



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00130

October 14, 2026

OWNER(S): STEVEN TRAIN, 1462 Urbandale St, Hanmer, ON, Canada P3P0A3
STEPHANIE TRAIN, 1462 Urbandale Street, Val Therese, Ontario, Canada P3P0A3

AGENT(S): FERGIE HOMES, 717 Dominion Drive, Hanmer, Ontario, Canada P3P0A6

LOCATION: PIN(s) 735042668, SRO, Part Lot 6, Concession 2, Lot 30, Plan 53M-1329, Township of Hanmer, 1462 Urbandale Street, Val Therese P3P 0A3

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 dwelling unit addition on the existing detached accessory building providing setback at variance and driveway width at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, October 8, 2026

The purpose and effect of the application is to facilitate the construction of a dwelling unit addition on the existing detached accessory building, with the following variances:

1. To permit a minimum setback of 1.6m between the dwelling unit located in an accessory building and the main building, where a dwelling unit located in a building accessory to a main building shall be sited a minimum of 2.4 m from the main building (Subsection 4.2.10 b) of Zoning By-law); and
2. To permit a maximum driveway width of 10.4m at the street line, where the maximum driveway width of a driveway at the street line providing access to a single detached dwelling shall be 6.3 m (Subsection 5.4.3.1 c) i) of Zoning By-law).

The subject lands are developed with a one storey 210.4m² single detached dwelling and a 26.1m² detached garage. The lands are serviced by municipal water and sanitary sewer. The lands are accessed by an existing driveway from Urbandale Street, a municipal road maintained year round. The applicant is proposing to construct a 49.5m² dwelling unit as an addition to the existing detached accessory building (garage).

The subject property is designated 'Living Area I' within the City of Greater Sudbury Official Plan, and is zoned 'R1-5', Low Density Residential One within the City of Greater Sudbury Zoning By-law. Surrounding uses are low density residential in nature.

The intent of the 2.4m separation requirement is to ensure sufficient spatial separation between the main

dwelling and accessory building containing a dwelling unit, and to avoid an overly constrained built form on the lot.

The applicant has advised that due to the shape of the lot, the proposed addition to the existing detached garage is unable to meet the minimum distance requirements from the main dwelling.

Staff are of the opinion that the proposed 1.6m provides sufficient space for access and maintenance between the existing main dwelling and proposed additional dwelling unit. The proposed additional dwelling unit appears to meet all other zoning provisions, including minimum setbacks from all property lines and maximum lot coverage.

The intent of the maximum driveway width provision is to prevent the overdevelopment of front yards for vehicular access and parking and to maintain an appropriate balance between hard surfaced areas and landscaped open space within the residential streetscape. Based on the applicant's concept plan, along with a review of the aerial imagery, the existing driveway provides access to the existing dwelling and detached garage. The subject lands have a frontage of approximately 32.9m. Although the existing driveway has a width of 10.4m at the street line (located on the northern portion of the front yard), there is ample landscaped open space provided on the southern portion of the front yard.

Staff is of the opinion that the proposed minor 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 that the application be granted.

Building Services, October 7, 2026

Based on the information provided, Applicant/Owner to be advised of the following comments:

- 1) We acknowledge receipt of an associated building permit (BP-NEW-2026-01085) for the construction of the detached additional dwelling unit. Owner to be aware that an issued building permit to the satisfaction of the Chief Building Official is required prior to construction.
- 2) The plot plan submitted with the Minor Variance application differs from the plot plan currently on file for the associated building permit application. Please upload a revised plot plan through Pronto to ensure consistency between the Minor Variance approval and the building permit application.

Corridor Management, October 7, 2026

No Comment Received

Development Engineering, October 7, 2026

Development Engineering does not support this Minor Variance. As per By-Law 2010-100Z, section 5.4.3.1., maximum allowable driveway width for residential properties is 6.3m.

Ministry of Natural Resources and Forestry (MNRF), October 7, 2026

No Comment Received

Ministry of Transportation, October 7, 2026

I have reviewed the attached application and can confirm that the subject lands are located outside the MTO's permit control area (PCA); therefore, we have no comments to provide.

Strategic and Environmental Planning, October 6, 2026

SEP staff have no objections to the application.

