, October 29, 2025

REVISED See attached PDF dated October 29, 2025

Development Approvals, October 24, 2025

See attached PDF

Conservation Sudbury, October 23, 2025

Conservation Sudbury has reviewed the property drawing and details submitted with this MV-2025-00102 for SFD and accessory structures. The subject property contains regulated area of Conservation Sudbury including flood hazard and erosion hazard associated with Ramsey Lake. Please see Conservation Sudbury property map for the approximate limit of the Regulated Area.

Conservation Sudbury's comments on this minor variance application MV-2025-00102 do not imply that permission will be granted for existing accessory structures at subject property, and site-specific review will be required for Section 28 permitting of property structures at the building permit stage to determine eligibility of permission of structures under the Conservation Authority Act (O. Reg 41/24).

In review of the plan for the reconstructed dwelling, extending west and north of the existing dwelling to be demolished, it is unclear that the proposed structure is beyond natural hazards, although it is setback of the 15 m HWM. The dwelling location may need to be deviated (further from the lake) to comply with statutory requirements. A Section 28 permit will be required by Conservation Sudbury at

the building permit stage.

All accessory dwellings located within Conservation Sudbury's regulated area are subject to erosion hazards associated with Ramsey Lake and are a concern of Conservation Sudbury, including the shoreline sauna, south uncovered pergola, north uncovered pergola and the covered gazebo. Additionally, the footprint of the shoreline sauna as drawn on the minor variance plot plan varies from what is seen by aerial imagery. As such it cannot be identified at this time if it was constructed as approved in building permit issued in 2011.

Section 28 permits by Conservation Sudbury will be required to support the building permits of the accessory structures. Development of covered structures within hazards are restricted. Please contact NDCA@ConservationSudbury.ca for more details.

Based on this review, Conservation Sudbury can accept the MV-2025-00102. Permits from Conservation Sudbury will be required for the dwelling and the accessory structures at the building permit stage, and this may require changes to the site plan to locate structures further from the lake or may not be deemed permissible.

Corridor Management, October 23, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNR), October 23, 2025

No Comment Received

Strategic and Environmental Planning, October 23, 2025

Staff in SEP have reviewed the proposed reconstruction of single detached dwelling and request to legalize existing accessory structures and shoreline buffer clearances at 1075 Lakeshore Drive, Sudbury. Staff acknowledge minor variance A0065/2022 previously granted relief to the required 30 metres highwater mark setback to 15.0 metres.

The property is located on the north side of Ramsey Lake, which is listed as an Enhanced Management 2 lake. Policy 7 of 8.4.2 Lakes with Phosphorus Enrichment Concerns of the City's Official Plan states that "lot creation or land use changes that result in a more intensive use may only proceed on shoreline lots where a site-specific assessment demonstrates that the development will not negatively impact water quality and outlines the circumstances under which development should occur". The redevelopment of a single detached dwelling does not represent a more intensive use.

Section 8.4.5 Vegetative Buffers outlines the functions of the required shoreline vegetative buffers, stating they are "essential to maintaining and improving water quality" and that they "act as a filter, protecting lakes, streams and rivers from urban runoff from lawns and roads. Vegetation also stabilizes the shoreline and helps prevent erosion from storm runoff, wave action and ice. Wildlife and fish also benefit from shoreline vegetation on land and in the water.". Policy 1 states that "New development along shorelines, such as boathouses, docks or other accessory structures, will be integrated, where possible, into the landscape such that vegetation is maintained and enhanced within the shoreline buffer area to:

- a. protect the riparian and littoral zones and associated habitat;
- b. protect the quality of the water by preventing erosion, siltation and nutrient migration;
- c. maintain shoreline character and appearance; and,
- d. minimize the visual impact of development."

Staff acknowledge that the proposed development is the reconstruction of single detached dwelling and not development of a greenfield site. However, Ramsey Lake, being both a municipal drinking water source and a lake of phosphorus enrichment concern, is especially benefitted by maintaining the required vegetative shoreline buffer area. The applicant notes that the required shoreline buffer has an area of 390.2 m². Zoning By-law 2010-100Z permits clearances up to 25%, equal to 97.6 m². The applicant has existing clearances of ~284.7 m², with a request to increase this clearance to 291.8 m². While an increase of clearance from 284.7 to 291.8 m² represents a relatively small change, a clearance of 291.8 m² is a near three-fold increase beyond the maximum permitted. This continued loss of required shoreline buffer area presents a challenge for the reasons identified above. Staff in SEP are not supportive of the request to permit increased shoreline buffer area clearance. Staff in SEP do not oppose the balance of relief requested.

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.

Building Services, October 22, 2025

Building Services has reviewed your documents and sketches and can advise that we have no objections with the requested variances.

Owner to be advised that a Building permit to the satisfaction of the Chief Building Official will be required for the proposed construction and the existing gazebo.

Development Engineering, October 22, 2025

The circular driveway is denied. Driveway Bylaws do not allow for circular driveways.

Source Water Protection, October 22, 2025

For the proposed replacement of an existing dwelling on the property of 1075 Lakeshore Drive, Sudbury where the property is located within IPZ-3 of Ramsey Lake - There is no significant drinking water threats identified at this time.

Ministry of Transportation, October 21, 2025

I can confirm that the subject lands are not within the MTO's permit control area (PCA); therefore, we have no comments to provide at this time.

Sudbury Hydro, October 21, 2025

No Concerns

Site Plan, October 16, 2025

No Concerns

Meeting Minutes:

10/29/2025 The applicant's agent, Vanessa Smith of Tulloch Engineering, appeared before Committee and provided a summary of the application addressing staff's amended recommendation, the changes proposed and requested approval for the existing sauna and deck attached to the sauna.

