

Tom Davies Square
200 Brady Street
Sudbury, Ontario P3A 5P3

October 28, 2026

PUBLIC HEARINGS

PL-MV-2026-00124

ANTHONY ROVINELLI

Ward: 9

PIN 73481-0356, Parcel 24205 SEC SES, Lot 53, Block B, Plan M-9, Part Lot 9, Concession 3, Township of Dryden, 24 Bank Street, Wahnapiatae, [By-law 2010-100Z, R1-5]

For relief from Part 4, Section 4.2, subsections 4.2.3 and 4.2.5, Table 4.1 and Part 6, Section 6.3, Table 6.2 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, for the following: firstly, the construction of an addition on the existing dwelling providing a minimum front yard setback of 3.97m with an eaves projection of 0.6m into the proposed 3.97m setback, where 6.0m is required and where eaves may encroach 1.2m into the required yard but not closer than 0.6m to the lot line, secondly, the construction of an addition on the existing dwelling providing a minimum corner side yard setback of 4.37m with an eaves projection of 0.6m into the proposed 4.37m, where 4.5m is required and where eaves may encroach 1.2m into the required yard but not closer than 0.6m to the lot line, thirdly, to permit an existing detached garage providing a rear yard setback of 0.96m with an eaves projection of 0.6m into the 0.96m setback, where an accessory building and structure greater than 2.5m in height shall be no closer than 1.2m from the rear lot line and where eaves may encroach 1.2m into the required yard but not closer than 0.6m to the lot line, and fourthly, to permit an existing accessory lot coverage of 12%, where the total lot coverage of all accessory buildings and structures on a residential lot shall not exceed 10%.

PL-MV-2026-00138

1582673 ONTARIO LIMITED

Ward: 3

PINs 73350-0146 and 73350-0266, Parcel 18622 and 26926 SEC SWS SRO, Part Lot 9, Concession 2, Parts 8-9, Plan SR-186, Parts 1-2, Plan 53R-8701, Township of Balfour, 710 Vermilion Lake Road, Chelmsford, [By-law 2010-100Z, RU]

Permission under Section 45(2) of the Planning Act, R.S.O. 1990, c. P.13, to change the legal non-conforming use of the property including the buildings, from that of repairs and storage of school buses, trucks and trailers, to repairs and storage of school buses, trucks and trailers and the repair and storage of generators, pumps and pump systems for the purpose of dewatering equipment business (heavy equipment sales and rental).

PREVIOUSLY THE SUBJECT OF MINOR VARIANCE APPLICATIONS A86/14 (AUG 20/10), A83/10 (JUN 28/10), A113/02 (FEB 10/03), A164/97 (OCT 20/97), A163/97 (NOV 9/97) AND A208/88 (JUL 25/88)

A reminder... the next scheduled meeting is Thursday, November 12, 2026.



Box 5000, Station A
200 Brady Street
Sudbury, Ontario P3A 5P3
(705) 671-2489 ext 4376 or 4346
(705) 673-2200 FAX

Record #: PL-MV-2026-00124

APPLICATION SUMMARY

File Date: 08/31/2026

Application Type: Minor Variance

Address(es): 24 Bank Street, Wahnapiatae P0M 3C0

Applicant(s): EVOLVING EXTERIORS INC

Owner(s): ANTHONY ROVINELLI

PLANNING APPLICATION

Are there multiple properties associated with the application?

No

Please describe the additional properties associated with this application

What is the date the current Owner(s) acquired the property?

May 25, 2018

Are you the registered owner or an authorized agent?

Authorized Agent

What is the number of dwelling units on the property?

1

What is the number of proposed new dwelling units on the property?

0

What is the number of proposed new buildings/structures on the property?

1

What is the number of existing buildings/structures on the property?

4

If this application is approved, would any existing dwelling units be legalized?

No

How many dwelling units will be legalized?

Is this property located within an area subject to the Greater Sudbury Source Protection Plan?

No

Provide details on how the property is designated in the Source Protection Plan

Current Official Plan designation

Living Area I

Current Official Plan designation (additional)

Current Zoning By-law designation

R1-5

Provide a detailed description of what is being proposed

Building an addition onto a home with a second story, on a corner lot. Addition will have new kitchen, living space, bathroom, and bedrooms.

Provide a detailed reason why the proposal cannot comply with the Zoning By-law

Dwelling will need to sit past the setback from the road to be able to build a large enough addition.

Is there an eave encroachment?

No

Size of eaves

0.6

Lot Frontage of the property

15.4

Lot Depth of the property

36.75

Lot Area of the property

627.09

Total width of the public road giving access to the property

20.0

List all buildings and structures on the property and their respective date of construction

Main Home, not sure when it was built but not recent

Garage - built before 2018

2 Small sheds - built before homeowner

Existing use(s) of the subject property and length of time it/they have continued, ex. Residential, Commercial, Institutional, Park, etc.

Only residential single family home

Is the use remaining the same? If no, please provide the proposed new use

Yes same use single family home

Existing uses of neighbouring properties

All residential neighbours

Has the property ever been subject of a previous application for minor variance/permission?

No

Do you require zoning relief from Section 4.41 (Waterbodies – Water Frontage, Setbacks and Buffers)?

No

Have you consulted with the Strategic and Environmental Planning department regarding this relief?

Have you consulted with Conservation Sudbury regarding this relief?

WATER SUPPLY AND SEWAGE DISPOSAL

- | | |
|---|-------------------------------------|
| Municipally owned and operated piped water system | ☒ |
| Municipally owned and operated sanitary sewage system | ☒ |
| Lake | ☐ |
| Pit Privy | ☐ |
| Individual Well | ☐ |
| Communal Well | ☐ |
| Individual Septic System | ☐ |
| Communal Septic System | ☐ |
| Other | ☐ |
| Explain Other | |

PROPERTY ACCESS

- | | |
|--|-------------------------------------|
| Provincial highway | ☒ |
| Right-of-way | ☐ |
| Municipal road that is maintained seasonally | ☐ |
| Municipal road that is maintained year-round | ☒ |
| Water | ☐ |

Indicate the parking and docking facilities to be used if via water

Estimate the distance of these facilities from the retained land and nearest public road by water

CONCURRENT APPLICATIONS

Is the property the subject of a current application for Consent?

No

Indicate the application number(s) and status of the application(s)

Is the property the subject of a current application for a Plan of Subdivision?

