



## COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0018/2022

March 23, 2022

OWNER(S): GAIL PAULEY, 2043 Kingsway Sudbury ON P3B 4K2  
ROBIN PAULEY, 2043 Kingsway Sudbury ON P3B 4K2

AGENT(S): BRYAN DORLAND - D.S. DORLAND LIMITED, 298 Larch Street Sudbury ON P3B 1M1

LOCATION: PIN 73481 0409, Parcel 19292 SEC SES, Lot Pt 3, Concession 1, Township of Dryden, 39 Kari Road, Wahnapiatae

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### SUMMARY

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

**Application:** Approval of a retained lot, subject of Consent Application B0010/2022, providing a lot area at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Infrastructure Capital Planning Services, March 17, 2022

Roads  
No concerns.

Transportation and Innovation Support  
No concerns.

Active Transportation  
No concerns.

CGS: Building Services Section, March 15, 2022

Building Services has reviewed the above noted application for Minor Variance and can advise that we have no concerns with the reduced property area.

Owner should be advised that any future construction will be subject to all required Zoning By-law provisions including the permitted uses and setbacks for Rural (RU) zone. The property is located adjacent to a flowing stream and wetland and will be subject to the requirements of 4.41 of the Zoning By-law, including a 12m shoreline buffer from the stream to be maintained in a natural vegetative state

CGS: Development Approvals Section, March 15, 2022

The variance being sought is intended in part to facilitate a lot addition to abutting 58 Johnson Road (ie. PIN 73481-0234) by allowing for a reduced minimum lot area on the retained lands having frontage on Kari Road in Wahnapiatae. The lands are designated Rural in the City's Official Plan and zoned "RU", Rural under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff would note that the lands currently form an existing undersized rural lot on the east side of Kari Road having an approximate lot area of 1.41 ha (3.84 acres) whereas 2 ha (4.94 acres) is required in the "RU" Zone. Staff would note that no new rural lot is proposed to be created. Staff would further note that the lands contain a watercourse and associated wetlands. The proposed variance that would facilitate a lot addition does not infer and/or establish any type or form of development approval beyond the lot

SUBMISSION NO. A0018/2022 Continued.

boundary re-alignment that is being proposed at this time. Staff would also note for reference purposes that there is a concurrent application for consent that is associated with this development proposal (File # B0010/2022). Staff recommends that the variance be approved as it is minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

CGS: Site Plan Control, March 15, 2022

No concerns.

The Nickel District Conservation Authority, March 14, 2022

The parcel is outside of the watershed regulated by Conservation Sudbury. We have no comments about this proposed severance.

CGS: Development Engineering, March 10, 2022

No objection.

The agent, Bryan Dorland of DS Dorland, appeared before Committee and provided a summary of the application.

The following decision was reached:

DECISION:

THAT the application by:

GAIL PAULEY AND ROBIN PAULEY

the owner(s) of PIN 73481 0409, Parcel 19292 SEC SES, Lot Pt 3, Concession 1, Township of Dryden, 39 Kari Road, Wahnapiatae

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 approve the lands to be retained, subject of Consent Application B0010/2022, providing a minimum lot area of 0.94ha, where 2.0ha 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.

<b><i>Member</i></b>	<b><i>Status</i></b>
Carol Ann Coupal	Concurring
Cathy Castanza	Concurring
Derrick Chartand	Concurring
Matt Dumont	Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0019/2022

March 23, 2022

OWNER(S): DALRON CONSTRUCTION LTD., 130 Elm Street, Sudbury, ON P3C 1T6

AGENT(S):

LOCATION: PIN 02119 0131, Survey Plan 53R-21599 Part(s) 9, 10, and 11, Lot(s) Pt 50 and 61 and Part Arvo Avenue, Subdivision M-353, Lot Pt 1, Concession 6, Township of McKim, 1332 Arvo Avenue, Sudbury

SUMMARY

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

Application: Approval of a lot to be transferred, subject of Part Lot Control as approved by By-law 2021-58Z, providing a lot depth at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Infrastructure Capital Planning Services, March 17, 2022

Roads
No concerns.

Transportation and Innovation Support
No concerns.

Active Transportation
No concerns.