Committee Member Castanza advised that she attended the site and expressed appreciation for the information on the sauna.

Committee Member Goswell requested staff to explain how revegetation of the shoreline would be monitored and staff advised that compliance would be ensured through the building permit process. Committee Member Goswell expressed support for staff's recommendation.

Committee Member Sawchuk expressed support for staff's recommendation.

Committee Chair Dumont requested staff to confirm the recommendation and staff provided Committee with an explanation on the recommendation. Committee Chair Dumont asked the agent if they were looking for a decision. The agent advised that they were looking for a decision on all the variances. Committee Chair Dumont asked staff if there were changes to the recommendation based on the agent's comments and staff advised that there was no change. Committee Chair Dumont requested the Secretary-Treasurer to verify if area resident comments were received and the Secretary-Treasurer requested a moment to review the submission. Committee Chair Dumont requested asked staff to provide Committee with an explanation of the comments and recommendation and staff provided an explanation.

The Secretary-Treasurer advised that a letter of support was received with the Application which was signed by multiple area residents.

Committee Member Castanza expressed support for all variances. Committee Members Goswell and Sawchuk expressed support for staff's recommendation.

Committee Chair Dumont commented on staff's revised comments, expressed concern over the original variances being sought, confirmed with staff that the sauna and deck would not impact the shoreline buffer clearance and expressed support for the Application.

Committee Chair Dumont put forward a motion to approve the sauna and deck attached to the sauna and Committee Member Castanza seconded the motion. The motion was supported and carried.

The following decision was reached:

DECISION:

THAT the application by:

ALBERT VARDY AND SANDRA MEWS

the owner(s) of PIN(s) 735810068; 735810071, Parcels 9553 and 9422 SEC SES, Part Lot 2, Concession 3, Township of McKim, 1075 Lakeshore Drive, Sudbury P3B 1E3

for relief from Part 4, Section 4.2, Table 4.1, Section 4.41, subsections 4.41.2, 4.41.3 and 4.41.4, 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 reconstruction of a single detached dwelling with balcony and to permit existing pergolas and retaining walls providing the following: firstly; the single detached dwelling to provide a 15.0m setback from the high water mark, the balcony attached to the single detached dwelling to provide a 14.95m setback from the high water mark, the north pergola to provide a 6.5m setback from the high water mark, the south pergola to provide a 2.3m setback from the high water mark, the retaining wall identified as RW2 on the plan attached to the Application to provide a 9.1m setback from the high water mark and the retaining wall identified as RW3 to provide a 10.2m setback

from the high water mark, 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 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, secondly; the single detached dwelling to provide a front yard setback of 5.4m with eaves encroaching an additional 0.91m into the proposed 5.4m setback, where 6.0m is required and where eaves may encroach 1.2 m into the 6.0m required yard but not closer than 0.6 m to the lot line, thirdly; the shoreline buffer to be cleared to a maximum of 68.1% (265.0 sq. m), where on any residential lot the shoreline buffer area is permitted to be cleared of natural vegetation to a maximum of 25%, but in no case shall exceed a maximum of 276.0 sq. m, fourthly; the maximum length of cleared area measured at the high water mark to be 100% of the length of the shoreline of the lot, where the maximum length of the cleared area measured at the high water mark shall be 25% of the length of the shoreline of the lot but in no case shall the maximum length of cleared area measured at the high water mark exceed 23.0m in length, be approved.

AND THAT the 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 permit the sauna to provide no setback from the west interior side lot line, where 1.2m is required, and the deck attached to the sauna to provide no setback from the west interior side lot line, where uncovered decks 1.2m or less in height may encroach 1.2m into the required yard but no closer than 1.2m to the interior side lot line, be approved.

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00121

October 29, 2025

OWNER(S): SHARON ONEIL, 50 Clark Rd, LIVELY, ON, Canada

AGENT(S): MARK ELLIOTT ASSOCIATES, 36 PATRICIA ST UNIT 1, LIVELY, ON, Canada
P3Y 1B1

LOCATION: PIN(s) 733740142, 733740212, Parcel 31505 SEC SWS, Part Lot 6, Concession 2, being Location CL11285, Parts 1 and 2, Plan 53R-16681, Township of Waters; and, Parcels 11306 SEC SWS, Lot 2, Plan M-585, Part Lot 5, Concession 2, Township of Waters, 50 Clark Road, Lively P3Y 1H8

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 a three-season addition on the existing dwelling providing high water mark setbacks, locations and shoreline buffer at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, October 24, 2025

REVISED:

The purpose and effect of the application is to facilitate the construction of a 29.7 m² addition of the existing seasonal dwelling with the following variances:

1. a high water mark setback of 5.6m for the seasonal dwelling addition, where no person shall erect any residential building closer than 30.0m to the high water mark of a lake or a river,
2. permit a seasonal dwelling addition 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, and
3. a maximum shoreline buffer clearance area of 324.4 m² (25%), where the maximum permitted is 25%, not exceeding 276 m².

The subject lands contain a seasonal dwelling, private cabin, sauna, and a shed. The lands are serviced by a private septic system and lake water and are accessed by an existing driveway off Clark Road.

The subject lands are designated 'Rural' 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 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
- Although the proposed addition will expand towards the shoreline beyond the existing front face of the building, due to the irregular shape of the shoreline, the addition will not be located closer to the shoreline than the existing seasonal dwelling which at its closest point has a setback of 1.8 m.