No

Indicate application number(s) and application status

PROPOSED BUILDING/STRUCTURE

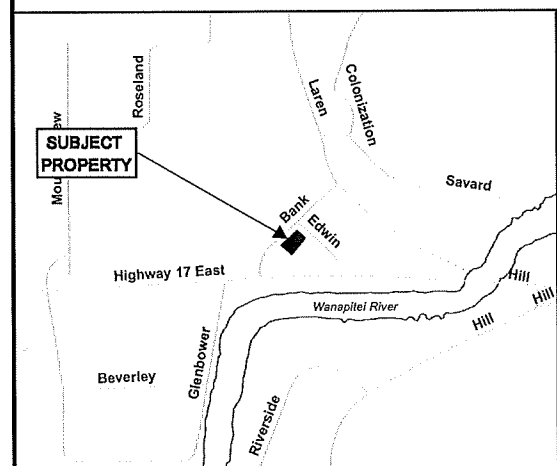
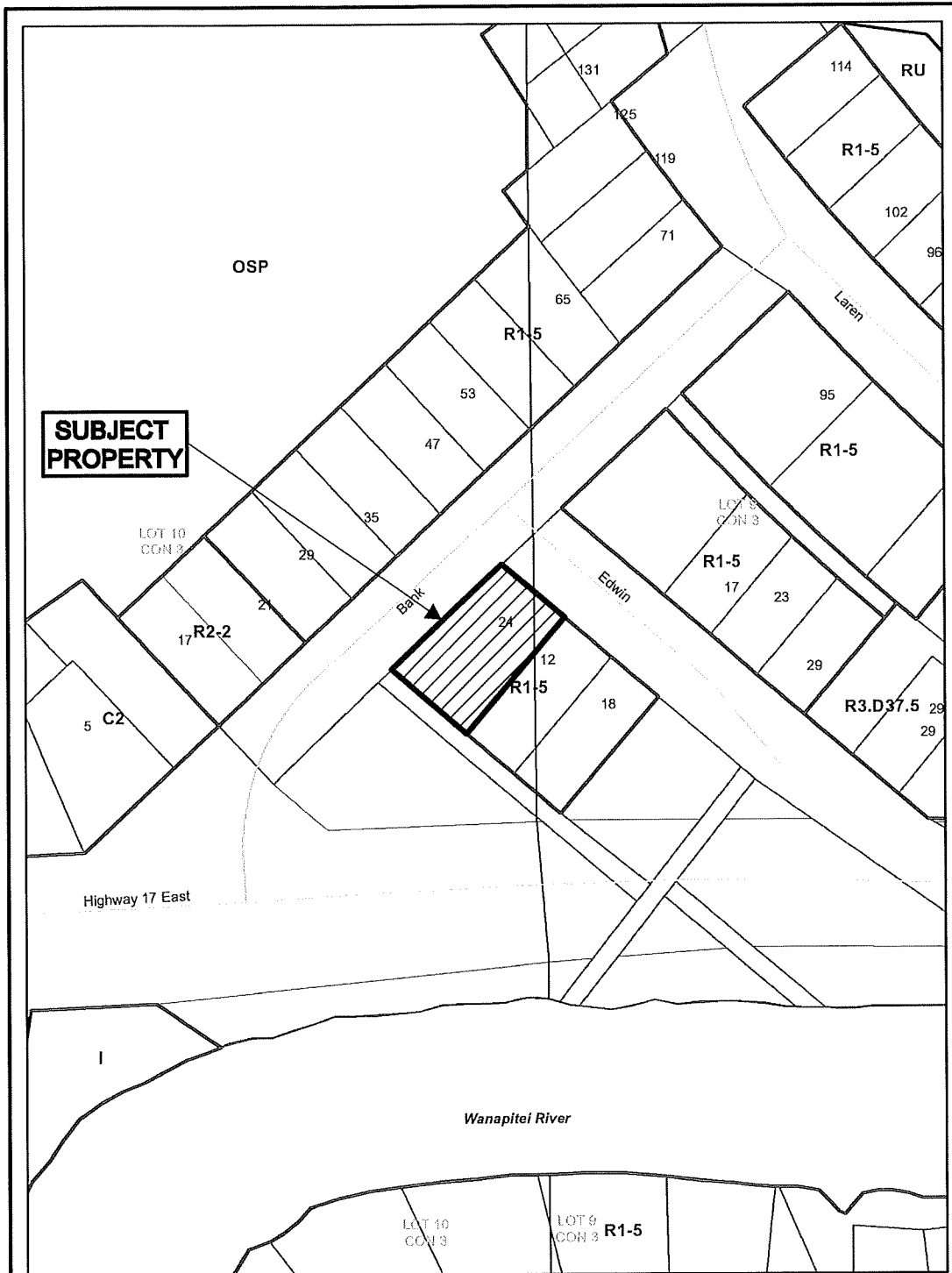
Building Description	Same As Existing	Proposed Ground Floor Area (m2)	Proposed Gross Floor Area (m2)	Proposed Number of Storeys	Proposed Width (m)	Proposed Length (m)	Proposed Height (m)	Proposed Front Yard Setback (m)	Proposed Rear Yard Setback (m)	Proposed Side Yard Setback (m)	Proposed Side Yard Setback Other (m)
Addition onto home	Yes	40.01	80.02	2	9.74	3.66	10	3.97	26.47	1.83	4.37

EXISTING BUILDING/STRUCTURE

Building Description	To Be Demolished	Existing Ground Floor Area (m2)	Existing Gross Floor Area (m2)	Existing Number of Storeys	Existing Width (m)	Existing Length (m)	Existing Height (m)	Existing Front Yard Setback (m)	Existing Rear Yard Setback (m)	Existing Side Yard Setback (m)	Existing Side Yard Setback Other (m)
Home	No	77.71	155.42	1	7.87	9.86	4.5	7.6	19.07	1.82	6.58
Garage on Slab	No	51.94	51.94	1	6.12	8.48	5	25.57	0.96	2.82	5.63
Shed 1	No	8.84	8.84	1	2.44	3.66	2.5	20.65	13.4	2.14	12.01
Shed 2	No	8.84	8.84	1	2.44	3.66	2.5	24.6	9.58	1.32	13.19

ZONING BY-LAW RELIEF

Variance To	By-law Requirement	Proposed (m)	Difference (m)
Addition - Front Yard Setback (eaves are 0.6m)	6.0m	3.97m	2.03m
Addition - Corner Side Yard Setback (eaves are 0.6m)	4.5m	4.37m	0.13m
Detached Garage - rear yard setback (eaves are 0.6m)	1.2m	0.96m	0.24m
Accessory Lot Coverage	10%	12%	2%



Application for Minor Variance or Permission



Subject Property being PIN 73481-0356,
Parcel 24205 SEC SES,
Lot 53, Block B, Plan M-9,
Part Lot 9, Concession 3,
Township of Dryden,
24 Bank Street, Wahnapiatae,
City of Greater Sudbury

Sketch 1, NTS
NDCA

PL-MV-2026-00124
Date: 2026 10 13

TOTAL LOT AREA:
637.88 Sqm

LOT FRONTAGE 15.40m
LOT DEPTH 36.75m

HOME: 77.71 Sqm
DECK 1 (TO BE REMOVED): -10.53 Sqm
DECK 2: 7.28 Sqm
SHED 1: 8.84 Sqm
SHED 2: 8.84 Sqm
GARAGE: 51.94 Sqm
NEW STRUCTURE: 40.01 Sqm

TOTAL AREA OF STRUCTURES:
175.15 Sqm

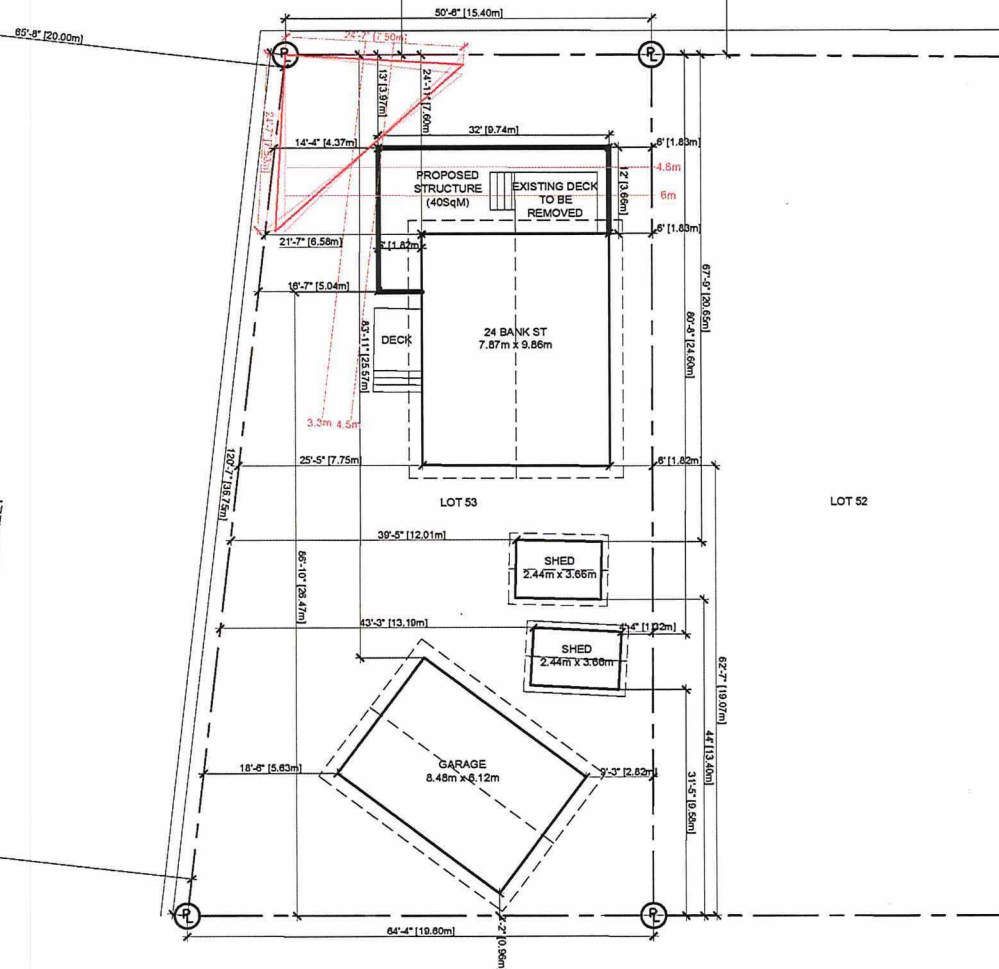
PERCENTAGE OF LOT COVERAGE:
27.46%

NOTE:

