



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00116

September 17, 2025

OWNER(S): INFRASTRUCTURE ONTARIO, Suite 2000, 1 Dundas St. West, Toronto, ON, Canada

AGENT(S): NORR ARCHITECTS & ENGINEERS LTD, 175 Bloor St E, Toronto, ON, M4W3R8, A057/23, ON, Canada

LOCATION: PIN(s) 734790001, Parcel 31862 SEC SES, Part Lot 12, Concession 5, Part 1, Plan SR-965, together with Part 1, Plan SR-3028 as in LT285539, and reserving a strip of land 20 feet in perpendicular width along the shore of McFarlane Lake, except Part 23, Plan 53R-6411, Township of Dill, 2500 South Lane Road, Sudbury P3G 1C8

SUMMARY

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

Application: Approval to construct a new building on the subject property providing planting strips, loading spaces and bicycle parking spaces at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, September 12, 2025

The purpose and effect of the application is to permit the construction of a 2,300 m² special needs facility with the following variances:

1. 0 m planting strip along the west lot line, where a 3.0m-wide planting strip adjacent to the full length of the lot line shall be required where a non-residential lot abuts a residential lot;
2. 1 loading space, where a minimum of 2 loading spaces are required; and
3. 4 bicycle parking spaces, where 9 bicycle parking spaces are required.

The subject lands contain the Cecil Fraser Youth Centre, which is comprised of an administrative building, six dormitories five of which have been identified as to be removed, a worship center, and two accessory buildings. The lands are serviced by a municipal water and sanitary connection and are accessed by an existing driveway off South Lane Road.

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

Surrounding uses are low density residential and rural in nature.

The applicant has advised that the building is proposed to contain 50 beds to accommodate adult women with specific needs.

Staff have no concerns with the 0 m landscape strip as the building will maintain a 10 m setback from the western property line and security fencing will be provided.

Given the nature of the operation of the lands, staff have no concerns with reduced loading space and bicycle parking spaces.

MTO has advised that a permit is required for buildings within 395 m of the intersection of Highway 69 and South Lane Road.

Strategic and Environmental Planning and Building Services provided advisory comments in regards to maintaining the watercourse setback and the need for a comprehensive plot plan as part of the building permit. Dimensions of parking spaces and loading spaces will be reviewed at the time of building permit.

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 subject to the following condition:

1. That a permit from MTO be obtained within one year from a date of decision to the satisfaction of the Director of Planning Services.

Corridor Management, September 11, 2025

No Comment Received

Development Engineering, September 11, 2025

No Concerns

Ministry of Natural Resources and Forestry (MNR), September 11, 2025

No Comment Received

Building Services, September 10, 2025

Based on the information provided, Building Services has no concerns with this application other than the following comments:

1) In review of the site plan, it is noted that the location and dimension for all parking, loading, bicycle, and accessible spaces have not been provided. Given this, Building Services has not reviewed zoning compliance for location and dimension of the aforementioned parking spaces as well as drive aisle width, etc. Further variances may be identified at the time of building permit.

2) With respect to the site plan provided, we note the following items in the site statistics table that require revision:

a) A 10.0m front yard setback is noted where a 15.0m setback is required as the subject property abuts a primary road (ZBL, Table 10.3, Provision 2).

b) As the subject property is partially serviced with municipal services, the minimum required lot area should reflect 1350.0m² rather than 900m² (ZBL, Table 10.3, Provision 1).

c) As the subject property is partially serviced with municipal services, the maximum required lot coverage should reflect 30% rather than 50% (ZBL, Table 10.3, Provision 4).

Applicant/Owner to also be advised of the following comments:

3) A review of our records indicates that a building permit has not yet been submitted for the proposed 2300m² modular facility. Building permit applications and building permit documents to be submitted to the satisfaction of the Chief Building Official.