The addition is proposed to be located on the east side of the existing seasonal dwelling in between/over the existing deck. Although the proposal will result in an additional 29.7 m² of shoreline clearance area than what currently exists, this area is comprised of bedrock which does not offer the same protection measures as natural vegetated areas that are permeable.

Given the site specific context, staff are of the opinion that the variances are considered to be 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.

Strategic and Environmental Planning, October 23, 2025

Staff in Strategic and Environmental Planning have reviewed the proposed development. Staff rely on policy 3 in section 8.4 SURFACE WATER RESOURCES – LAKES, RIVERS AND STREAMS of the City's Official Plan. Policy 3 allows the consideration of 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.

Staff acknowledge the proposed development represents an addition to an existing building and that addition is no closer to the highwater mark setback, consistent with 3.c above.

Section 8.4.5 Vegetative Buffers outlines the functions of the required shoreline vegetative buffers, stating they are “essential to maintaining and improving water quality” and that they “act as a filter, protecting lakes, streams and rivers from urban runoff from lawns and roads. Vegetation also stabilizes the shoreline and helps prevent erosion from storm runoff, wave action and ice. Wildlife and fish also benefit from shoreline vegetation on land and in the water.”. Policy 1 states that “New development along shorelines, such as boathouses, docks or other accessory structures, will be integrated, where possible, into the landscape such that vegetation is maintained and enhanced within the shoreline buffer area to:

- a. protect the riparian and littoral zones and associated habitat;
- b. protect the quality of the water by preventing erosion, siltation and nutrient migration;
- c. maintain shoreline character and appearance; and,
- d. minimize the visual impact of development.”

The addition is to be located on an area of exposed bedrock, which does not offer the same protection as naturally vegetated areas as noted above.

Lastly, 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.

Building Services, October 22, 2025

Building Services has reviewed your documents and sketches for the requested minor variance and can advise that we have the following comments:

We have no concerns with the requested variances as listed.

We acknowledge receipt of a Building Permit Submission (BP-NEW-2025-01658) for the proposed construction.

Conservation Sudbury, October 8, 2025

No Concerns

Corridor Management, October 8, 2025

No Comment Received

Development Approvals, October 8, 2025

The purpose and effect of the application is to facilitate the construction of a 29.7 m² addition of the existing seasonal dwelling with the following variances:

1. a high water mark setback of 5.6m for the seasonal dwelling addition, 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 seasonal dwelling addition 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, private cabin, sauna, and a shed. The lands are serviced by a private septic system and lake water and are accessed by an existing driveway off Clark Road.

The subject lands are designated 'Rural' 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 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

Although the proposed addition will expand towards the shoreline beyond the existing front face of the building, due to the irregular shape of the shoreline, the addition will not be located closer to the shoreline than the existing seasonal dwelling which at its closest point has a setback of 1.8 m.

The addition is proposed to be located on the east side of the existing seasonal dwelling in between/over the existing deck.

Strategic and Environmental Planning has identified that the shoreline clearance will exceed the permitted 256 m² as a result of the proposed addition requiring an additional variance.

It is recommended that the application be deferred to allow the applicant an opportunity to amend the application to request the additional relief for shoreline coverage.

Development Engineering, October 8, 2025

No Concerns

Hydro One, October 8, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), October 8, 2025

No Comment Received

Strategic and Environmental Planning, October 8, 2025

Staff in Strategic and Environmental Planning have reviewed the proposed development. Staff rely on policy 3 in section 8.4 SURFACE WATER RESOURCES – LAKES, RIVERS AND STREAMS of the City's Official Plan. Policy 3 allows the consideration of 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.

Staff acknowledge the proposed development represents an addition to an existing building and that addition is no closer to the highwater mark setback, consistent with 3.c above.

However, staff note that the proposed addition is located in the 20 m shoreline buffer area. Shoreline Buffer Area is defined as "an area of open land, abutting a shoreline, maintained in a naturally vegetated self-sustaining state including natural rock formations and for purposes of clarity does not include an area which is maintained as a lawn". 4.41.3.a)i) permits the clearing of up to 25% of the required shoreline buffer area, but shall not exceed 276 square metres. Currently the site has 296.2 square metres of shoreline buffer clearance (including the decks). The addition of a three season room would increase the clearance to 325.9 square metres, exceeding the maximum of 276 square metres. As such, relief is required from 4.41.3a)i) of Zoning By-law 2010-100Z.

Lastly, 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, October 8, 2025

No concerns - outside our territory

Building Services, October 7, 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 advised that a Building Permit application to the satisfaction of the Chief Building Official will be required for the new structure.

Site Plan, October 7, 2025

No Concerns

Ministry of Transportation, October 6, 2025

I can confirm 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:

- 10/15/2025 This application was deferred at the request of the applicant in order to address staff's comments prior to the hearing.
- 10/29/2025 The applicant's agent, Mark Elliott, appeared before Committee and provided a summary of the Application. Committee Members and the Committee Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

SHARON ONEIL

the owner(s) of PIN(s) 733740142, 733740212, Parcel 31505 SEC SWS, Part Lot 6, Concession 2, being Location CL11285, Parts 1 and 2, Plan 53R-16681, Township of Waters; and, Parcels 11306 SEC SWS, Lot 2, Plan M-585, Part Lot 5, Concession 2, Township of Waters, 50 Clark Road, Lively P3Y 1H8

for relief from Part 4, Section 4.41, subsections 4.41.2, 4.41.3 a) i) 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 construction of a three-season addition on the existing dwelling providing, firstly, a high water mark setback of 5.6m where accessory buildings or structures shall be no closer than 30.0m to the high water mark and where the only permitted structures within 20.0m of the high water mark are the permitted accessory structures set out in 4.41.2 of the Zoning By-law, boat launches, marine railways, waterlines and heat pump loops, and secondly, the shoreline buffer to be cleared to a maximum of 324.4 sq. m (25%), where on any residential lot the shoreline buffer area is permitted to be cleared of natural vegetation to a maximum of 25%, but in no case shall exceed a maximum of 276.0 sq. m, 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	Absent
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00139