EXACT DIMENSIONS TBD UPON APPROVAL OF MINOR VARIANCE, AND REVIEW OF DESIGNS WITH ARCHITECT. THE SQUARE FOOTAGE, SIZE, AND DISTANCE TO LOT LINES WILL NOT EXCEED APPROVED PLANS OR DEVIATE TO BECOME LARGER THEN PROPOSED MEASUREMENTS, IF ANY CHANGES ARE MADE THEY WILL BE SUBMITTED TO THE INSPECTOR BEFORE STARTING CONSTRUCTION FOR REVIEW

BANK STREET

EDWIN STREET



DATE	DATE	DATE
1	2	3
4	5	6
7	8	9
10	11	12

PROJECT NAME:
HOUSE ADDITION
LOT ADDRESS:
24 BANK ST
CLIENT:
KELSEY AND TONY

DRAWN BY:
EL
CHECKED BY:
AH & EL
DATE:
AUG 17, 2026
PROJECT NO:
SCALE:
1:200
ORIENTATION:



EXISTING PLOT PLAN

SHEET NO.
L2

PL-MV-2026-00424
Sketch 2

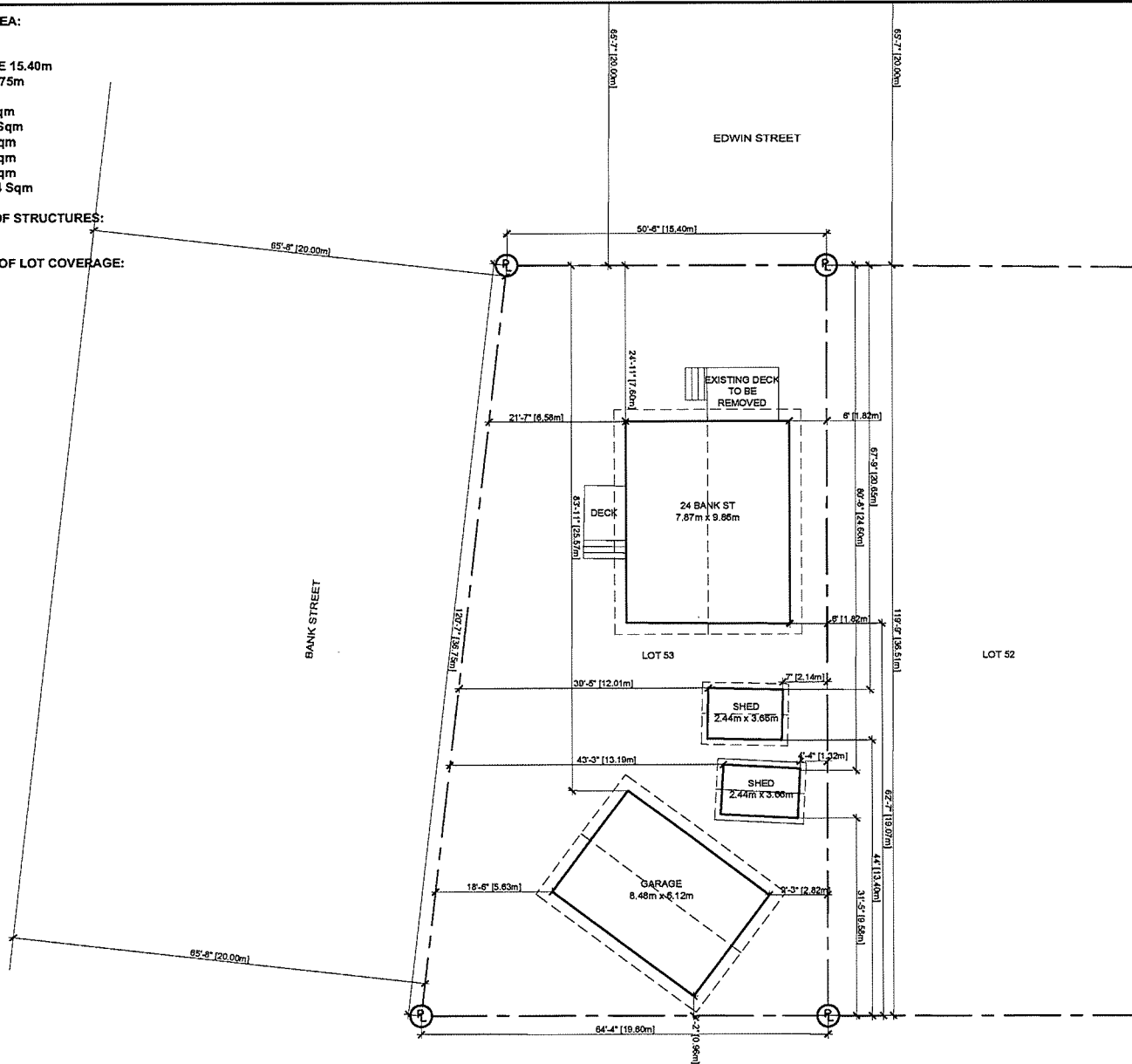
TOTAL LOT AREA:
637.88 Sqm

LOT FRONTAGE 15.40m
LOT DEPTH 36.75m

HOME: 77.71 Sqm
DECK 1: 10.63 Sqm
DECK 2: 7.28 Sqm
SHED 1: 8.84 Sqm
SHED 2: 8.84 Sqm
GARAGE: 51.94 Sqm

TOTAL AREA OF STRUCTURES:
156.40 Sqm

PERCENTAGE OF LOT COVERAGE:
24.52%



DATE	BY	REVISION
10/10/2020	AAH	1.0
10/10/2020	AAH	1.1
10/10/2020	AAH	1.2
10/10/2020	AAH	1.3
10/10/2020	AAH	1.4
10/10/2020	AAH	1.5
10/10/2020	AAH	1.6
10/10/2020	AAH	1.7
10/10/2020	AAH	1.8
10/10/2020	AAH	1.9
10/10/2020	AAH	2.0

PROJECT NAME:
HOUSE ADDITION
SITE ADDRESS:
24 BANK ST
CLIENT:
KELEST AND TONY

DESIGNED BY:
AAH
DRAWN BY:
AAH & EL
CHECKED BY:
EL
DATE:
AUG 12, 2026
PROJECT NO:



EXISTING PLOT PLAN
L1

PL-MV-2026-00124
Sketch 3



Box 5000, Station A
200 Brady Street
Sudbury, Ontario P3A 5P3
(705) 671-2489 ext 4376 or 4346
(705) 673-2200 FAX

Record #: PL-MV-2026-00138

APPLICATION SUMMARY

File Date: 09/22/2026

Application Type: Minor Variance

Address(es): 710 Vermilion Lake Road, Chelmsford P0M 1L0

Applicant(s): TULLOCH

Owner(s): 1582673 ONTARIO LIMITED

PLANNING APPLICATION

Are there multiple properties associated with the application?

Yes

Please describe the additional properties associated with this application

0 Vermilion Lake Road (Roll Number 530716000320201)

What is the date the current Owner(s) acquired the property?

July 2, 2026

Are you the registered owner or an authorized agent?

Authorized Agent

What is the number of dwelling units on the property?

0

What is the number of proposed new dwelling units on the property?

0

What is the number of proposed new buildings/structures on the property?

0

What is the number of existing buildings/structures on the property?

1

If this application is approved, would any existing dwelling units be legalized?

No

How many dwelling units will be legalized?

Is this property located within an area subject to the Greater Sudbury Source Protection Plan?