CGS: Development Approvals Section, March 15, 2022

The variance being sought would facilitate the creation of a new urban residential lot having frontage on Arvo Avenue in Sudbury. The lands are designated Living Area 1 in the City's Official Plan and zoned "R2-2", Low Density Residential Two under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff notes that the lands are subject to a by-law lifting part lot control from the lands in order to allow for the lot fabric to arranged in the manner being proposed (File # PLC2017-01). The owner is however responsible for ensuring that the lot fabric complies with applicable zoning requirements. Staff has reviewed the sketch and is satisfied that no other areas of non-compliance with respect to the "R2-2" development standards would be created should the application be approved. Staff has no concerns with the lot depth being reduced by 2 m (6.56 ft) as both the front and rear yards would remain functional. Staff would however recommend that the variance decision permit a minimum lot depth of 28 m (91.86 ft) whereas 30 m (98.43 ft) is required. This will allow for a sufficient margin of error and it is noted that the minimum lot depth development standard under the "R2-2" Zone is expressed without any decimal places. It is also noted that the curvature of the front lot line impacts the lot depth calculation despite the southerly interior side lot line depth exceeding 30 m (98.43 ft). Staff recommends that the variance be approved as it is minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

CGS: Site Plan Control, March 15, 2022

No concerns.

SUBMISSION NO. A0019/2022 Continued.

Greater Sudbury Hydro Inc., March 14, 2022

No conflict.

CGS: Building Services Section, March 14, 2022

Building Services has reviewed the above noted application for Minor Variance and can advise that we have no concerns with the reduced property depth.

The Nickel District Conservation Authority, March 14, 2022

Conservation Sudbury does not object to Minor Variance A0019/2022. The subject property is not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

Conservation Sudbury respectfully requests a copy of any decision. Should you have any questions, please contact the undersigned at [Melanie.Venne@ConservationSudbury.ca](mailto:Melanie.Venne@ConservationSudbury.ca).

CGS: Development Engineering, March 10, 2022

No objection.

A representative of the applicant, Kristi Arnold, appeared before Committee and provided a summary of the application.

The following decision was reached:

DECISION:

THAT the application by:

DALRON CONSTRUCTION LTD.

the owner(s) of PIN 02119 0131, Survey Plan 53R-21599 Part(s) 9, 10, and 11, Lot(s) Pt 50 and 61 and Part Arvo Avenue, Subdivision M-353, Lot Pt 1, Concession 6, Township of McKim, 1332 Arvo Avenue, Sudbury

for relief from Part 6, Section 6.3, Table 6.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to approve a lot to be transferred, subject of Part Lot Control as approved by By-law 2021-58Z, providing a minimum lot depth of 28.372m, where 30.0m 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.

<b><i>Member</i></b>	<b><i>Status</i></b>
Carol Ann Coupal	Concurring
Cathy Castanza	Concurring
Derrick Chartand	Concurring
Matt Dumont	Concurring



## COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0020/2022

March 23, 2022

OWNER(S): SUDBURY APARTMENT RENTALS LIMITED, 219 O'Neil Drive East Sudbury ON P3L 1H6

AGENT(S): KEVIN JARUS - TULLOCH ENGINEERING, 1942 Regent Street, Unit L, Sudbury, ON, P3E 5V5

LOCATION: PIN 73571 1005, Parcel 35111, Survey Plan 53R-20565 Part(s) except 7 & 8, Lot(s) Pt 5, Subdivision M-511, Lot Pt 12, Concession 5, Township of Neelon, 544 Barry Downe Road, Sudbury

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### SUMMARY

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

**Application:** Approval to permit the multiple dwelling on the subject property providing a minimum lot area per unit at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Infrastructure Capital Planning Services, March 17, 2022

Roads  
No concerns.

Transportation and Innovation Support  
No concerns.

Active Transportation  
No concerns.

CGS: Development Approvals Section, March 15, 2022

This application is corrective in nature and would allow for a minimum lot area of 75 m<sup>2</sup> (807.29 ft<sup>2</sup>) whereas 110 m<sup>2</sup> (1,184.03 ft<sup>2</sup>) is required in the "R3-1" Zone. The existing minor variance approval (File # A0123/2019) previously referenced a minimum lot area of 76 m<sup>2</sup> (818.06 ft<sup>2</sup>). Staff recommends that the variance be approved as it is minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

CGS: Site Plan Control, March 15, 2022

No concerns.

Greater Sudbury Hydro Inc., March 14, 2022

No conflict.

CGS: Building Services Section, March 14, 2022

Building Services has reviewed the above noted application for Minor Variance and can advise that we have no concerns with the reduced property area.

Owner to be advised that a building permit to the satisfaction of the Chief Building Official is required for

SUBMISSION NO. A0020/2022 Continued.

the construction of the additional dwelling unit (Unit #12). We acknowledge receipt of applications to legalize 2 dwelling units and construct one additional unit(Units 9, 10 & 11).

The Nickel District Conservation Authority, March 14, 2022

Conservation Sudbury does not object to Minor Variance A0020/2022. The subject property is not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

Conservation Sudbury respectfully requests a copy of any decision. Should you have any questions, please contact the undersigned at [Melanie.Venne@ConservationSudbury.ca](mailto:Melanie.Venne@ConservationSudbury.ca).