Advisory comment:

The applicant is advised that compliance with the provincial Fish and Wildlife Conservation Act, 1997 and Species Conservation Act, 2025, and the federal Migratory Bird Convention Act, 1994 and Species At Risk Act, 2002, is their sole responsibility.

Sudbury Hydro, October 5, 2026

Please note the following application falls outside of our service territory.

Conservation Sudbury, October 1, 2026

No Concerns

Site Plan, October 1, 2026

No Concerns

Meeting Minutes:

10/14/2026 The owners, Steven and Stephanie Train, and their contractor, Andre Belanger of Fergie Homes Construction, appeared before Committee and provided summary of the Application. Committee Members expressed support for the Application and staff's recommendation. Committee Chair Dumont emphasized Building Services' comments regarding the plans to the owners and expressed support of the Application as it met the four tests of a minor variance.

The following decision was reached:

DECISION:

THAT the application by:

STEVEN TRAIN AND STEPHANIE TRAIN

the owner(s) of PIN(s) 735042668, SRO, Part Lot 6, Concession 2, Lot 30, Plan 53M-1329, Township of Hanmer, 1462 Urbandale Street, Val Therese P3P 0A3

for relief from Part 4, Section 4.2, subsection 4.2.10 b) and Part 5, Section 5.4, subsection 5.4.3.1 c) i) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to permit the following: firstly, facilitate the construction of a dwelling unit addition on the existing detached accessory building providing a minimum setback of 1.6m from the main building, where a dwelling unit located in a building accessory to a main building shall be sited a minimum of 2.4m from the main building, and secondly, a maximum driveway width of 10.4m at the street line, where the maximum driveway width of a driveway at the street line providing access to a single detached dwelling shall be 6.3m, 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 are desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of

the By-law and the Official Plan are maintained.

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

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00135

October 14, 2026

OWNER(S): DAWN DESJARDINS, 14 Wolfrey Avenue, Toronto, ON, Canada
DINA DESJARDINS, 51 Grosse Pointe Blvd, Grosse Pointe Farms, Michigan, ON, Canada

AGENT(S): POLIARCHITECTURE INC., 417 Kantola Road, Lively, ON, Canada

LOCATION: PIN(s) 735110130, Parcel 13994 SEC SES, Summer Resort Location 70, Plan M-137, except Parts 2 & 4, Plan 53R-13762, Part Lot 9, Concession 5, Township of MacLennan, 1021 West Bay Road, Skead P3L 1V3

SUMMARY

Zoning: The property is zoned R1-1(12) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

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

Comments concerning this application were submitted as follows:

Development Approvals, October 8, 2026

The purpose and effect of the application is to facilitate the construction of an addition on the existing seasonal dwelling providing a high water mark setback of a lake of 11.7m, 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 the only permitted accessory structures within 20.0m of the high water mark of a lake 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.

The subject property is developed with a dwelling, garage, gazebo, sauna and shed. The property is serviced via lake water and private septic system, and is accessed from West Bay Road, a municipal road maintained year round.

The subject lands are designated 'Rural' within the City of Greater Sudbury Official Plan, are zoned 'R1-1(12)', Low Density Residential One Special within the City of Greater Sudbury Zoning By-law and are regulated by Conservation Sudbury (NDCA). Surrounding uses are low density rural residential and rural uses in nature.

The applicant has advised that although the addition will be located within the existing shoreline setback area, it will not extend closer to the waterbody than the existing dwelling. Conservation Sudbury (NDCA) has no objections to the high water setback variance. A Section 28 permit

from their office is required and has been applied for. The issuance of a permit from the NDCA will be required prior to the issuance of the building permit.

Strategic and Environmental Planning (SEP) staff have advised that they rely on policy 3 of section 8.4.1 of the City's Official Plan when considering reductions to highwater mark setback, which may permit a reduction only if:

- 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.

Further, SEP staff advise that the existing seasonal dwelling has a high water mark setback of 11.9m. The addition is proposed to have a high water mark setback of 11.7 m. It is acknowledged that the applicant has advised that the proposed addition could not be located to the rear of the existing seasonal dwelling due to the location of the septic system or to the east of the existing seasonal dwelling due to the interior side yard setback of the existing dwelling. It is also acknowledged that shoreline clearance standards will be maintained as a result of the proposed addition.