No

Provide details on how the property is designated in the Source Protection Plan

Current Official Plan designation

Rural

Current Official Plan designation (additional)

Current Zoning By-law designation

RU

Provide a detailed description of what is being proposed

Minor variance to enable a dewatering equipment business/dewatering company.

VARIANCES PROPOSED

Under §45(2) of the Planning Act: To Permit the repair and storage of generators, pumps, and pump systems for the purposes of dewatering equipment business (heavy equipment sales and rental). Use is similar to existing use (repair and storage of school buses, trucks, and trailers).

Provide a detailed reason why the proposal cannot comply with the Zoning By-law

For §45(2) Variances:

Proposed Use is not a permitted use in the RU zone. Existing use is also not a permitted use, but is considered legal non-conforming.

Is there an eave encroachment?

No

Size of eaves

Lot Frontage of the property

119.28

Lot Depth of the property

57.28

Lot Area of the property

6832.3

Total width of the public road giving access to the property

20

List all buildings and structures on the property and their respective date of construction

1: Existing building to be repurposed for proposed use.

Existing use(s) of the subject property and length of time it/they have continued, ex. Residential, Commercial, Institutional, Park, etc.

Minor Repair and Storage of School Busses, Trucks and Trailers

Is the use remaining the same? If no, please provide the proposed new use

No,

Proposed Use: Heavy Equipment Sales and Rental (Dewatering Equipment Business), including minor repair and storage of generators, pumps and pump systems for the purposes of said business.

Existing uses of neighbouring properties

North & West: Residential

South: Residential

East: Agricultural

Has the property ever been subject of a previous application for minor variance/permission?

Yes

Do you require zoning relief from Section 4.41 (Waterbodies – Water Frontage, Setbacks and Buffers)?

No

Have you consulted with the Strategic and Environmental Planning department regarding this relief?

Have you consulted with Conservation Sudbury regarding this relief?

WATER SUPPLY AND SEWAGE DISPOSAL

Municipally owned and operated piped water system

☒

Municipally owned and operated sanitary sewage system

☐

Lake

☐

Pit Privy

☐

Individual Well

☐

Communal Well

☐

Individual Septic System

☒

Communal Septic System

☐

Other

☐

Explain Other

PROPERTY ACCESS

Provincial highway

☐

Right-of-way

☐

Municipal road that is maintained seasonally

☐

Municipal road that is maintained year-round

☒

Water

☐

Indicate the parking and docking facilities to be used if via water

Estimate the distance of these facilities from the retained land and nearest public road by water

CONCURRENT APPLICATIONS

Is the property the subject of a current application for Consent?

No

Indicate the application number(s) and status of the application(s)

Is the property the subject of a current application for a Plan of Subdivision?

No

Indicate application number(s) and application status

PROPOSED BUILDING/STRUCTURE

Building Description	Same As Existing	Proposed Ground Floor Area (m2)	Proposed Gross Floor Area (m2)	Proposed Number of Storeys	Proposed Width (m)	Proposed Length (m)	Proposed Height (m)	Proposed Front Yard Setback (m)	Proposed Rear Yard Setback (m)	Proposed Side Yard Setback (m)	Proposed Side Yard Setback Other (m)
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EXISTING BUILDING/STRUCTURE

Building Description	To Be Demolished	Existing Ground Floor Area (m2)	Existing Gross Floor Area (m2)	Existing Number of Storeys	Existing Width (m)	Existing Length (m)	Existing Height (m)	Existing Front Yard Setback (m)	Existing Rear Yard Setback (m)	Existing Side Yard Setback (m)	Existing Side Yard Setback Other (m)
Existing Building	No	1010.3	2020.6	2	43.18	26.12	10	26.66	3.91	5.57	69.65

ZONING BY-LAW RELIEF

Variance To	By-law Requirement	Proposed (m)	Difference (m)
9.2	Permitted Non-residential uses	Amendment under - §45(2) Permission under Section 45(2) of the Planning Act, R.S.O. 1990, c. P.13, to change the legal non-conforming use of the property including the buildings, from that of repairs and storage of school buses, trucks and trailers, to repairs and storage of school buses, trucks and trailers and the repair and storage of generators, pumps and pump systems for the purpose of dewatering equipment business (heavy equipment sales and rental).	



Planners | Surveyors | Biologists | Engineers

October 2nd, 2026
Project 261174

Committee of Adjustment

Tom Davies Square – City of Greater Sudbury
200 Brady Street
Sudbury, ON
P3A 5P3

Re: Minor Variance – 710 Vermillion Lake Road (PINs 73350-0146 & 73350-0266)

Dear Committee of Adjustment,

TULLOCH has been retained to obtain a minor variance to enable a dewatering equipment business to operate on the subject lands known as 710 Vermillion Lake Road. The subject lands currently benefit from legal non-conforming status for the repair and storage of school buses, trucks, and trailers.

Please find attached in Pronto the following information for your consideration in addition to this Cover Letter:

- *GeoWarehouse Reports for PINS 73350-0146 & 73350-0266*
- *Concept Plan;*
- *Letter of Opinion - Legal Non-Conforming Use - Commercial Garage and/or Commercial Self-Storage Facility (710 Vermillion Lake Road)*

SUBJECT LANDS & USE

The subject property is zoned RU (Rural) in the *City of Greater Sudbury Zoning By-Law 2010-100Z* and designated 'Rural' per **Schedule 1a** of the *City of Greater Sudbury Official Plan (OP)*. The property has a lot area of 0.68 hectares with ± 119 metres of frontage.

There is 1 building located on the subject lands in the form of a large shop with an associated office.

A large, partially gravel and partially asphalt yard exists along the building's periphery. Large opaque fencing is located along the property's northerly, westerly and southerly lot lines in conjunction with a metal guard-rail and landscaping along the easterly lot line.

There is no registered site plan for the subject lands.

The following building permit history exists for the building/subject lands:

- B88-1709 - Addition to a garage
- B10-1662 - Addition to a commercial garage
- B14-1354 - Addition to a commercial garage
- B14-1209 - Single Detached Demolition Permit
- B15-0194- Plumbing Permit
- B18-0700 - Addition to a commercial garage



Figure 1: Photo of Building facing north-west

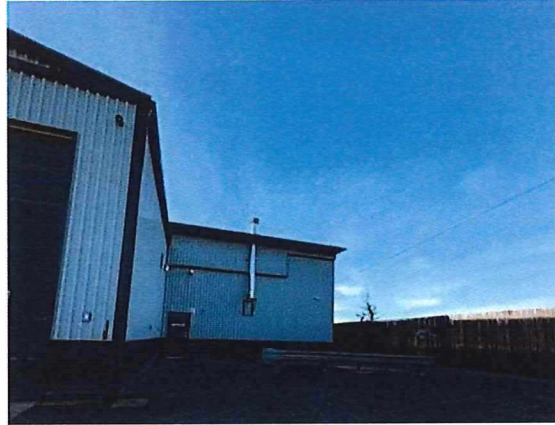


Figure 2: Rear of Building, facing south



Figure 3: Photo of Building facing south



Figure 4: Photo of yard facing north

Figures 5-7 show current on-site fencing/screening along the northerly, westerly and southerly lot lines.



Figure 5: Northerly Screening/Fencing



Figure 6: Southerly Screening/Fencing



Figure 7: Westerly Screening/Fencing

SURROUNDING AREA

The surrounding area is currently rural, rural residential and agricultural uses. Figures 8-9 to show lands adjacent to the subject property.