Applicant to be informed that as the project has been exempt from Site Plan Control, the project will fall under the Comprehensive Plot Plan process. At the time of building permit submission, please ensure to include (but not limited to):

a) Comprehensive plot plan – we acknowledge the fire route access and fire hydrants identified on the site plan provided for this application, however, please ensure to also include the location of the siamese fire department connection on the building and the distance between the fire hydrant and connection. Please also include the location and dimension for all parking, loading, bicycle, and accessible

spaces as well as parking aisles, etc.

b) Site servicing plan

c) Lot grading plan

d) Architectural drawings (including building code matrix) prepared by an Architect licensed in the Province of Ontario

e) Structural/Mechanical/Electrical/Sprinkler drawings prepared by a Professional Engineer licensed in the Province of Ontario

f) Fire flow calculations

g) Geotechnical Report and Commitment Certificate

h) Modular certification to be provided

4) A review of our records indicates multiple incomplete building permits. Please contact building services to complete these projects.

Krista Deredin, Plans Examiner
Building Services

Strategic and Environmental Planning, September 10, 2025

The subject site is bisected by a watercourse and associated wetlands at the south east portion of the property. The proposed MBF 5 is to be located at the northwest corner of the parcel, a minimum of 200 metres from the extent of the wetland, and, as such, staff in SEP do not have concerns with the proposed development.

Staff advise the proponent of the following:

-Should the location of the MBF 5 be changed, they should confirm with staff in SEP that there are not concerns with the proximity to the wetland

-Zoning By-law 2010-100Z requires a 12 metres setback to any watercourse and a 30 metres setback to any lake, with requirements for naturally vegetated shoreline buffers

-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 10, 2025

No Concerns

Ministry of Transportation, September 9, 2025

I can confirm that the subject lands for file PL-MV-2025-00116 (2500 South Lane Rd) 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. MTO supports the application in principle, with the following comments to provide:

An MTO Building/Land Use Permit is required for the placement of any buildings structures within 45 meters of the Hwy 69 property line or within 395 meters of the centre-point of the intersection of Hwy 69 and South Lane Rd/Henni Rd.

Any new structure must be setback a minimum of 14 meters from the Hwy 69 property line.

All access must remain from South Lane Rd. No direct access to Hwy 69 will be permitted.

Any future development or change in land use must be subject to MTO review/approval.

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

Site Plan, September 5, 2025

No Concerns

Conservation Sudbury, September 4, 2025

No objection to Minor Variances being sought to facilitate the construction of a modular building facility.

Portion of the subject property contain features regulated by Conservation Sudbury including floodplain and wetlands. See map attached in pronto. Future development in regulated areas requires permission of Conservation Sudbury.

Meeting Minutes:

09/17/2025 The applicant's agent, Valdemar Nickel of NORR Architects & Engineers Ltd., appeared before Committee and provided a summary of the Application. Committee Member Castanza advised that she attended the site and expressed support for the Application and staff's recommendation with condition. Committee Member Sawchuk asked staff if the condition could be removed. Staff advised that a condition had been consistently recommended when MTO advised that a permit would be required. Committee Member Sawchuk advised Committee that he would be open to removing the condition and expressed support for the Application. The Chair advised the agent that the condition would have to be cleared within one year and expressed support to impose the condition. Committee Member Murray advised Committee that he would be making a motion to remove the condition. Committee Member Murray put forward a motion to remove the condition and Committee Member Sawchuk seconded the motion. The motion was supported and carried.

The following decision was reached:

DECISION:

THAT the application by:

INFRASTRUCTURE ONTARIO

the owner(s) of PIN(s) 734790001, Parcel 31862 SEC SES, Part Lot 12, Concession 5, Part 1, Plan SR-965, together with Part 1, Plan SR-3028 as in LT285539, and reserving a strip of land 20 feet in perpendicular width along the shore of McFarlane Lake, except Part 23, Plan 53R-6411, Township of Dill, 2500 South Lane Road, Sudbury P3G 1C8

for relief from Part 4, Section 4.15, subsections 4.15.4 (a) and Part 5, Section 5.6, Table 5.8 and Section 5.8, Table 5.10 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a modular building facility, providing, firstly, no planting strip along the west lot line, where a 3.0m-wide planting strip adjacent to the full length of the lot line shall be required where a non-residential lot abuts a residential lot, secondly, 1 existing loading space, where a minimum of 2 loading spaces are required, and thirdly, 4 existing bicycle parking spaces, where 9 bicycle 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 minor in nature and is desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-law and the Official Plan are maintained.