Staff is of the opinion that the proposed minor variance application 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 that the application be granted.

Building Services, October 7, 2026

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 to the seasonal dwelling.
- 2) For the proposed deck identified on the plot plan, Owner to be aware that a building permit, to the satisfaction of the Chief Building Official, is required where any of the following conditions apply:
 - i. Any attached or detached deck exceeding 24" in height above grade;
 - ii. Any attached deck, regardless of height;
 - iii. Any deck supporting a roof or another structure, regardless of size; and
 - iv. Any deck more than 6'-0" above grade, which requires an appropriate foundation system.

Corridor Management, October 7, 2026

No Comment Received

Development Engineering, October 7, 2026

No Concerns

Ministry of Natural Resources and Forestry (MNRF), October 7, 2026

No Comment Received

Ministry of Transportation, October 7, 2026

I have reviewed the attached application and can confirm that the subject lands are located outside the MTO's permit control area (PCA); therefore, we have no comments to provide.

Conservation Sudbury, October 6, 2026

Conservation Sudbury does not oppose the addition at variance with the high water mark setback.

A permit under Section 28 of the Conservation Authorities Act is required prior to issuance of the building permit. The permit application has already been received and is currently under review.

Strategic and Environmental Planning, October 6, 2026

Staff in SEP have reviewed the proposed application for the construction of a 72 m² addition onto an existing seasonal dwelling with a high water mark setback of 11.7 m. Staff rely on policy 3 of section 8.4.1 of the City's Official Plan when considering reductions to highwater mark setback, which may permit a reduction if only if:

- 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 existing seasonal dwelling has a high water mark setback of 11.98 m. The addition is proposed to have a high water mark setback of 11.7 m. It is acknowledged that the applicant has advised that the proposed addition could not be located to the rear of the existing seasonal dwelling due to the location of the septic system or to the east of the existing seasonal dwelling due to the interior side yard setback of the existing dwelling. It is also acknowledged that shoreline clearance standards will be maintained as a result of the proposed addition.

Advisory comments:

The subject lands contain wildland fire hazards as per Schedule 6b of the City of Greater Sudbury Official Plan. The applicant is advised that wildland fire mitigation best practices can be found in provincial standards such as FireSmart.

The applicant is advised that compliance with the provincial Fish and Wildlife Conservation Act, 1997 and Species Conservation Act, 2025, and the federal Fisheries Act, 1985; Migratory Bird Convention Act, 1994; and, Species At Risk Act, 2002 is their sole responsibility.

Sudbury Hydro, October 5, 2026

Please note the following application falls outside of our service territory.

Site Plan, October 1, 2026

No Concerns

Meeting Minutes:

10/14/2026 The owner's agent, Anastasia Renaud of Poliarchitecture Inc., appeared before Committee and provided a summary of the Application. Committee Members and the Chair expressed support for the Application and staff's recommendation as the Application met the four tests of a minor variance.

The following decision was reached:

DECISION:

THAT the application by:

DAWN DESJARDINS AND DINA DESJARDINS

the owner(s) of PIN(s) 735110130, Parcel 13994 SEC SES, Summer Resort Location 70, Plan M-137, except Parts 2 & 4, Plan 53R-13762, Part Lot 9, Concession 5, Township of MacLennan, 1021 West Bay Road, Skead P3L 1V3

for relief from Part 4, Section 4.41, subsections 4.41.2 and 4.41.4 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of an addition on the existing seasonal dwelling providing a high water mark setback of a lake of 11.7m, 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 the only permitted structures within 20.0m of the high water mark of a lake 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, 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 are desirable for the appropriate development and use of the land and Buildings. The general intent and purpose of the By-law and the Official Plan are maintained.

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

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00136

October 14, 2026

OWNER(S): AMANDA LEWIS, 2488 South Shore Road, Greater Sudbury, ON, Canada
DEREK LEWIS, 2488 South Shore Road, Greater Sudbury, ON, Canada

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

LOCATION: PIN(s) 734720159, Parcel 22690 SEC SES SRO, Lot 17, Plan M-480, Part Lot 12,
Concession 1, Township of Broder, 2488 South Shore Road, Sudbury P3G 1M3

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 permit existing and proposed structures providing setbacks, high water mark setbacks, shoreline structure, shoreline buffer area and driveway width at variance to the By-law and permit an existing driveway width at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, October 8, 2026

Development Approvals comments have been uploaded as a PDF document.