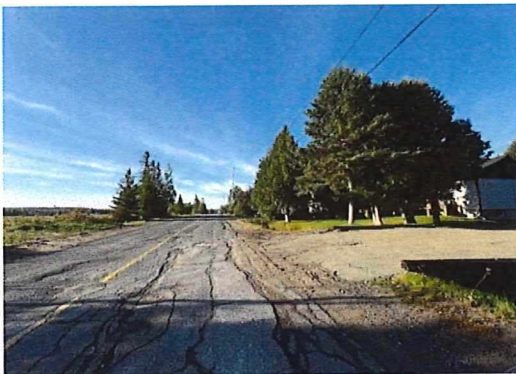


Figure 8: Vermillion Lake Road and adjacent single detached dwelling, facing south



Figure 9: Vermillion Lake Road and Solar Panels, facing north-east from subject lands

HISTORICAL PLANNING ACT APPROVALS

City records indicate that the property has been the subject of several approvals by the Committee of Adjustment:

- *Minor Variance A0208/1988*
- *Minor Variance A0164/1997*
- *Minor Variance A0113/2002*
- *Minor Variance A0113/2010*
- *Minor Variance A0086/2014*
- *Minor Variance A0067/2018*

Beginning with Minor Variance A0208/1988, permission was granted to expand the existing legal non-conforming garage used for the minor repair and storage of school buses. In 1997, the scope of the legal non-conforming use was expanded to include trucks and trailers in addition to school buses. Further building additions associated with this legal non-conforming use were subsequently authorized through Minor Variance Applications A0113/2002, A0113/2010, A0086/2014 and A0067/2018.

APPLICATION

The subject property is proposed to be occupied by Canadian Dewatering – a company which provides fluid management and dewatering services. A majority of work is conducted off-site via operating dewatering equipment for clients in the mining, industrial, oil/gas and infrastructure sectors. In addition to their contract dewatering operations, they also sell, rent, and service trailer and skid mounted Dri-Prime Diesel Pumps, submersible centrifugal pumps, diesel generators and associated suction and discharge piping systems. Approximately 5-7 staff will be employed by the business in next 5 years, with a fleet of 30-45 pumps.

In order to permit the uses related to dewatering, this the application proposes the following under Section 45(2) of the Planning Act:

In addition to the repair and storage of school buses, trucks, and trailers, to also permit the repair and storage of generators, pumps and pump systems for the purpose of dewatering equipment business (heavy equipment sales and rental)

SECTION 45(2) OF THE PLANNING ACT

Section 45(2) of the Planning Act states that:

Other powers

(2) In addition to its powers under subsection (1), the committee, upon any such application,

(a) where any land, building or structure, on the day the by-law was passed, was lawfully used for a purpose prohibited by the by-law, may permit,

(ii) the use of such land, building or structure for a purpose that, in the opinion of the committee, is similar to the purpose for which it was used on the day the by-law was passed or is more compatible with the uses permitted by the by-law than the purpose for which it was used on the day the by-law was passed, if the use for a purpose prohibited by the by-law or another use for a purpose previously permitted by the committee continued until the date of the application to the committee; or

Unlike Section 45(1) of the *Planning Act*, which prescribes a clear set of tests, Section 45(2) does not clearly state which tests must be met for permission to expand a non-conforming use. However, the tests used to review Section 45(2) applications have been established through the decision of the *Supreme Court of Canada in Saint-Romuald (Ville) v. Olivier, 2001, SCC 57, 2001 Carswell Que 2013, OMB case Asgharzadeh, Re, 2010 Carswell Ont 4047* and more recently,

Ontario Land Tribunal (OLT) case *Fraser v. Rideau Lakes (Township)*, 2020. As a result, applications applied for under Section 45(2) of the *Planning Act*, must be evaluated on the basis of the following two tests:

1. *Whether the application is desirable for appropriate development of the subject property; and*
2. *Whether the application will result in undue adverse impacts on the surrounding properties and neighborhood.*

Furthermore, *Fraser v. Rideau Lakes (Township)*, 2020, case also established that for variations applied for under Section 45(2) of the *Planning Act*, the intent and purpose of the Official Plan is not a relevant consideration. Nevertheless, Section 19.5.7.4 the City of Greater Sudbury Official Plan also sets out tests for considering an application for an expansion of a legal non-conforming use. The Committee of Adjustment will have regard for the following criteria:

- The proposal will not aggravate the situation created by the existence of the use;
- The proposal will create minimal impacts on surrounding uses with regard to noise, vibrations, fumes, smoke, odours, glare, traffic generating capacity, signs and other environmental matters;
- The neighbouring conforming uses will be protected, where necessary, by the provisions of landscaping, buffering or screening; appropriate setbacks for buildings and structures; devices and measures to reduce nuisances; and, where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs; and other matters;
- The traffic and parking conditions of the vicinity will not be adversely affected by the application, and traffic hazards will be kept to a minimum by the appropriate design of access and egress points to, from and over the site; or through the improvement of site conditions, especially in proximity to intersections;
- Adequate provisions have been or will be made for off-street parking and loading facilities; and,
- Municipal services such as water, sanitary sewers, storm sewers and roads are adequate, or can be made adequate.

We are of the opinion that the intended use of the property by Canadian Dewatering would appropriately be addressed via a Section 45(2) expansion of the existing uses which are legal non-conforming. To facilitate the “expansion of a legal non-conforming use”, an application to the Committee of Adjustment under Section 45(2) of the *Planning Act* is required.

CONSISTENCY WITH 45(2) PROVISIONS

SIMILARITY OF THE PROPOSED USE

The legal non-conforming use permits the minor repair and storage of school buses, trucks, and trailers. The proposed use involves the storage and minor repair of pumping equipment and vehicles to tow the equipment. Therefore, the activities will generally be the same, but on a smaller scale and with different types of machinery.

The Zoning By-law defines outdoor storage as *'the storage of goods and materials including vehicles for hire or sale, outside a building.'* The legal non-conforming use permits the minor repair and storage of school buses, trucks, and trailers. Given the definition of outdoor storage includes the storing of goods and materials including vehicles for hire, the proposed use, being the lease/rental of dewatering equipment, meets this definition.

INTENSITY OF THE PROPOSED USE

The proposed expansion will not aggravate the existing situation because the proposed expansion to the permitted legal non-conforming use will make no changes to the existing physical state of the subject property. Additionally, the equipment commonly associated with dewatering operations are generally smaller and less visually intrusive when compared to the vehicles that were typically stored on the site. Further, it is expected that fewer customers will frequent the site due to the Canada Dewatering having more off-site operations when compared to the previous business, which means fewer customer trips and lower levels of traffic noise.

By making no changes to the physical state of the site and enabling the storage of less visually intrusive equipment, and a use that primarily involves off-site operations, the application will improve the property's compatibility with neighbouring rural residential uses which are sensitive to noise, vibration, and other environmental matters.

TESTS UNDER 45(2) OF THE PLANNING ACT

IS THE APPLICATION DESIRABLE FOR THE APPROPRIATE DEVELOPMENT OF THE PROPERTY?

We are of the opinion that the proposed change of use from the to the from the minor repair and storage of school buses, trucks, and trailers to a business that includes the minor repair and storage of dewatering generators, pumps and pump systems is appropriate, and desirable given that:

- The proposed use is similar to the former; and,
- The subject lands are already constructed to support the use (building/office, yard and fencing), and no external alterations are required therefore demonstrating the use is appropriate.

WILL THE APPLICATION RESULT IN UNDUE ADVERSE IMPACTS ON THE SURROUNDING PROPERTIES AND NEIGHBOURHOOD?

We are of the opinion that the proposed change of use from the to the from the minor repair and storage of school buses, trucks, and trailers to a business that includes the minor repair and storage of dewatering generators, pumps and pump systems will not result in any adverse impacts on the surrounding properties and neighbourhood given that:

- The use is less extensive than minor repair and storage of school buses, trucks, and trailers given the machinery is smaller in scale;
- No external changes are proposed to the site and sufficient parking and loading spaces are provided on site;

- Majority of the business' operations take place off-site;
- The use is located on a collector road (where the city envisions rural industrial uses);
- There will be less traffic due to fewer customers and vehicles being transported to/from the site;
- Municipal water services are available at this location;
- The sewage output is expected to produce a similar volume to the existing activity on the property as there will be less employees using washrooms at a given time; and,
- The same adequate screening and buffering devices will be provided.

CONCLUSION

Given the analysis contained herein, the proposed variance does not introduce any adverse effects to the subject property or the abutting lands. The proposed development of a dewatering business which includes repair and storage of generators, pumps and pump systems is similar to the existing uses being the outdoor storage and repair of buses, trailers, and trucks. Therefore, the activities will generally be the same, just on smaller equipment. There is sufficient fencing/buffering to support the use, and less machinery will be stored on site then when compared to its previous use.

It is our opinion that the proposed variances meet the tests under *Sections 45(2)* of the *Planning Act* and respectfully request that this application be approved.