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

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00117

September 17, 2025

OWNER(S): JULIE GAUTHIER, 71 Bedard Rd, Wahnapiatae, ON, Canada P0M3C0

JOEL GAUTHIER, 71 Bedard Rd, Wahnapiatae, ON, Canada P0M 3C0

AGENT(S): JULIE GAUTHIER, 71 Bedard Rd, Wahnapiatae, ON, Canada P0M3C0

LOCATION: PIN(s) 734820197, Parcel 15370 SEC SES, Part Lot 2, Concession 6, Summer Resort Location as in EP7408, Township of Dryden, 71 Bedard Road, Wahnapiatae P0M 3C0, 91 Bedard Road, Wahnapiatae

SUMMARY

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

Application: Approval to construct a seasonal dwelling and a leaching bed, and to permit an existing accessory structure providing setbacks to the high water mark at variance to the By-law, and to permit a private cabin providing an increased gross floor area at variance to the By-law.

Comments concerning this application were submitted as follows:

Strategic and Environmental Planning, September 17, 2025

REVISED

Staff in SEP have reviewed the amended application for minor variance and note that the only relief relating to the highwater mark is now for an existing shed that is located 29.63 m from the highwater mark, seeking relief for 0.37 m. Staff acknowledge that the shed is existing and may predate the 30 m highwater mark setback requirements. Given that no portion of the shed is within the required 20 metres shoreline buffer area and the encroachment into the 30 m highwater mark setback is 0.37m, staff do not oppose the proposed minor variance.

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.

Development Approvals, September 16, 2025

REVISED

The purpose and effect of the application is to permit an existing shed and private cabin providing with the following variances:

- 1. a high water mark setback of 29.63m for the existing shed, where 30 m is required;

2. a maximum gross floor area of 71.43 m² for the private cabin, where 30 m² is the maximum permitted.

The subject lands contain two private cabins and four accessory buildings. The applicant has identified the removal of one of the private cabins and one accessory building on their application. The lands are serviced by an individual well and septic system and are accessed by two existing driveways off Bedard Road.

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, are located in the Wanapitei Intake Protection Zone IV within the Source Water Protection Plan, and are regulated by Conservation Sudbury (NDCA).

Surrounding uses are rural and seasonal limited service in nature.

Subsequent to receiving comments the applicant submitted a revised sketch relocating both the proposed seasonal dwelling and leaching bed outside of the high water mark setback.

Staff have no concerns with recognizing the existing shed with a high water mark setback of 29.63 m or recognizing the 71.43 m² private cabin.

It is recommended that the application be granted.

Development Approvals, September 12, 2025

The purpose and effect of the application is to permit the construction of a 222 m² seasonal dwelling and leaching bed and to permit an existing shed and private cabin providing with the following variances:

1. a high water mark setback of 23.9m for the seasonal dwelling, where 30 m is required;
2. a high water mark setback of 29.63m for the existing shed, where 30 m is required;
3. a high water mark setback of 9 m for the leaching bed, where 30 m is required; and
4. a maximum gross floor area of 71.43 m² for the private cabin, where 30 m² is the maximum permitted.

The subject lands contain two private cabins and four accessory buildings. The applicant has identified the removal of one of the private cabins and one accessory building on their application. The lands are serviced by an individual well and septic system and are accessed by two existing driveways off Bedard Road. As an advisory comment, 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, are located in the Wanapitei Intake Protection Zone IV within the Source Water Protection Plan, and are regulated by Conservation Sudbury (NDCA).

Surrounding uses are rural and seasonal limited service 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.

The subject lands do have sufficient depth, however, the applicant has identified topography challenges with moving the seasonal dwelling and leaching bed further south on the property. The proposal is not for an addition to an existing building or replacement of a leaching bed where the setback is not further reduced, and a net improvement is not achieved. While staff recognize topography challenges in moving the seasonal dwelling and leaching bed back, it appears that there may be alternative locations on site to the east at similar grade that may be able to accommodate the seasonal dwelling and leaching bed.

Staff are unable to support the proposed application as is it as it does not conform to the Official Plan criteria for considering reductions to the high water mark setbacks.