Building Services, October 7, 2026

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

However, for the Owner's information Building Services has the following comments,

1. Building Services recognizes an associated building permit application (BP-NEW-2026-01113) for the proposed shed.

The plot plan submitted with the Minor Variance application differs from the plot plan currently on file for the associated building permit application. Please upload a revised plot plan through Pronto to ensure consistency between the Minor Variance approval and the building permit application.

2. For structures constructed after December 22, 1976, and/or proposed structures identified on the submitted plot plan, the Owner/Applicant should be aware of the following building permit requirements:

a) Retaining Walls

A building permit is required for retaining walls exceeding 1.0 m in height, to the satisfaction of the Chief Building Official. Permit applications must include a design prepared and sealed by a Professional Engineer licensed in the Province of Ontario.

b) Decks

Several decks have been identified on the submitted plot plan. A building permit, to the satisfaction of the Chief Building Official, is required where any of the following conditions apply:

- i. Any attached or detached deck exceeding 24" in height above grade;
- ii. Any attached deck, regardless of height;
- iii. Any deck supporting a roof or another structure, regardless of size; and
- iv. Any deck more than 6'-0" above grade, which requires an appropriate foundation system.

c) Boathouse Addition

A proposed addition to the existing boathouse has been identified on the submitted plot plan. A building permit application will be required for the proposed addition, subject to the satisfaction of the Chief Building Official.

Conservation Sudbury, October 7, 2026

Conservation Sudbury provides comments as they relate to the Natural Hazards section of the Provincial Planning Statement (PPS). As per Section 5.2.2 of the PPS, "development shall generally be directed to areas outside of hazardous lands which are impacted by erosion hazards". As per Section 5.2.8, development "may be permitted provided that existing hazards are not aggravated".

As per the methodology for calculating the erosion hazard defined by the Ministry of Natural Resources, the boathouse and proposed retaining wall immediately north of the boathouse are located within the erosion hazard of Long Lake.

In July 2026 the applicant undertook a pre-submission consultation process related to the potential rebuild and enlargement of the existing structure. That process outlines the requirements for development under O.Reg. 41/24, which include additional tests beyond that referenced in the PPS. A topographic survey was submitted as part of that process. As part of that review it was noted that the retaining wall south of the existing boat house is located closer to the existing structure than shown on the plans. It is unclear if the proposed addition can fit without significant modification to the site grading and the existing retaining wall.

As part of the pre-consultation specific to the boathouse the applicant was advised on the regulatory requirements under the Conservation Authorities Act for rebuilding and/or expanding the existing structure which included:

- Submission of an erosion hazard assessment,
- Demonstration of compliance with Conservation Sudbury's existing non-conforming policies addressing additions and reconstructions (including limitations to footprint)
- Demonstration that the development will not aggravate the erosion hazard through completion of a Slope Stability Assessment (including assessment of the proposed grading and modifications to retaining walls.

The proposed retaining wall between the boat house and the waterfront was not discussed as part of the pre-con. It is also within the erosion hazard and cannot be permitted without demonstration that it will not aggravate the erosion hazard.

Conservation Sudbury is not supportive of the variance sought for the new retaining wall and the boathouse addition since not enough information has been received to ensure that the erosion hazard is not impacted. An application to Conservation Sudbury is required with the complete application requirements listed in the pre-consultation checklist dated July 31, 2026.

Conservation Sudbury would be supportive of the other variances being sought including for the existing

retaining walls, driveway and shed, if they were being addressed separately from the proposed retaining wall and boathouse

Corridor Management, October 7, 2026

No Comment Received

Development Engineering, October 7, 2026

No Concerns

Ministry of Natural Resources and Forestry (MNRF), October 7, 2026

No Comment Received

Ministry of Transportation, October 7, 2026

I have reviewed the attached application and can confirm that the subject lands are located outside the MTO's permit control area (PCA); therefore, we have no comments to provide.