Respectfully submitted,



Vanessa Smith, M.Pl., RPP

Senior Planner | Project Manager

July 16, 2026

Duncan, Linton LLP
45 Erb Street East
Waterloo, ON
N2J 1L7

BUILDING SERVICES

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200 BRADY STREET
SUDBURY ON P3A 5P3

CP 5000 SUCCA
200, RUE BRADY
SUDBURY ON P3A 5P3

705.671.2489

www.greatersudbury.ca
www.grandsudbury.ca

Dear Mr. Adrian L. Rosu:

**RE: Letter of Opinion – Legal Non-Conforming Use – Commercial Garage and/or
Commercial Self-Storage Facility**
710 Vermilion Lake Road, Chelmsford, ON
BALFOUR CON 2 PT LOT 9 PCL18622 RP SR186 PART 8 PART 9

Further to your request dated June 26, 2026, (Appendix "A"), for a letter of opinion respecting the above-noted property and the legal non-conforming status of its use as a commercial garage and/or commercial self-storage facility we offer the following:

We have reviewed the zoning and zoning by-laws that have applied to this property and building since the structure's approximate construction in 1952:

- City of Sudbury Interim Zoning By-law 76-327; effective December 26, 1976; A; Agricultural
- City of Sudbury Zoning By-law 83-302; effective February 25, 1987; A; Agricultural
- City of Greater Sudbury Zoning By-law 2010-100Z; effective October 27, 2010; RU; Rural

Enclosed with the letter of request the following items were provided and have been reviewed by this office:

- Submitted copy of the Zoning Confirmation Letter issued by this office, dated June 29, 2026.
- Submitted copy of the real estate listing associated with the subject property.

For the awareness of the requestor,

Under Section 34(9) of the Planning Act no by-law passed under this section applies,

"to prevent the use of any land, building or structure for any purpose prohibited by the by-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the by-law so long as it continues to be used for that purpose."

We have reviewed the relevant and available archival building permit records for the subject building in this request, finding the following:

- B88-1709 – Addition to a garage
- B10-1662 – Addition to a commercial garage
- B14-1354 – Addition to a commercial garage
- B18-0700 – Addition to a commercial garage

A review of Building Permit File B88-1709 indicates that the application identified the principal use of the property as a school bus depot, corroborating the use recognized through Minor Variance A0208/1988 for the minor repair and storage of school buses. Further, a review of Building Permit File B10-1662 indicates that the proposed work consisted of an addition to a legal non-conforming commercial garage, with specific reference to the applicable Committee of Adjustment approval authorizing the expansion of the legal non-conforming use. These permit records are consistent with the series of Committee of Adjustment approvals, including Minor Variances A0208/1988, A0164/1997, A0113/2010, and A0086/2014.

We have reviewed the available Development Approvals archival records for applications processed under the Planning Act, 1990. Associated with the subject building in this request, finding the following minor variances:

- Minor Variance A0208/1988
- Minor Variance A0164/1997
- Minor Variance A0113/2010
- Minor Variance A0086/2014

Archival records indicate that the legal non-conforming use of the property has been the subject of several approvals by the Committee of Adjustment. Beginning with Minor Variance A0208/1988, permission was granted to expand the existing legal non-conforming garage used for the minor repair and storage of school buses. In 1997, the scope of the legal non-conforming use was expanded to include trucks and trailers in addition to school buses. Further building additions associated with this legal non-conforming use were subsequently authorized through Minor Variance Applications A0113/2010 and A0086/2014. Collectively, these approvals demonstrate the continued recognition and authorized expansion of the legal non-conforming use on the subject property.

We have reviewed the available records of the Municipal Property Assessment Corporation (MPAC) finding the use on the property reported as a Service Garage - Specialty automotive shop/auto repair/ collision service/car or truck wash. However, we advise that records provided by MPAC are a representation of review under the Assessment Act,

R.S.O. 1990, c. A.31 and do not reflect legal status under the Planning Act or Ontario Building Code.

We have reviewed Vernon's Directories for evidence of historical occupancy; however, the available records for the former municipality are incomplete and lack consistent reporting for the period prior to 2010. Consequently, we are unable to verify occupancy of the subject property through this source for the period preceding 1976.

We have reviewed the available archival records of Greater Sudbury Fire Services. No records were identified for the subject property that would establish or otherwise indicate the historic use within the building.

Further, to the above, the absence of records is not uncommon for properties of this vintage, is not determined by the historical use of the building and does not detract from the other evidence discovered for the established and continued use.

Accordingly, based on the information submitted and our review of the relevant municipal records, we are unable to support the conclusion advanced in your letter. Notwithstanding the foregoing, it is our opinion that the subject property enjoys legal non-conforming status for the minor repair and storage of school buses, trucks, and trailers. This opinion is based on the historical approvals granted by the Committee of Adjustment and the property's status under the current City of Greater Sudbury Zoning By-law 2010-100Z.

Finally, as you are aware, legally we reserve our judgement pending any new information provided from whatever source that would show that the "legal existing" status of the building was other than asserted or surrendered to an alternate use.

Trusting this meets your request in your correspondence, however, should you have any further questions, please do not hesitate to contact this office.

Yours very truly,

A handwritten signature in blue ink, appearing to read 'G. Mazza', is written over a horizontal line.

**GUIDO A. MAZZA, P.ENG.
DIRECTOR OF BUILDING SERVICES/
CHIEF BUILDING OFFICIAL**

GAM/dc

Attachments

cc: Dave Gatien, P.Eng. Deputy Chief Building Official
Alex Singbush, Manager of Development Approvals
Andre Guillot, Manager of Building Inspection Services
Phil Doiron, Senior Fire Prevention Officer

Appendix 'A'

Letter of request dated 26, 2026

PAID

JUL 05 2026

Building Services

DUNCAN, LINTON ^{LLP}
LAWYERS

IRWIN A. DUNCAN⁺ • J. DAVID LINTON⁺ • DAVID M. STEELE • MICHAEL A. VAN BODEGOM
DANIEL W. VEINOT • PETER A. HERTZ • JUSTINE A. DALTON • ASHON L. SIMPSON
NOLAN D.A. WILSON • ADRIAN L. ROSU • ANDREW H. WILLCOX • D. JUSTIN DARROCH
MARK E. DAY • ZACHARY D. D'AMICO • ALAIN D.L. GRENIER
(* Denotes Professional Corporation)

45 ERB STREET EAST
WATERLOO, ONTARIO
N2J 1L7

TEL: 519-886-3340
FAX: 519-886-8651
WEBSITE: www.kwlaw.net
EMAIL: adrian@kwlaw.net

July 3, 2026
File No.: 0047856

Mr. Guido Mazza,
Director of Building Services/ Chief Building Official
City of Greater Sudbury
Tom Davies Square, Building Services
PO box 5000, Stn A
200 Brady Street, 3rd floor
Sudbury, Ontario P3A 5P3

VIA EMAIL
(buildingservices@pronto.greatersudbury.ca)

Dear Mr. Guido Mazza:

Re: MT Investments Inc. purchase from Luc Richard Brosseau & Penny Ann Brosseau
710 Vermilion Lake, Chelmsford, ON P0M 1L0
PIN's 73350-0416 and 73350-0266

Further to your Zoning Confirmation Letter dated June 24, 2026, we request a Letter of Opinion to determine Legal Non-Conforming status for the above-noted property address. It is understood that the property is zoned RU - Rural under Zoning By-law 2010-100Z, as amended. The existing use is Commercial Garage and/or Commercial Self-Storage Facility.

We enclose a copy of the Zoning Confirmation Letter, and the listing on Realtor.ca.

The undersigned can be reached via email at adrian@kwlaw.net or by phone at 519-886-3340 ext 299. Thank you in advance for your prompt attention to this matter.