October 29, 2025

OWNER(S): RICHARD THOMAS KIRKHAM, 2446 Parkview Dr, Sudbury, ON, Canada
COURTNEY ANN KIRKHAM, 2446 Parkview Dr, Sudbury, ON, Canada

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

LOCATION: PIN(s) 733470857, Parcel 53M-1236-4 SEC SWS SRO, Lot 4, Plan 53M-1236, Part Lot 6, Concession 1, Township of Rayside, 2446 Parkview Drive, Azilda P0M 1B0

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 an existing deck, pool, hot tub and gazebo on the subject property providing setbacks at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, October 28, 2025

REVISED:

Subsequent to receiving staff comments, the applicant revised the rear yard setback from 0 m to 0.6 m for the upper west deck. 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 variances be granted.

Development Approvals, October 24, 2025

The purpose and effect of the application is to permit the following variances:

1. a 0 m rear yard setback for the upper west deck, where uncovered decks 1.2m or less in height may be no closer than 1.2m to the rear lot line,
2. a 1.13 m interior side yard setback for the pool, where no interior wall of an outdoor swimming pool shall be located closer than 1.5m setback to any side lot line,
3. a 1.2 m rear yard setback for the pool, where no interior wall of an outdoor swimming pool shall be located closer than 1.5m setback to any rear lot line,
4. a 0.6 m rear yard setback for the hot tub, where no interior wall of an outdoor swimming pool shall be located closer than 1.5m setback to any rear lot line,
5. a 1.2 m setback between the gazebo and the single detached dwelling, where a gazebo shall be setback 2.0m from the main building.

The lands proposed to be severed contain a single detached dwelling, above ground pool, jacuzzi, gazebo, and decks. The lands are serviced by a municipal water and sanitary connection and are accessed from Parkview Drive.

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 residential and park in nature.

Staff are generally supportive of the requested setbacks for the pool, hot tub, or gazebo, as adequate distance will remain for access and maintenance purposes. It is noted that there is a stormwater easement that runs along the rear of the subject lands, which the applicants have obtained an encroachment agreement for.

As an advisory comment, Building Services has identified the need for an engineer review of the house foundation given the location of the pool in proximity to the house as part of the building permit process.

Staff are not supportive of the 0 m setback request for the upper west deck as insufficient space is provided for access and maintenance of the deck.

It is recommended that the following variances be granted:

2. a 1.13 m interior side yard setback for the pool, where no interior wall of an outdoor swimming pool shall be located closer than 1.5m setback to any side lot line,
3. a 1.2 m rear yard setback for the pool, where no interior wall of an outdoor swimming pool shall be located closer than 1.5m setback to any rear lot line,
4. a 0.6 m rear yard setback for the hot tub, where no interior wall of an outdoor swimming pool shall be located closer than 1.5m setback to any rear lot line,
5. a 1.2 m setback between the gazebo and the single detached dwelling, where a gazebo shall be setback 2.0m from the main building.

It is recommended that the following variance be deferred to allow the applicants an opportunity to increase the proposed rear yard setback:

1. a 0 m rear yard setback for the upper west deck, where uncovered decks 1.2m or less in height may be no closer than 1.2m to the rear lot line.

Development Engineering, October 24, 2025

No concerns, subject to the terms and conditions provided for in the signed Encroachment Agreement registered on title as SD527200.

Building Services, October 23, 2025

Building Services has reviewed your documents and sketches and can advise of the following comments:

We acknowledge Building Permit BP-NEW-2025-00563 for the above ground pool and decks.

Based on our records it would appear that the pool is approximately 0.6m from the house. At this proximity there may be significant impact on the house foundation system.

While we have no objection to the variance requests as listed, applicant to be advised that approval of the permit application should include a review of the foundations by a Professional Engineer.

Corridor Management, October 23, 2025

No Comment Received

Hydro One, October 23, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), October 23, 2025

No Comment Received

Strategic and Environmental Planning, October 22, 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.

Ministry of Transportation, October 21, 2025

I can confirm that the subject lands are not within the MTO's permit control area (PCA); therefore, we have no comments to provide at this time.

Sudbury Hydro, October 21, 2025

No Concerns

Conservation Sudbury, October 20, 2025

No Concerns

Site Plan, October 16, 2025

No Concerns

Meeting Minutes:

10/29/2025 The applicant's agent, Aaron Ariganello of Tulloch Engineering, appeared before Committee and provided a summary of the Application and provided Committee with an explanation on what occurred to change staff's recommendation. Committee Members and the Committee Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:
RICHARD THOMAS KIRKHAM AND COURTNEY ANN KIRKHAM
the owner(s) of PIN(s) 733470857, Parcel 53M-1236-4 SEC SWS SRO, Lot 4, Plan 53M-1236, Part Lot 6, Concession 1, Township of Rayside, 2446 Parkview Drive, Azilda P0M 1B0

for relief from Part 4, Section 4.2, Table 4.1 and subsection 4.2.11 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit the existing upper west deck, gazebo, pool, and hot tub providing, firstly, for the upper west deck to provide a setback of 0.6m from the rear lot line, where uncovered decks 1.2m or less in height may be no closer than 1.2m to the rear lot line, secondly, for the pool to provide a setback of 1.13m from the interior side lot line and a setback of 1.2m from the rear lot line and for the hot tub to provide a setback of 0.6m to the rear lot line, where

no interior wall of an outdoor swimming pool shall be located closer than 1.5m setback to any side or rear lot line, and thirdly, for the gazebo to provide a 1.2m setback from the main building being the single detached dwelling, where a gazebo shall be setback 2.0m from the main building, 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	Absent
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00140