The intent of the high water mark setback is to protect water quality, staff are of the opinion that the proposal does not meet the intent of the Official Plan and Zoning by-law and have concerns with the placement of the leaching bed within the shoreline buffer area and high water mark setback.

Staff recommend that the application be deferred to allow the applicant an opportunity to explore alternative locations for the proposed seasonal dwelling and leaching bed that are outside of the shoreline buffer area and high water mark.

Corridor Management, September 11, 2025

No Comment Received

Development Engineering, September 11, 2025

No Concerns

Ministry of Natural Resources and Forestry (MNR), September 11, 2025

No Comment Received

Strategic and Environmental Planning, September 11, 2025

Staff have reviewed the proposed development and considered the submitted rationale in support of the request for minor variances. The proposed leaching bed is to be located 9.0 metres from the highwater mark, encroaching 11 metres within the required 20.0 metres shoreline buffer area and 21 metres into the required highwater mark setback. The proposed seasonal dwelling is to be located 23.9 metres from the highwater mark setback. Staff rely on policy 3 of 8.4.1 General Policies in 8.4 Surface Water Resources – Lakes, Rivers and Streams of the City's Official Plan when considering reductions to the highwater mark setback. Policy 3 allows the consideration of a lesser 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 slope at the southern portion of the lot that may make development more challenging. However, the applicant did not address why both the proposed seasonal dwelling and proposed leaching bed could not be moved further east at similar grades/elevations but further from the shoreline.

In particular, staff are concerned about the proposed location of the leaching bed for the following reasons:

- It is proposed 11 metres within the required 20 metres shoreline buffer area. The buffer area is meant to protect the water quality of the Wanapitei River, slow overland drainage into the lake, buffer and enhance existing riparian habitat, among other benefits. While staff respect the applicant's desire to avoid the loss of existing vegetation on-site, staff are concerned that the purpose of the shoreline buffer area, in concert with the reduced highwater mark setback, will be lost.
- There appear to be other locations on-site at similar grades/elevations that would accommodate the leaching bed.
- From aerial photography, it appears that there has been removal of vegetation on-site between July 2019 and June 2025 in the southwest portion of the parcel.

At this time, staff in SEP cannot support the proposed minor variances.

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, September 10, 2025

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

Applicant/Owner to be advised of the following comments:

- 1) Building Services acknowledges building permit application BP-NEW-2025-01292 for the construction of a Seasonal Dwelling with Attached Garage.?
- 2) A Demolition Permit and documents will be required to be completed to the satisfaction of the Chief Building Official for demolition of the existing sleep camp.
- 3) A Building Permit and documents will be required to be completed to the satisfaction of the Chief Building Official for the change of use for the existing camp being converted to a private cabin.
- 4) Based on our research, it appears a shed measuring 38m² was built without the benefit of a building permit. A building permit shall be required to the satisfaction of the Chief Building Official. Owner to be aware that sheds greater than 15m² require a building permit in accordance with the Ontario Building Code Article 1.3.1.1. of Division C. Applicant/Owner to also be aware that with the exception of sheds, accessory buildings and structures greater than 10 m² (108 ft²) are also subject to the Ontario Building Code and would require a building permit.??

Sudbury Hydro, September 10, 2025

Outside of our territory - no concerns.

Conservation Sudbury, September 9, 2025

No objection to Minor Variance being sought as described in MV-2025-00117 to facilitate the construction of a seasonal dwelling and leaching bed and existing shed and private cabin. All developments are located outside of the flood hazard as indicated on the topographic survey.

Ministry of Transportation, September 9, 2025

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

Site Plan, September 5, 2025

No Concerns

Meeting Minutes:

09/17/2025 The applicants, Julie Gauthier and Joel Gauthier, appeared before Committee and at the request of the Chair provided the background on the changes to the Application which resulted in reducing the variances down to two. Committee Member Castanza advised that she attended the site and expressed support for the Application. Committee Member Sawchuk was pleased that the process resulted in a positive recommendation and expressed support for staff's recommendation. Committee Member Murray and the Chair expressed support for staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