Strategic and Environmental Planning, October 7, 2026

SEP staff rely on policy 3 of section 8.4.1 of the City's Official Plan when considering reductions to highwater mark setback, which may permit a reduction if only if:

- 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 recognize that the existing retaining wall, being 11.68 m from the high water mark is required from an engineering perspective based on the existing site conditions.

Staff are of the understanding that the proposed retaining wall with a high water mark setback of 3.98 m is required as a result of the proposed expansion to the existing boathouse. It is recognized that the addition is proposed to the rear of the existing sauna further away from the lake, however, SEP staff do not support the requested increase in shoreline clearance as a result of the proposed addition.

It is acknowledged that the applicant has advised that the shed cannot be moved further back on the subject lands due to terrain, however, in staff's opinion (based on figure 11) there appears to be a flat area of land between the partially constructed shed and the field bed. Additionally, SEP staff do not support the requested increase in shoreline clearance as a result of the proposed shed.

Staff are not supportive of the request to further increase the clearance area within the shoreline buffer. A Shoreline Buffer Area is 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. Shoreline buffers help filter sediment and other pollutants (such as fertilizers and pesticides) from runoff that flows from the land into waterways, thus protecting the waters from nearby land uses. The shoreline area also provides critical habitat for aquatic insects, microorganisms, fish, and other animals, thereby helping to maintain a balance in sensitive aquatic ecosystems. The subject lands currently exceed shoreline clearance requirements. Staff do not support the request to legalize existing non-complying

clearance and further increase permissions for buildings and structures within the shoreline area beyond what exists today as it greatly reduces the opportunity for re-vegetation to a natural state. Staff encourage re-vegetation to a natural state where possible.

Advisory comments:

The subject lands contain wildland fire hazards as per Schedule 6b of the City of Greater Sudbury Official Plan. The applicant is advised that wildland fire mitigation best practices can be found in provincial standards such as FireSmart.

The applicant is advised that compliance with the provincial Fish and Wildlife Conservation Act, 1997 and Species Conservation Act, 2025, and the federal Fisheries Act, 1985; Migratory Bird Convention Act, 1994; and, Species At Risk Act, 2002 is their sole responsibility.

Sudbury Hydro, October 5, 2026

No Concerns

Site Plan, October 1, 2026

No Concerns

Meeting Minutes:

10/14/2026 The owner's agent, Aaron Ariganello of Tulloch Engineering, appeared before Committee. The Chair requested the agent to speak to Development Approval's comments, and the agent provided a summary of the Application.

Philip Zylberberg appeared before Committee on behalf of the Long Lake Stewardship Committee and expressed concerns with the location of the shed and the shoreline buffer clearance.

The Secretary-Treasurer advised Committee that the only correspondence received on the Application was the letter from the Long Lake Stewardship Committee and confirmed Committee's receipt of the letter.

The agent explained that the location and size of the shed were chosen due to topographic constraints and moving it closer to the dwelling would clutter the property and leave unusable space on the east side of the property. The Chair asked what the use was and the agent advised that it would be for storage. The agent requested Committee to make a decision on variances 2, 3, 4, 5 and amended 6, as identified in Development Approval's comments, to permit a shed.

Committee Member Castanza advised Committee that she visited the site and expressed no issue with the Application.

Committee Member Goswell advised Committee that he was uncomfortable amending the percentage of shoreline buffer clearance and expressed support for staff's recommendation.

Committee Member Sawchuk concurred with Committee Member Goswell's comments and asked staff to comment on the undersized lot. Staff advised that the property was an existing undersized lot and that it didn't meet the current zone standards. The Member asked staff what the standard percentage would be and staff advised that the shoreline buffer clearance would be the same. The Member asked staff if it was always 25% and staff confirmed that as far as they were aware it was. The Member explained to Committee that he felt that the owner should not benefit further from non-compliance, that there was an opportunity to relocate the shed, revegetate the property and would be open to a deferral of the variances that staff was recommending be denied.

Committee Member Murray asked the agent why the shed couldn't be moved and the Chair also asked what the square metre area or percentage of the shed that was encroaching. The agent estimated that it was encroaching by 40% and that the size and location were guided by the topographic constraints. The agent asked if the plan with the contours could be shown and explained that the shed was located on the flat area, that the natural grade sloped to the east and that they didn't want to push the shed closer to the house because the usability of the east side would be lost. The Chair asked what the intervals were of the contours and the agent advised that they were 0.25m intervals and the Chair commented on the intervals. The Member commented on the clearance and advised Committee that as there were reasons for the shed's location, he was open to modifying variance 6.