October 29, 2025

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) 733490825, Parcel 21039 SEC SWS SRO, Lots 16 to 23, Plan M-441, Part Lot 1, Concession 3, Township of Balfour, 108 Charlotte Avenue, Chelmsford P0M 1L0, 112 Charlotte Avenue, Chelmsford

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 permit two existing driveways on a proposed lot, subject of Consent Application PL-CON-2025-00058, at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, October 23, 2025

No Comment Received

Development Approvals, October 23, 2025

The purpose and effect of the application is to permit two existing driveways on a proposed lot subject to Consent Application PL-CON-2025-00058, where only one driveway is permitted per lot.

The lands proposed to be severed contain an existing semi-detached dwelling. The lands are serviced by a municipal water and sanitary connection and are accessed by two existing driveways on Charlotte Avenue.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan, are zoned 'R2-2', Low Density Residential Two within the City of Greater Sudbury Zoning By-law, and are regulated by Conservation Sudbury (NDCA).

Surrounding uses are residential and institutional in nature.

The Greater Sudbury Housing Corporation own Lots 17 and 18 on plan of subdivision M441 which was approved in 1956. Based on MPAC data, the semi-detached buildings appeared to have been constructed in the 1970's. The two semi-detached buildings were not constructed to be wholly contained to each lot on the plan of subdivision. The City of Greater Sudbury received direction from Council to deem these lands surplus as individual lots. In 2024 Consent applications were applied for and conditionally approved, however, certificates were unable to be issued as the conditions

were unable to be fulfilled. Building Services identified that the party walls did not comply with the Ontario Building Code and as such could not be divided down the party wall. As a result, new consent applications are being proposed which would have one semi-detached building containing two dwelling units and two driveways on each lot.

Staff have no concerns with the request to recognize the existing driveways for these dwelling units. No new impacts are anticipated to surrounding uses or road operations as a result of the requested relief.

Staff are 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 the application be granted.

Development Engineering, October 23, 2025

No Concerns

Hydro One, October 23, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), October 23, 2025

No Comment Received

Building Services, October 22, 2025

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

Strategic and Environmental Planning, October 22, 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.

Conservation Sudbury, October 21, 2025

No Concerns

Ministry of Transportation, October 21, 2025

I can confirm that the subject lands are not within the MTO's permit control area (PCA); therefore, we have no comments to provide at this time.

Sudbury Hydro, October 21, 2025

No Concerns

Site Plan, October 16, 2025

No Concerns

Meeting Minutes:

10/29/2025 Committee unanimously agreed to hear PL-MV-2025-00140, PL-MV-2025-00141, and PL-MV-2025-00142 together.
The applicant's authorized representative, Kim Zarichney of Greater Sudbury Housing Corporation, appeared before Committee and provided a summary of the Application. Committee Members and the Committee Chair 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) 733490825, Parcel 21039 SEC SWS SRO, Lots 16 to 23, Plan M-441, Part Lot 1, Concession 3, Township of Balfour, 108 Charlotte Avenue, Chelmsford P0M 1L0, 112 Charlotte Avenue, Chelmsford

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-2025-00058, 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	Absent
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00141

October 29, 2025

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) 733490825, Parcel 21039 SEC SWS SRO, Lots 16 to 23, Plan M-441, Part Lot 1, Concession 3, Township of Balfour, 116 Charlotte Avenue, Chelmsford POM 1L0, 120 Charlotte Avenue, Chelmsford

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 permit two existing driveways on a proposed lot, subject of Consent Application PL-CON-2025-00059, at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, October 23, 2025

No Comment Received

Development Approvals, October 23, 2025

The purpose and effect of the application is to permit two existing driveways on a proposed lot subject to Consent Application PL-CON-2025-00059, where only one driveway is permitted per lot.

The lands proposed to be severed contain an existing semi-detached dwelling. The lands are serviced by a municipal water and sanitary connection and are accessed by two existing driveways on Charlotte Avenue.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan, are zoned 'R2-2', Low Density Residential Two within the City of Greater Sudbury Zoning By-law, and are regulated by Conservation Sudbury (NDCA).

Surrounding uses are residential and institutional in nature.

The Greater Sudbury Housing Corporation own Lots 17 and 18 on plan of subdivision M441 which was approved in 1956. Based on MPAC data, the semi-detached buildings appeared to have been constructed in the 1970's. The two semi-detached buildings were not constructed to be wholly contained to each lot on the plan of subdivision. The City of Greater Sudbury received direction from Council to deem these lands surplus as individual lots. In 2024 Consent applications were applied for and conditionally approved, however, certificates were unable to be issued as the conditions

were unable to be fulfilled. Building Services identified that the party walls did not comply with the Ontario Building Code and as such could not be divided down the party wall. As a result, new consent applications are being proposed which would have one semi-detached building containing two dwelling units and two driveways on each lot.

Staff have no concerns with the request to recognize the existing driveways for these dwelling units. No new impacts are anticipated to surrounding uses or road operations as a result of the requested relief.