JULIE GAUTHIER AND JOEL GAUTHIER

the owner(s) of PIN(s) 734820197, Parcel 15370 SEC SES, Part Lot 2, Concession 6, Summer Resort Location as in EP7408, Township of Dryden, 71 Bedard Road, Wahnapiatae P0M 3C0, 91 Bedard Road, Wahnapiatae

for relief from Part 4, Section 4.41, subsection 4.41.2 (a) and Part 9, Section 9.2, Table 9.1 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit an existing shed and private cabin providing, firstly, a high water mark setback of 29.63m for the existing shed, where accessory buildings or structures shall be no closer than 30.0m to the high water mark of a lake or a river, and secondly, for the private cabin accessory to a seasonal dwelling to provide a gross floor area of 71.43sq. m, where the maximum gross floor area of a private cabin shall be 30.0sq. m on any lot accessory to a permitted seasonal dwelling, be granted.

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

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

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00120

September 17, 2025

OWNER(S): CANADIAN HARD OF HEARING ASSOCIATION, 47 Walford Road, Sudbury, ON, Canada

AGENT(S): A.L. PERMITS, 460 Boyce St, Sudbury, ON, Canada P3E2G7

LOCATION: PIN(s) 735950115, Parcel 7842 SEC SES, Part Lot 6, Concession 1, as in LT 44607 and Part 1, Plan SR-1168, Township of McKim, 45 Walford Road, Sudbury P3E 2H2, 47 Walford Road, Sudbury

SUMMARY

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

Application: An approval to construct an addition on the existing building providing setbacks and encroachments at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, September 12, 2025

The purpose and effect of the application is to permit the construction of a 22 m² addition on the former church building with the following variances:

1. an interior side yard setback of 2.9m, where an interior side yard setback of 10.0m is required; and
2. an eaves encroachment of 0.6 m into the 2.9 m interior side yard setback, where eaves may encroach 0.6m into the 10.0m required yard but not closer than 0.6 m to the lot line.

The subject lands contain a single detached dwelling, deck, and former church. The lands are serviced by a municipal water and sanitary connection and have existing access from Walford Road.

The subject lands are designated 'Institutional and Living Area I' within the City of Greater Sudbury Official Plan and are zoned 'I', institutional within the City of Greater Sudbury Zoning By-law.

Surrounding uses are residential and institutional in nature.

The applicant has advised that the addition is intended to create an entrance for accessibility needs.

Staff have no concerns with the requested interior setback as the addition will not be located any closer to the interior lot line than the former church.

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

Corridor Management, September 11, 2025

No Comment Received

Development Engineering, September 11, 2025

Eaves Encroachment Condition:

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.

Hydro One, September 11, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), September 11, 2025

No Comment Received

Building Services, September 10, 2025

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

Applicant/Owner to be advised of the following comments:

1) A Building Permit and documents will be required to be completed to the satisfaction of the Chief Building Official for the proposed addition.

Strategic and Environmental Planning, September 10, 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 10, 2025

No Concerns

Ministry of Transportation, September 9, 2025

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

Site Plan, September 5, 2025

No Concerns

Conservation Sudbury, September 3, 2025

No Concerns

Meeting Minutes:

09/17/2025 The applicant's agents, Angela Lanteigne of A.L. Permits and Ken Kaltiainen, appeared before Committee and Ken Kaltiainen provided a summary of the Application.

Angela Lanteigne advised Committee that she spoke with a concerned resident who attended the meeting and advised that the concern related to fencing at the rear of the lot. The Chair suggested that the agents could provide their contact information to the resident so that further discussions could be had.

Committee Member Castanza advised that she attended the site and expressed support for the Application

Committee Member Sawchuk expressed support for staff's recommendation.

Committee Member Murray questioned the addressing and staff confirmed that it was due to the two buildings on the property.

The Chair expressed support for staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

CANADIAN HARD OF HEARING ASSOCIATION

the owner(s) of PIN(s) 735950115, Parcel 7842 SEC SES, Part Lot 6, Concession 1, as in LT 44607 and Part 1, Plan SR-1168, Township of McKim, 45 Walford Road, Sudbury P3E 2H2, 47 Walford Road, Sudbury

for relief from Part 4, Section 4.2, Table 4.1 and Part 10, Section 10.3, Table 10.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of an addition on the existing building providing an interior side yard setback of 2.9m with eaves encroaching an additional 0.6m into the proposed 2.9m setback, where an interior side yard setback of 10.0m is required and where eaves may encroach 0.6m into the 10.0m required yard 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	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Absent