10/14/2026 Committee Chair Dumont noted the green space identified on the plan, the shed's location and the percentage that was being requested. The Chair expressed support for the location of the shed and the buffer clearance. The Chair asked staff what structures were permitted in the buffer clearance and staff referred to the Zoning By-law and read the list of structures that were permitted. The Chair commented on the size of the shed and expressed support for the application as it met the four tests of a minor variance. The Chair referred to Strategic and Environmental Planning's comments regarding the location and referred to the applicant's contour plan and expressed support for the proposal. The Chair expressed approval for all of the variances with an amendment to variance 6. The Chair also noted that the contour plan provided the shoreline buffer clearance percentage and requested the agent to comment. The agent explained the contour plan, what was originally proposed and what was being requested now. The Chair confirmed that the request for amendment was supported by the contour map and expressed support for all variances except variance 1.

Committee Member Sawchuk commented, in relation to the shoreline buffer, that Committee should be aiming to make improvements and that the buffer should not be reduced as there were other options available and expressed support for staff's recommendation.

Committee Member Goswell expressed support for staff's recommendation and concurred with Committee Member Sawchuk's comments.

Committee Member Murray expressed support for the application as it met the four tests of a minor variance.

Staff advised Committee that they were unsure that Strategic and Environmental Planning would be supportive of what was being proposed and were unsure if staff reviewed the contour plan.

The resolution was defeated. Committee Chair Dumont put forward a motion to support variances 2 through 5, with an amendment to variance 6 to approve a shoreline buffer clearance of 42% and defer variance 1 and Committee Member Murray seconded the motion. The motion was supported and carried.

The following decision was reached:

DECISION:

THAT the application by:

AMANDA LEWIS AND DEREK LEWIS

the owner(s) of PIN(s) 734720159, Parcel 22690 SEC SES SRO, Lot 17, Plan M-480, Part Lot 12, Concession 1, Township of Broder, 2488 South Shore Road, Sudbury P3G 1M3

for relief from Part 4, Section 4.2, subsection 4.2.5, Table 4.1, Section 4.41, subsections 4.41.2, 4.41.3 and 4.41.4 and Part 5, Section 5.2, subsection 5.2.9.3 and 5.4, subsection 5.4.3.1 a) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, for the following, firstly, a high water mark setback of 11.68m for an existing retaining wall greater than 1.0m in height, 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 the only permitted structures within 20.0m of the high water mark of a lake 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, secondly, for an existing retaining wall greater than 1.0m in height to provide no setback from the westerly interior side yard, where accessory structures 2.5m or less in height shall be no closer than 0.6m from the side lot line, thirdly, a high water mark setback of 16.9m the proposed shed, 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 the only permitted structures within 20.0m of the high water mark of a lake 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, fourthly, permit an existing driveway providing a minimum driveway width of 2.6m, where driveways accessing a parking area shall be a

minimum of 3.0m in width for one-way traffic and the minimum driveway width shall be 3.0m, and fifthly, the shoreline buffer to be cleared to a maximum of 42% (429.5.0 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, 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 are 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	Non-Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Non-Concurring



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00113

October 14, 2026

OWNER(S): DCG ENTERPRISES 5026940 ONTARIO INC, 97 Carr street, Garson, ON, Canada

AGENT(S): MAINLINE, 2737 White Street, Val Caron, ON, Canada P3N1B2

LOCATION: PIN(s) 735011284, Parcel 39560 SEC SES SRO, Part Lot 9, Concession 5, Part 4, Plan 53R-5680, except Part 3, Plan 53R-6277, Township of Blezard, 2737 White Street, Val Caron P3N 1B2

SUMMARY

Zoning: The property is zoned M1 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a building on the subject property providing a setback at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, September 24, 2026

The purpose and effect of the application is to facilitate the construction of a one-storey building providing a rear yard setback of 2.3m, where 6.0m is required (Part 8, Section 8.3, Table 8.2 of Zoning By-law 2010-100Z).

The property currently contains a one storey building, several office trailers, several shipping containers (sea cans), and several storage sheds. The applicant is proposing to construct a steel storage structure at the rear of the subject property. The existing encroaching structure located in the northwest corner of the property is proposed to be removed entirely. The applicant is also proposing to remove all shipping containers (sea cans) on the property, as these are not permitted in the 'M1', Light Industrial/Service Commercial zone. Lastly, the proposal would see the removal of two sheds.

The lands are serviced by municipal water and sewer and are accessed by an existing driveway on White Street, a municipal road maintained year round. The subject property is designated 'General Industrial' within the City of Greater Sudbury Official Plan and is zoned 'M1', Mixed Light Industrial/Service Commercial within the City of Greater Sudbury Zoning By-law. Surrounding uses are mainly mixed light industrial/service commercial in nature.

The subject property currently accommodates a 'service, repair and trade' use, which is a permitted use in the M1 zone. The applicant is proposing the construction of a new structure and the removal of several accessory structures and shipping containers, many of which do not appear to meet the development standards of the Zoning By-law.

As an advisory comment, Building Services staff has noted that a building permit will be required for a previous change of use on the property. Building Permits will also be required for any/all remaining structures on the property that were developed without the benefit of Building Permits.

Based on the applicant's concept plan, all other development standards of the Zoning By-law appear to be met. Staff do not anticipate that the reduced setback of the new proposed one storey structure would create any negative impacts on the surrounding area.

Staff is of the opinion that the proposed minor 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 that the application be granted.

Building Services, September 23, 2026

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

For the applicants' information:

1) Building Services acknowledges an associated Building Permit Application (BP-NEW-2026-00181) for the proposed industrial storage building.

From our research, it appears the principle building on the property has had a Change of Use without the benefit of a building permit. A building permit shall be required, to the satisfaction of the Chief Building Official.

At this time, we are awaiting an updated site plan and associated site statistics table for all required permit applications.

The Applicant/Owner is advised that, once all required information has been submitted for the applicable building permits, a comprehensive zoning review will be undertaken. Additional minor variances or deficiencies may be identified during that review process once complete information has been provided.

2) As indicated on the site plan, Building Services notes that all shipping and storage containers are to be removed from the property. In addition, the attached sheds located along the north side of the principal building are being removed.

Building Services further acknowledges that the three (3) office trailers and two (2) detached sheds identified on the site plan are proposed to remain on the property.

Based on our records, the sheds and office trailers have been constructed without the benefit of a building permit. A building permit shall be required for the construction of these structures, to the satisfaction of the Chief Building Official.

Development Engineering, September 23, 2026

No Concerns

Strategic and Environmental Planning, September 23, 2026

SEP staff have no objection to the application.

Advisory comments:

The applicant is advised that compliance with the provincial Fish and Wildlife Conservation Act, 1997 and

Species Conservation Act, 2025, and the federal Migratory Bird Convention Act, 1994 and Species At Risk Act, 2002, is their sole responsibility.

Sudbury Hydro, September 21, 2026

The following application falls outside of our service territory.

Conservation Sudbury, September 18, 2026

No Concerns

Corridor Management, September 18, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), September 18, 2026

No Comment Received

Site Plan, September 18, 2026

No Concerns

Ministry of Transportation, September 17, 2026

This is confirmation that the subject lands are not within the MTO's Permit Control Area; therefore, there are no comments to provide.

Meeting Minutes:

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|------------|--|
| 10/01/2026 | The application was administratively deferred due to lack of quorum for this application. |
| 10/14/2026 | The owner's agent, Ben LaPierre of Mainline, appeared before Committee and provided a summary of the Application.
Committee Members expressed support for the Application and staff's recommendation. |

The following decision was reached:

DECISION:

THAT the application by:

DCG ENTERPRISES 5026940 ONTARIO INC

the owner(s) of PIN(s) 735011284, Parcel 39560 SEC SES SRO, Part Lot 9, Concession 5, Part 4, Plan 53R-5680, except Part 3, Plan 53R-6277, Township of Blezard, 2737 White Street, Val Caron P3N 1B2

for relief from Part 8, Section 8.3, Table 8.2 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a one-storey building providing a rear yard setback of 2.3m, 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 variance is minor in nature and is desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan are maintained.

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

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