Staff are 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 the application be granted.

Development Engineering, October 23, 2025

No Concerns

Hydro One, October 23, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), October 23, 2025

No Comment Received

Building Services, October 22, 2025

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

Strategic and Environmental Planning, October 22, 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.

Conservation Sudbury, October 21, 2025

No Concerns

Ministry of Transportation, October 21, 2025

I can confirm that the subject lands are not within the MTO's permit control area (PCA); therefore, we have no comments to provide at this time.

Sudbury Hydro, October 21, 2025

No Concerns

Site Plan, October 16, 2025

No Concerns

Meeting Minutes:

10/29/2025 Committee unanimously agreed to hear PL-MV-2025-00140, PL-MV-2025-00141, and PL-MV-2025-00142 together.
The applicant's authorized representative, Kim Zarichney of Greater Sudbury Housing Corporation, appeared before Committee and provided a summary of the Application. Committee Members and the Committee Chair 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) 733490825, Parcel 21039 SEC SWS SRO, Lots 16 to 23, Plan M-441, Part Lot 1, Concession 3, Township of Balfour, 116 Charlotte Avenue, Chelmsford P0M 1L0, 120 Charlotte Avenue, Chelmsford

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-2025-00059, 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	Absent
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00142

October 29, 2025

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) 733490825, Parcel 21039 SEC SWS SRO, Lots 16 to 23, Plan M-441, Part Lot 1, Concession 3, Township of Balfour, 150 Gaudette Street, Chelmsford P0M 1L0, 154 Gaudette Street, Chelmsford

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 permit two existing driveways on a proposed lot, subject of Consent Application PL-CON-2025-00060, at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, October 23, 2025

No Comment Received

Development Approvals, October 23, 2025

The purpose and effect of the application is to permit two existing driveways on a proposed lot subject to Consent Application PL-CON-2025-00060, where only one driveway is permitted per lot.

The lands proposed to be severed contain an existing semi-detached dwelling. The lands are serviced by a municipal water and sanitary connection and are accessed by two existing driveways on Charlotte Avenue.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan, are zoned 'R2-2', Low Density Residential Two within the City of Greater Sudbury Zoning By-law, and are regulated by Conservation Sudbury (NDCA).

Surrounding uses are residential and institutional in nature.

The Greater Sudbury Housing Corporation own Lots 19 and 20 on plan of subdivision M441 which was approved in 1956. Based on MPAC data, the semi-detached buildings appeared to have been constructed in the 1970's. The semi-detached building was not constructed to be wholly contained to lot 19 on the plan of subdivision. The City of Greater Sudbury received direction from Council to deem these lands surplus as individual lots. In 2024 Consent applications were applied for and conditionally approved, however, certificates were unable to be issued as the conditions were unable

to be fulfilled. Building Services identified that the party walls did not comply with the Ontario Building Code and as such could not be divided down the party wall. As a result, new consent applications are being proposed which would have one semi-detached building containing two dwelling units and two driveways on each lot.

Staff have no concerns with the request to recognize the existing driveways for these dwelling units. No new impacts are anticipated to surrounding uses or road operations as a result of the requested relief.

Staff are 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 the application be granted.

Development Engineering, October 23, 2025

No Concerns

Hydro One, October 23, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), October 23, 2025

No Comment Received

Building Services, October 22, 2025

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

Strategic and Environmental Planning, October 22, 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.

Conservation Sudbury, October 21, 2025

No Concerns

Ministry of Transportation, October 21, 2025

I can confirm that the subject lands are not within the MTO's permit control area (PCA); therefore, we have no comments to provide at this time.

Sudbury Hydro, October 21, 2025

No Concerns

Site Plan, October 16, 2025

No Concerns

Meeting Minutes:

10/29/2025 Committee unanimously agreed to hear PL-MV-2025-00140, PL-MV-2025-00141, and PL-MV-2025-00142 together.
The applicant's authorized representative, Kim Zarichney of Greater Sudbury Housing Corporation, appeared before Committee and provided a summary of the Application. Committee Members and the Committee Chair 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) 733490825, Parcel 21039 SEC SWS SRO, Lots 16 to 23, Plan M-441, Part Lot 1, Concession 3, Township of Balfour, 150 Gaudette Street, Chelmsford P0M 1L0, 154 Gaudette Street, Chelmsford

for relief from 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-2025-00060, 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	Absent
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00144

October 29, 2025

OWNER(S): MTR CONSTRUCTION, 2113 Lasalle Blvd., Sudbury, ON, Canada
AGENT(S): DORLAND GEOMATICS, 1771 Old Falconbridge Road, Sudbury, ON, Canada P3B1M1
LOCATION: PIN(s) 735043155, Firstly: Part Lot 5, Concession 3 as in LT66142; Secondly: Part Lot 5 Concession 3, Part 4, Plan 53R-21423, Township of Hanmer, 5074 Municipal Road 80, Hanmer P3P 1B9

SUMMARY

Zoning: The property is zoned C2 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.
Application: Approval to permit a reduced lot frontage on a proposed retained lot, subject of Consent Application PL-CON-2025-00071, at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, October 23, 2025

No Comment Received

Development Approvals, October 23, 2025

The purpose and effect of the application is to permit a minimum lot frontage of 24.57 m on the retained lands of Consent PL-CON-2025-00071, where 30 m is required.

The lands proposed to be retained contain a vacant commercial building and accessory building. The lands are serviced by a municipal water and sanitary connection and are accessed from Municipal Road 80.