CGS: Development Engineering, March 10, 2022

No objection.

The agent, Kevin Jarus of Tulloch Engineering, appeared before Committee and provided a summary of the application.

The following decision was reached:

DECISION:

THAT the application by:

SUDBURY APARTMENT RENTALS LIMITED

the owner(s) of PIN 73571 1005, Parcel 35111, Survey Plan 53R-20565 Part(s) except 7 & 8, Lot(s) Pt 5 , Subdivision M-511, Lot Pt 12, Concession 5, Township of Neelon, 544 Barry Downe Road, Sudbury

for relief from Part 6, Section 6.3, Table 6.5 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit the multiple dwelling on the subject property providing a minimum lot area of 75.0m<sup>2</sup> per unit, where 110.0m<sup>2</sup> per unit is required, whereas 76.0m<sup>2</sup> was previously approved under Application for Minor Variance A0123/2019, 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.

<b><i>Member</i></b>	<b><i>Status</i></b>
Carol Ann Coupal	Concurring
Cathy Castanza	Concurring
Derrick Chartand	Concurring
Matt Dumont	Concurring



## COMMITTEE OF ADJUSTMENT

SUBMISSION NO. A0021/2022

March 23, 2022

OWNER(S): BARBARA ANN BROUILLARD, 8 Village Crescent Sudbury ON P3A 4X9

AGENT(S): ERIC BROUILLARD, 8 Village Crescent Sudbury ON P3A 4X9

LOCATION: PIN 02171 0001, Parcel 42198, Lot(s) 52, Subdivision M-1020, Lot Pt 3, Concession 6, Township of McKim, 8 Village Crescent, Sudbury

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### SUMMARY

**Zoning:** The property is zoned R1-5 (Low Density Residential One) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

**Application:** Approval for an existing uncovered deck on the subject property to encroach into the required corner side yard at variance to the By-law.

Comments concerning this application were submitted as follows:

CGS: Infrastructure Capital Planning Services, March 17, 2022

Roads  
No concerns.

Transportation and Innovation Support  
No concerns.

Active Transportation  
No concerns.

CGS: Development Approvals Section, March 15, 2022

The variance being sought would recognize an existing deck that encroaches into a required corner side yard on the subject lands that have frontage on Village Crescent in Sudbury. The lands are designated Living Area 1 in the City's Official Plan and zoned "R1-5", Low Density Residential One under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff notes that with the encroachment accounted for the existing deck would maintain an approximate 3 m (9.84 ft) setback to the corner side lot line. Staff attended the lands and note that the corner side yard slopes upward to the encroaching deck. The deck is also separated from Drummond Avenue by a small retaining wall and an opaque wooden fence. There are also a number of mature trees located between the deck, the fence, the retaining wall and the travelled portion of Drummond Avenue. Staff has no concerns with the encroachment in this particular site context. Staff recommends that the variance be approved as it is minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

CGS: Site Plan Control, March 15, 2022

No concerns.

CGS: Building Services Section, March 14, 2022

Building Services has reviewed the above noted application for Minor Variance and can advise that we

SUBMISSION NO. A0021/2022 Continued.

have no concerns with the reduced corner side yard setback.  
Greater Sudbury Hydro Inc., March 14, 2022

No conflict.

The Nickel District Conservation Authority, March 14, 2022

Conservation Sudbury does not object to Minor Variance A0021/2022. The subject property is not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.

Conservation Sudbury respectfully requests a copy of any decision. Should you have any questions, please contact the undersigned at [Melanie.Venne@ConservationSudbury.ca](mailto:Melanie.Venne@ConservationSudbury.ca).

CGS: Development Engineering, March 10, 2022

No objection.

The agent, Eric Brouillard, appeared before Committee and provided a summary of the application.

The following decision was reached:

DECISION:

THAT the application by:

BARBARA ANN BROUILLARD

the owner(s) of PIN 02171 0001, Parcel 42198, Lot(s) 52, Subdivision M-1020, Lot Pt 3, Concession 6, Township of McKim, 8 Village Crescent, Sudbury

for relief from Part 4, Section 4.2, Table 4.1 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit an existing uncovered deck to encroach 1.49m into the required corner side yard, where uncovered decks greater than 1.2m in height are not permitted to encroach into the corner side yard, 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.

<b><i>Member</i></b>	<b><i>Status</i></b>
Carol Ann Coupal	Concurring
Cathy Castanza	Concurring
Derrick Chartand	Concurring
Matt Dumont	Concurring