Yours very truly,
DUNCAN, LINTON LLP

per: 
Adrian L. Rosu
ALR/jh

Encl.
- Zoning Confirmation Letter
- Listing on Realtor.ca

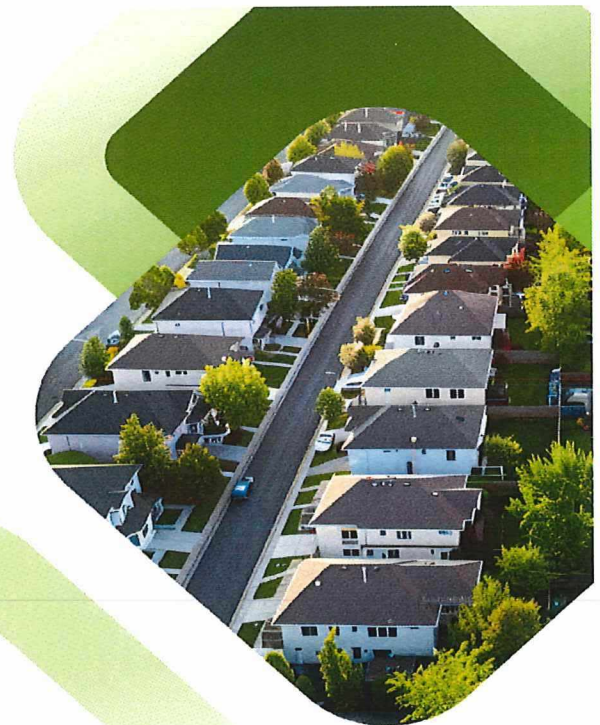
DL

PL-MV-2026-00138

0 VERMILION LAKE ROAD
CHELMSFORD

PIN 733500266

GeoWarehouse Property Report



Property Details

GeoWarehouse Address:
0 VERMILION LAKE ROAD
CHELMSFORD

PIN: 733500266

Land Registry Office: SUDBURY (53)

Land Registry Status: Active

Registration Type: Certified (Land Titles)

Ownership Type: Freehold



Ownership

Owner Name:
1582673 ONTARIO LTD.

Legal Description

PCL 26926 SEC SWS SRO; PT LT 9 CON 2 BALFOUR PT 1 & 2 53R8701; S/T LT110975, LT130194; GREATER SUDBURY

Lot Size

Area: 4026.0 sq.m

Perimeter: 255.0 m

Measurements: 54.03m x 57.16m x 70.52m x 57.16m x 16.49m

Lot Measurement Accuracy : LOW

These lot boundaries may have been adjusted to fit within the overall parcel fabric and should only be considered to be estimates.



Sales History

Sale Date	Sale Amount	Type	Party To	Notes
Jul 02, 2026		Transfer	1582673 ONTARIO LTD.;	
Feb 28, 2003		Transfer	BROSSEAU, LUC;	

Terms and Conditions

Reports Not the Official Record. Reports, other than the Parcel Register, obtained through Geowarehouse are not the official government record and will not necessarily reflect the current status of interests in land.

Currency of Information. Data contained in the Geowarehouse reports are not maintained real-time. Data contained in reports, other than the Parcel Register, may be out of date ten business days or more from data contained in POLARIS.

Coverage. Data, information and other products and services accessed through the Land Registry Information Services are limited to land registry offices in the areas identified on the coverage map.

Completeness of the Sales History Report. Some Sales History Reports may be incomplete due to the amount of data collected during POLARIS title automation. Subject properties may also show nominal consideration or sales price (e.g. \$2) in cases such as transfers between spouses or in tax exempt transfers.

Demographic Information. Demographic Information is obtained from Environics Analytics. Environics Analytics acquires and distributes Statistics Canada files in accordance with the Government of Canada's Open Data Policy. No information on any individual or household was made available to Environics Analytics by Statistics Canada. PRIZM and selected PRIZMC2 nicknames are registered trademarks of The Nielsen Company (U.S.) and are used with permission.

The Property Information Services, reports and information are provided "as is" and your use is subject to the applicable Legal Terms and Conditions. Some information obtained from the Land Registry Information Services is not the official government record and will not reflect the current status of interests in land. Use of personal information contained herein shall relate directly to the purpose for which the data appears in land registry records and is subject to all applicable privacy legislation in respect of personal information. Such information shall not be used for marketing to a named individual.

Parcel Mapping shown on the site was compiled using plans and documents recorded in the Land Registry System and has been prepared for property indexing purposes only. It is not a Plan of Survey. For actual dimensions of property boundaries, see recorded plans and documents.

**710 VERMILION LAKE RD
CHELMSFORD**

PIN 733500146

GeoWarehouse Property Report



Property Details

GeoWarehouse Address:
710 VERMILION LAKE RD
CHELMSFORD

PIN: 733500146

Land Registry Office: SUDBURY (53)

Land Registry Status: Active

Registration Type: Certified (Land Titles)

Ownership Type: Freehold



Ownership

Owner Name:
1582673 ONTARIO LTD.

Legal Description

PCL 18622 SEC SWS SRO; PT LT 9 CON 2 BALFOUR PT 8-9 SR186; S/T LT130194; GREATER SUDBURY

Lot Size

Area: 2777.0 sq.m

Perimeter: 211.0 m

Measurements: 24.33m x 57.16m x 48.65m x 57.16m x
24.32m

Lot Measurement Accuracy : LOW

These lot boundaries may have been adjusted to fit within the overall parcel fabric and should only be considered to be estimates.



Sales History

Sale Date	Sale Amount	Type	Party To	Notes
Jul 02, 2026		Transfer	1582673 ONTARIO LTD.;	
Feb 28, 2003		Transfer	BROSSEAU, PENNY ANN; BROSSEAU, LUC RICHARD;	