The subject lands are designated 'Mixed Use Commercial' within the City of Greater Sudbury Official Plan, are zoned 'C2', General Commercial within the City of Greater Sudbury Zoning By-law, and are located in Wellhead Protection Area C, within the Source Water Protection Plan.

Surrounding uses are residential and commercial in nature.

Staff have no concerns with the proposed frontage reduction as the driveway width will be maintained for two way traffic, interior side yard setback will be maintained, and overall is not anticipated to impact site functionality or alter the commercial nature of the subject lands.

Staff are 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 the application be granted.

Hydro One, October 23, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), October 23, 2025

No Comment Received

Building Services, October 22, 2025

Building Services has reviewed your documents and sketches for the requested minor variance and can advise that we have no objections.

Development Engineering, October 22, 2025

No Concerns

Source Water Protection, October 22, 2025

For the proposed severance of a 5.0 m wide strip of land from PIN 73504-3155 & added to PIN 73504-3177 for the purpose of installing sanitary and water distribution infrastructure, there is no significant drinking water threat identified at this time.

Strategic and Environmental Planning, October 22, 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.

Ministry of Transportation, October 21, 2025

I can confirm that the subject lands are not within the MTO's permit control area (PCA); therefore, we have no comments to provide at this time.

Sudbury Hydro, October 21, 2025

No Concerns

Conservation Sudbury, October 20, 2025

No Concerns

Site Plan, October 16, 2025

No Concerns

Meeting Minutes:

10/29/2025 The applicant's agent, Dave Dorland of Dorland Geomatics, appeared before Committee and provided a summary of the Application. Committee Members and the Committee Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

MTR CONSTRUCTION

the owner(s) of PIN(s) 735043155, Firstly: Part Lot 5, Concession 3 as in LT66142; Secondly: Part Lot 5 Concession 3, Part 4, Plan 53R-21423, Township of Hanmer, 5074 Municipal Road 80, Hanmer P3P 1B9

for relief from Part 7, Section 7.3, Table 7.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit a minimum 24.57m lot frontage on a proposed retained lot subject of Consent Application PL-CON-2025-00071, where a minimum 30.0m lot frontage 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	Absent
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00145

October 29, 2025

OWNER(S): PAUL LAMOUREUX, 436 FROOD ROAD, SUDBURY, ON, Canada
AGENT(S): CR DESIGN, 2200 - 3609 Lakeshore Blvd West, Toronto, ON, Canada M8V1A4
LOCATION: PIN(s) 021300073, Parcel 8190 SEC SES, Lot 898, Plan M-100, Part Lot 6, Concession 4, Township of McKim, 528 Tedman Avenue, Sudbury P3C 5B2

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 additional dwelling unit within the existing dwelling on the subject property providing a driveway width, landscaped open space and parking space length at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, October 24, 2025

The purpose and effect of the application is to permit the construction of an additional dwelling unit within the existing single detached dwelling with the following variances:

1. a maximum driveway width of 5.5m, where the required parking area associated with the additional dwelling unit may be permitted in the required front yard to a maximum of 50% of the width of the minimum lot frontage (5.03m), or the maximum driveway width (6.3m) established by this by-law, whichever is lesser
2. a minimum 42% minimum landscaped open space, where 50% of all required front yards shall be maintained as landscaped open spaced, and
3. a minimum parking space length of 5.8m, where 6.0m is required.

The lands proposed to be retained contain a single detached dwelling and a deck. The lands are serviced by a municipal water and sanitary connection and are accessed from Tedman Avenue.

The subject lands are designated 'Living Area I' 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.

Surrounding uses are residential in nature.

Staff have no concerns with the requested variances as the location of the existing dwelling prevents sufficient depth for parking spaces and it is not uncommon for a driveway to contain two vehicles side by side. Staff are of the opinion that the balance between driveway and landscaped area is appropriate and will maintain residential character.

Staff are of the opinion that the variances are considered to be 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 the application be granted.

Corridor Management, October 23, 2025

No Comment Received

Hydro One, October 23, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), October 23, 2025

No Comment Received

Strategic and Environmental Planning, October 23, 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.

Building Services, October 22, 2025

Building Services has reviewed your documents and sketches for the requested minor variance and can advise that we have the following comments:

We have no concerns with the requested variances as listed.

A Building Permit to the satisfaction of the Chief Building Official will be required for the proposed construction of the Additional Dwelling Unit.

Development Engineering, October 22, 2025

No Concerns

Ministry of Transportation, October 21, 2025

I can confirm that the subject lands are not within the MTO's permit control area (PCA); therefore, we have no comments to provide at this time.

Sudbury Hydro, October 21, 2025

No Concerns

Conservation Sudbury, October 20, 2025

No Concerns

Site Plan, October 16, 2025

No Concerns

Meeting Minutes:

10/29/2025 The applicant's agent, Rohit Walia, appeared before Committee and provided a summary of the Application. Committee Members and the Committee Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

PAUL LAMOUREUX

the owner(s) of PIN(s) 021300073, Parcel 8190 SEC SES, Lot 898, Plan M-100, Part Lot 6, Concession 4, Township of McKim, 528 Tedman Avenue, Sudbury P3C 5B2

for relief from Part 4, Section 4.2, subsection 4.2.10.5, Section 4.15, subsection 4.15.2, and Part 5, Section 5.2, subsection 5.2.3.1 a), Section 5.4, subsection 5.4.2 d) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of an additional dwelling unit within the existing single detached dwelling providing, firstly, a maximum driveway width of 5.5m, where the required parking area associated with the additional dwelling unit may be permitted in the required front yard to a maximum of 50% of the width of the minimum lot frontage (5.03m), or the maximum driveway width (6.3m) established by this by-law, whichever is lesser, secondly, a minimum 42% minimum landscaped open space, where 50% of all required front yards shall be maintained as landscaped open spaced, and thirdly, minimum parking space length of 5.8m, where 6.0m 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	Absent
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00146