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00122

September 17, 2025

OWNER(S): JUSTIN RABOUIN, 724 montee rouleau, chelmsford, ontario, Canada P0M1L0
ALAIN RABOUIN, 724 Montee Rouleau, Blezard Valley, Ontario, Canada P0M 1L0

AGENT(S): JUSTIN RABOUIN, 724 montee rouleau, chelmsford, ontario, Canada P0M1L0

LOCATION: PIN(s) 733450654, Parcel 31193 SEC SWS, Part Lot 3, Concession 4, Part 1, Plan 53R-16473, Township of Rayside, 724 Montee Rouleau, Blezard Valley P0M 1L0

SUMMARY

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

Application: Approval to construct an uncovered deck on the existing dwelling providing a setback at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, September 11, 2025

No Comment Received

Development Approvals, September 11, 2025

The purpose and effect of the application is to permit an uncovered deck with a front yard setback of 6.1m, where 10.0m is required.

The subject lands contain a single detached dwelling and an accessory building. The lands are serviced by a municipal water and private septic system and appear to be accessed through the abutting property to the north onto St. Laurent Street. As an advisory note, staff recommend legal access be established if not already in place.

The subject lands are designated 'Agriculture Reserve' within the City of Greater Sudbury Official Plan and are zoned 'A(1)' Agricultural Special within the City of Greater Sudbury Zoning By-law.

Surrounding uses are rural and agricultural in nature.

Staff have no concerns with the location of the deck as adequate space is being maintained between the front lot line and deck for access and maintenance. Additionally, there is natural vegetation located along the front property line which acts as a visual buffer. As there is no driveway from the subject lands onto Montee Rouleau, there doesn't appear to be any sightline concerns.

Staff are of the opinion that the variance is minor in nature, is 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 11, 2025

No Concerns

Hydro One, September 11, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), September 11, 2025

No Comment Received

Building Services, September 10, 2025

Building Services has no objections to the proposed minor variances.

Building Services acknowledges receipt of the building permit application, BP-NEW-2025-01205, for the attached deck.

Amanda Dittrich, P.Eng.
Plans Examiner

Strategic and Environmental Planning, September 10, 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 10, 2025

Outside of our territory - no concerns.

Ministry of Transportation, September 9, 2025

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

Site Plan, September 5, 2025

No Concerns

Conservation Sudbury, September 3, 2025

No Concerns

Meeting Minutes:

09/17/2025 The applicants, Justin Rabouin and Alain Rabouin, appeared before Committee and provided a summary of the Application. Committee Member Castanza advised that she attended the site and expressed support for the Application.

Committee Members Sawchuk and Murray and the Chair expressed support for staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

JUSTIN RABOUIN AND ALAIN RABOUIN

the owner(s) of PIN(s) 733450654, Parcel 31193 SEC SWS, Part Lot 3, Concession 4, Part 1, Plan 53R-16473, Township of Rayside, 724 Montee Rouleau, Blezard Valley P0M 1L0

for relief from Part 9, Section 9.3, Table 9.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of an uncovered deck on the existing dwelling providing a front yard setback of 6.1m, where 10.0m is required, be granted.

Consideration was given to Section 45(1) of the *Planning Act*, R.S.O.1990, c. P.13, as amended, including written and oral submissions related to the application, it is our opinion the 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	Absent



SUBMISSION NO. PL-MV-2025-00125

September 17, 2025

OWNER(S): JOSH MILLARD, 17 Bishop, Wahnapiatae, ON, Canada P0M3C0
 CATHERINE MILLARD, 17 Bishop Crescent, Wahnapiatae, ON - Ontario, Canada
 P0M 3C0

AGENT(S): JOSH MILLARD, 17 Bishop, Wahnapiatae, ON, Canada P0M3C0

LOCATION: PIN(s) 734810240, Parcel 35699 SEC SES, Part Lot 10, Concession 3, Part 4, Plan
 SR-2189, Township of Dryden, 17 Bishop Crescent, Wahnapiatae P0M 3C0

SUMMARY

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

Application: Approval to construct a detached garage on the subject property providing accessory lot coverage and height at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, September 12, 2025

The purpose and effect of the application is to permit the construction of a 142.5 m² detached garage with the following variances:

1. an accessory lot coverage of 11%, where the total lot coverage of all accessory buildings and structures on a residential lot shall not exceed 10%; and
2. a maximum height of 7.4m, where the maximum height of any accessory building or structure on a residential lot shall be 5.0m.

The subject lands contain a 116 m² one-storey single detached dwelling with a height of 5.5 m and an accessory building that has been identified to be removed by the applicant. The lands are serviced by a municipal water and sanitary connection, and are accessed by a driveway off Bishop Crescent.

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

Surrounding uses are low density residential in nature.

The applicant has advised that the additional height is proposed to accommodate storage and office space. As an advisory note, home occupations/commercial uses are not permitted in accessory buildings.

The subject lands are located in a low density residential area that is characterized by predominantly one-storey single detached dwellings and accessory buildings. The proposed accessory building will exceed the size and height of the single detached dwelling. The applicant is proposing to locate the building in the rear yard, 49 m from the front lot line, which will reduce the visual scale of the building from Bishop Crescent. The concept provided for the garage shows an angled roof, with the front face

of the building having a height of 7.4 m and the rear less than that. The subject lands do not contain any visual buffers from surrounding properties.

Staff have no concerns with the requested lot coverage increase as the site appears to remain functional and setbacks are being adhered to.

Staff do have some concerns with the increased height given the context of the surrounding area, however, do acknowledge the design considerations and location to reduce visual impacts.

Staff are of the opinion that so long as the 2nd storey of the garage is not used for a home occupation/commercial use, 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 that the application be granted.

Corridor Management, September 11, 2025

No Comment Received

Development Engineering, September 11, 2025

No Concerns

Hydro One, September 11, 2025

No Comment Received

Ministry of Natural Resources and Forestry (MNR), September 11, 2025

No Comment Received

Building Services, September 10, 2025

Building Services has no objections to the proposed minor variances.

Building Services acknowledges receipt of the building permit application, BP-NEW-2025-01332, for the 2 storey detached garage.

Amanda Dittrich, P.Eng.
Plans Examiner

Strategic and Environmental Planning, September 10, 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 10, 2025

Outside of our territory - no concerns.

Ministry of Transportation, September 9, 2025

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

Site Plan, September 5, 2025

No Concerns

Conservation Sudbury, September 3, 2025

No Concerns

Meeting Minutes:

09/17/2025 The applicants, Catherine Millard and Joshua Millard, appeared before Committee and provided a summary of the Application. The Secretary-Treasurer advised Committee that the City received two emails outlining concerns for the development from two area residents and confirmed that Committee was in receipt of those emails. The applicants spoke to the concerns and advised Committee the work they did on the property to address the drainage. Committee Member Castanza advised that she attended the site and noted the trees buffering the neighbouring lands and expressed support for the Application. Committee Member Sawchuk acknowledged the comments submitted by the two residents and expressed support for the Application and staff's recommendation. Committee Member Murray expressed support for staff's recommendation. The Chair expressed support for staff's recommendation and advised the applicant of staff's comments regarding commercial business and home occupation and commented on the drainage and cautioned the applicants that the development would not be permitted on an easement.

The following decision was reached:

DECISION:

THAT the application by:

JOSH MILLARD AND CATHERINE MILLARD

the owner(s) of PIN(s) 734810240, Parcel 35699 SEC SES, Part Lot 10, Concession 3, Part 4, Plan SR-2189, Township of Dryden, 17 Bishop Crescent, Wahnapiatae P0M 3C0

for relief from Part 4, Section 4.2, subsection 4.2.3 and 4.2.4 a) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage providing, firstly, accessory lot coverage of 11%, where the total lot coverage of all accessory buildings and structures on a residential lot shall not exceed 10%, and secondly, a maximum height of 7.4m, where the maximum height of any accessory building or structure on a residential lot shall be 5.0m, be granted.

Consideration was given to Section 45(1) of the *Planning Act*, R.S.O.1990, c. P.13, as amended, including written and oral submissions related to the Application, it is our opinion the variances are minor in nature and 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	Concurring
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Absent