Terms and Conditions

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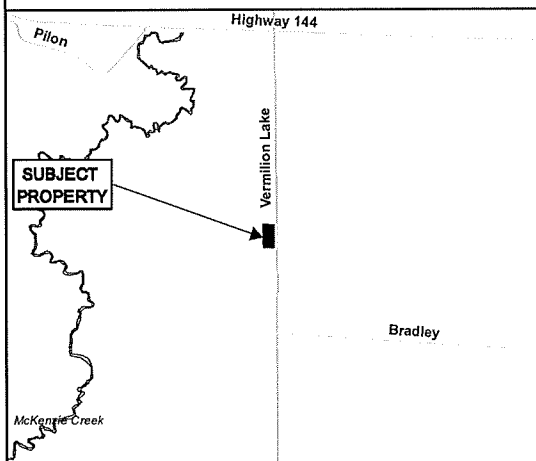
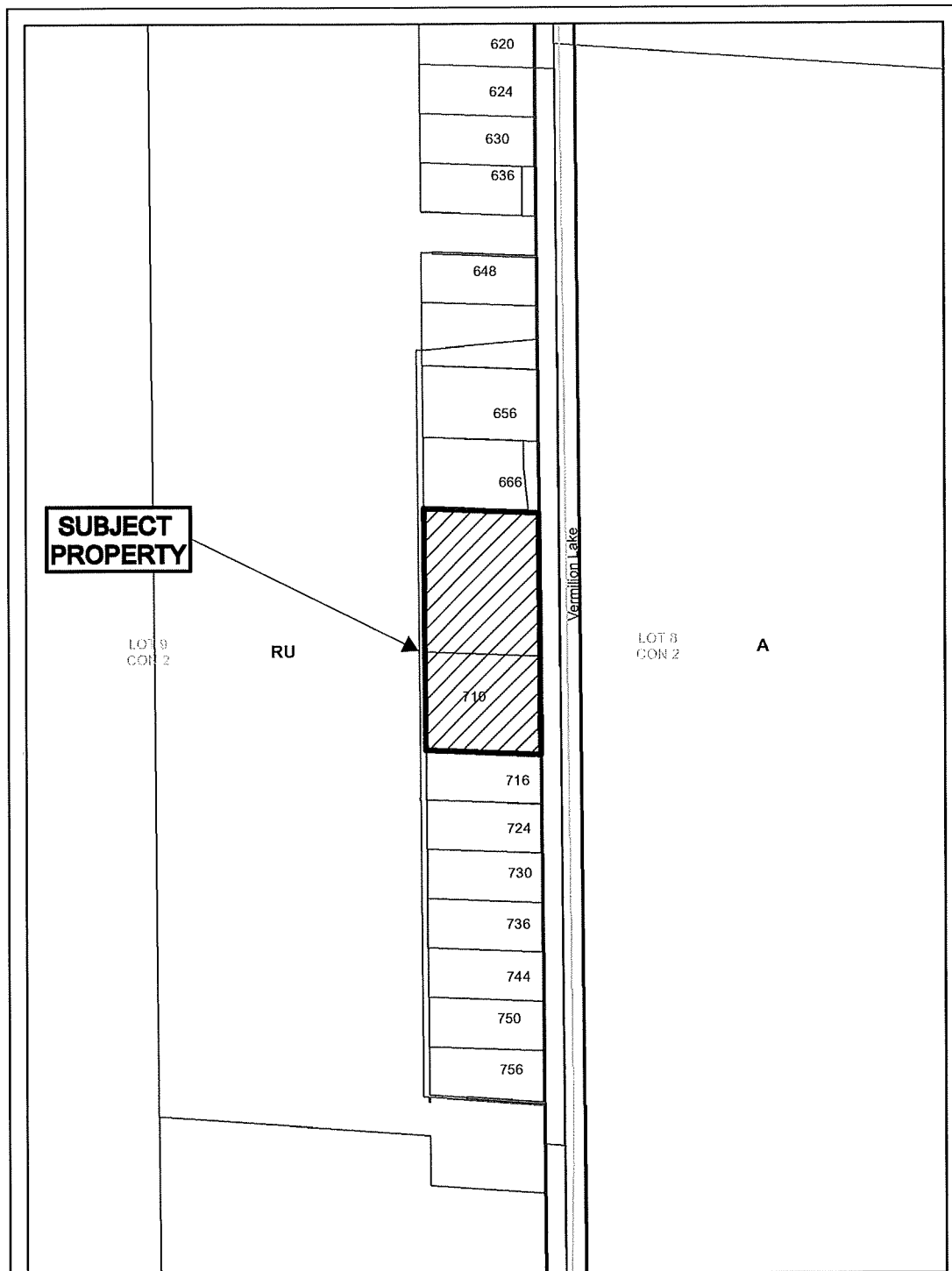
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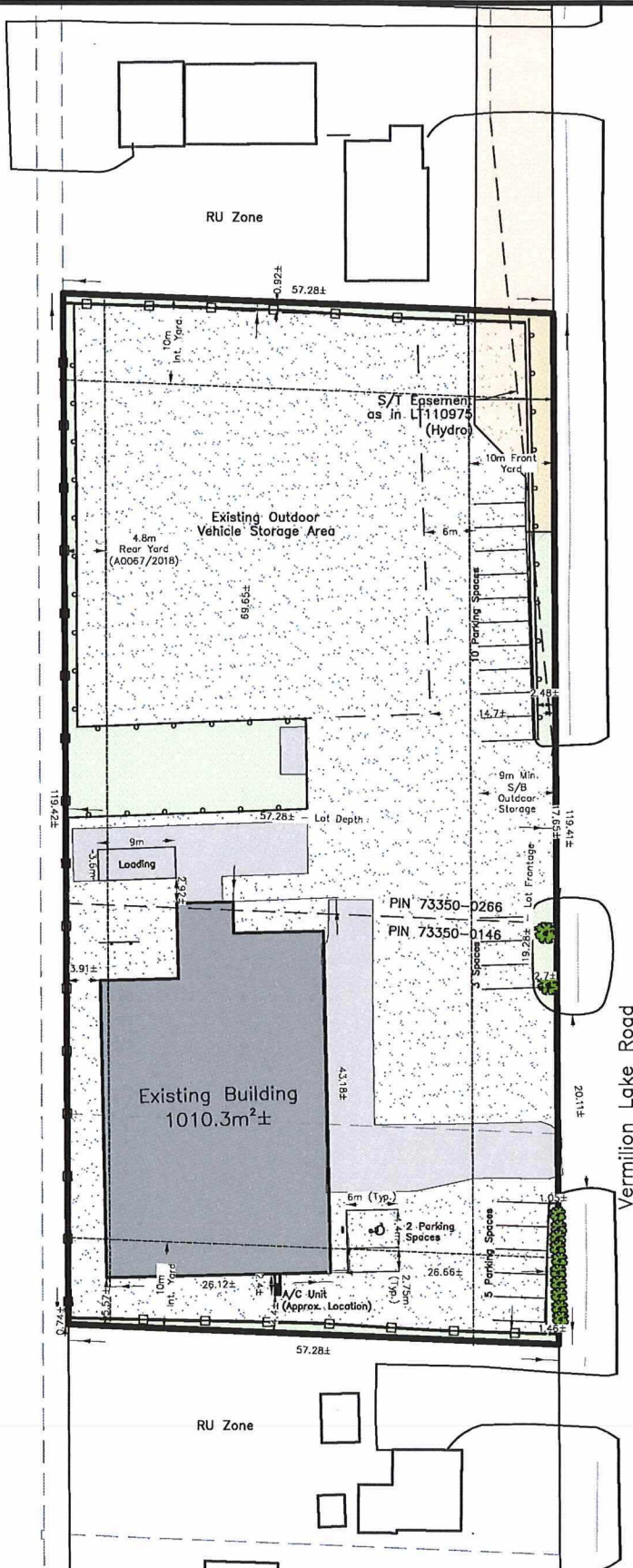
Application for Minor Variance or Permission



Subject Property being PINs 73350-0146 & 73350-0266,
Parcel 18622 and 26926 SEC SWS SRO,
Part Lot 9, Concession 2,
Parts 8-9, Plan SR-186,
Parts 1-2, Plan 53R-8701,
Township of Balfour,
710 Vermilion Lake Road, Chelmsford,
City of Greater Sudbury

Sketch 1, NTS
NDCA

PL-MV-2026-00138
Date: 2026 09 28



SITE PLAN DATA

Zoning: Rural (RU)

	REQUIRED	PROVIDED
LOT AREA:	MIN 2ha	6,832.3m²± (0.68ha)
LOT FRONTAGE:	MIN 90m	119.28m±
LOT DEPTH:	n/a	57.28m±
LOT COVERAGE:	MAX 14.5%	14.8%±
(Variance A0067/2018)		
BUILDING HEIGHT:	MAX 21m	<21m
OUTDOOR STORAGE		
Yards Permitted	Interior & Rear	Extends into Front
S/B from Street:	MIN 9m	14.7m±
SETBACKS		
FRONT YARD:	10m	26.66m±
INTERIOR YARD:	10m	5.57m±
REAR YARD:	4.8m	69.65m±
(Variance A0067/2018)		3.91m±
BLDG SEPARATION:	3m	n/a
LANDSCAPING		
LANDSCAPE BUFFER:	MIN 3m	1.05m±
PLANTING STRIPS:	MIN 3m	0m
PARKING		
Heavy Equipment Sales & Rental	1/50m² = 20.21 = 20	20
Dimensions:	2.75m x 6m	2.75m x 6m
Barrier-Free Spaces	1 Required	1
10-50 Total Provided		
Dimensions:	4.4m x 6m	4.4m x 6m
Loading Spaces	1	1
300-4500m² GFA		
Dimensions:	3.6m x 9m	3.6m x 9m

NOTES

Source of Lot Fabric: Compiled Sketch by TULLOCH Geomatics, October 20, 2025

Source of Features: DTM Topography provided by City of Greater Sudbury

LEGEND

- Subject Lot Boundary
- - - Lot Fabric
- - - Setbacks
- FEATURES - ALL EXISTING
- Buildings
- Gravel
- Concrete
- Grass
- Conservation Sudbury Regulated Area
- Existing Trees
- Guardrails
- Opaque Fences



T: 705-522-6303

131 FIELDING ROAD
LIVELY, ONTARIO
P3Y 1L7

PROJECT:

710 Vermilion Lake Rd
Greater Sudbury (Chelmsford)

DRAWING:

Sketch for Minor Variance

CAUTION

THE PROPERTY BOUNDARIES ILLUSTRATED WERE OBTAINED FROM THE SOURCES LISTED ABOVE AND HAVE NOT BEEN CONFIRMED.

THIS SKETCH IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE.

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DRAWN BY:

MDJ

CHECKED BY:

VS

PROJECT No.:

26-1174

SCALE:

1:1000

PLOT SIZE:

11x17

DATE:

Sept 29, 2026

PL-UV-2026-00138

Sketch 2