October 29, 2025

OWNER(S): VINCE VOCATURO, 60 Gutcher Ave, Sudbury, ON, Canada

AGENT(S): VINCE VOCATURO, 60 Gutcher Ave, Sudbury, ON, Canada

LOCATION: PIN(s) 735880393, Parcel 7382 SEC SES, Lot 234, Plan M-128, Part Lot 8, Concession 2, Township of McKim, 60 Gutcher Avenue, Sudbury P3C 3H8

SUMMARY

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

Application: Approval to construct a detached garage providing a setback, eaves encroachment, accessory lot coverage and lot coverage at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, October 23, 2025

No Comment Received

Development Approvals, October 23, 2025

The purpose and effect of the application is to facilitate the construction of a 77.22 m² detached garage with the following variances:

1. a maximum accessory lot coverage of 21%, where the total lot coverage of all accessory buildings and structures on a residential lot shall not exceed 10%,
2. a maximum lot coverage of 52%, where 50% is permitted,
3. an interior side yard setback of 0.5 m, where 1.2 m is required for accessory buildings over 2.5 m in height, and
4. an eaves encroachment of 0.3 m into the interior side yard setback of 0.5 m, where eaves may encroach 0.6 m into the required yard no closer than 0.6 m to the lot line.

The subject lands contain a 113.9 m² single detached dwelling, a deck, and a detached garage that is to be replaced with the proposed new detached garage. The subject lands are serviced by a municipal water and sanitary connection and have access from Gutcher Avenue and 'Unnamed Lane 21'.

The subject lands are designated 'Living Area I' 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.

Surrounding uses are low density residential and park in nature.

The lands are subject to Minor Variance Application PL-MV-2025-00070, which was approved by committee on June 25, 2025, to permit the construction of a garage with an accessory lot coverage of 20% and a lot coverage of 51%.

Subsequent to the previously approval, the applicant has increased the size of the garage from 74.3 m² to 77.22 m², resulting in a 1% increase to the accessory lot coverage and lot coverage previously permitted. Additionally, the applicant is now seeking an interior side yard setback reduction in order to maintain the same setback as the current garage that is to be demolished and replaced with the new proposed garage.

Although the proposed accessory building would have a lot coverage of 21% which is more than double than permitted, it will continue to be subordinate in area and height in comparison to the main use of the lands being the single detached dwelling and have the effect of exceeding total lot coverage of all buildings and structures by 2%. The 10% minimum landscaped area is being maintained as rear yard amenity space and front yard landscaping. Staff are satisfied that the subject lands will remain functional as a result of the variances. Staff are of the opinion that the requested interior side yard setback of 0.5 m will continue to allow room for access and maintenance around the building.

Overall, the site will not be out of character with the surrounding area comprised of narrow low density residential through lots that are reliant on 'unnamed Lanes' for access to accessory buildings and are permitted 50% lot coverage as of right within the Zoning By-law.

Staff are of the opinion that the variances are considered to be 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.

Hydro One, October 23, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), October 23, 2025

No Comment Received

Strategic and Environmental Planning, October 23, 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.

Building Services, October 22, 2025

Building Services has reviewed your documents and sketches for the requested minor variances and can advise that we have the following comments:

We have no objections with the requests for lot coverage relief as indicated.

We acknowledge issuance of Building Permit (BP-NEW-2025-00993) for the garage construction. However, revised drawings must be submitted for review and approval. Based on the reduced interior side yard setback, the construction of the facing wall must be fire rated and clad with non-combustible siding. Combustible eave projections are not permitted.

We acknowledge receipt of a Demolition Permit Submission (BP-DEM-2025-00053) for the removal of the existing garage.

Development Engineering, October 22, 2025

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

Ministry of Transportation, October 21, 2025

I can confirm that the subject lands are not within the MTO's permit control area (PCA); therefore, we have no comments to provide at this time.

Sudbury Hydro, October 21, 2025

No Concerns

Conservation Sudbury, October 20, 2025

No Concerns

Site Plan, October 16, 2025

No Concerns

Meeting Minutes:

10/29/2025 The applicant's agent, Rohit Walia, appeared before Committee and provided a summary of the Application. Committee Members and the Committee Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

VINCE VOCATURO

the owner(s) of PIN(s) 735880393, Parcel 7382 SEC SES, Lot 234, Plan M-128, Part Lot 8, Concession 2, Township of McKim, 60 Gutcher Avenue, Sudbury P3C 3H8

for relief from Part 4, Section 4.2, subsection 4.2.3 and Part 6, Section 6.3, Table 6.4 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, an accessory lot coverage of 21%, where the total lot coverage of all accessory buildings and structures on a residential lot shall not exceed 10% and where 20% was previously approved under Minor Variance Application PL-MV-2025-00070, secondly, a maximum lot coverage of 52%, where 50% is permitted and where 51% was previously approved under Minor Variance Application PL-MV-2025-00070, and thirdly, an interior side yard setback of 0.5m with eaves encroaching an additional 0.3m into the proposed 0.5m setback, where accessory buildings and structures greater than 2.5m in height may be no closer than 1.2m from the side lot line and where eaves may encroach 0.6 m into the required yard or court but not closer than 0.6 m 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 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	Absent
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring