



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00044

June 10, 2026

OWNER(S): 2380363 ONTARIO LIMITED, 219 O'Neil Dr E, Hanmer, ON, Canada

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

LOCATION: PIN(s) 021230027, Parcel 12507 SEC SES, Part Lot 8, Plan M-164, except Part 25, Plan SR-2888, except Part 1, Expropriation Plan D-439, Part Lot 4, Concession 5, Township of McKim, 385 Lasalle Boulevard, Sudbury P3A 1W7

SUMMARY

Zoning: The property is zoned H51C2(120) according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a two-storey dwelling containing 8-dwelling units providing lot area per unit, landscaped open space, lot frontage, planting strips, parking spaces and driveway width at variance to the By-law.

Comments concerning this application were submitted as follows:

Strategic and Environmental Planning, June 5, 2026

SEP staff have no objection to the application.

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.

Corridor Management, June 4, 2026

No Comment Received

Hydro One, June 4, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), June 4, 2026

No Comment Received

Development Approvals, June 3, 2026

See Development Approvals comments, attached

Development Engineering, June 3, 2026

A reciprocal access easement or request an easement for their driveway access with the adjacent property will be required.

We have some concerns regards to the reduction in the required number of parking spaces, it is important to note that on-street parking is not permitted on Lasalle Boulevard therefore any overflow parking that may occur from this site will affect the neighbouring property owners on other area roadways.

Building Services, June 2, 2026

Based on the information provided, Building Services has the following comments:

- 1) Based on our calculations, the required relief for minimum lot area per unit is 81 sq. m per unit, rather than the 92 sq. m per unit requested.
- 2) Building Services acknowledges the requested relief to permit a reduced parking aisle width of 2.5 m, whereas a minimum width of 6.0 m is required to accommodate two-way traffic. While the requested relief has been correctly identified, it is associated with Provision 5.2.9.2 (Width of Parking Aisles) of the Zoning By-law rather than Provision 5.2.9.3 (Width of Access Ramps and Driveways). Accordingly, Building Services requests that the Public Notice be revised to reference the correct provision.

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

- 3) A demolition permit will be required for all existing buildings and structures.

For the proposed two-storey multiple dwelling containing eight dwelling units, a building permit application and all required supporting documentation shall be submitted to the satisfaction of the Chief Building Official.

The Applicant/Owner is advised that the proposal is subject to the Comprehensive Plot Plan Process and, as part of the building permit submission, shall include a comprehensive plot plan, site statistics table, lot grading plan, and site servicing plan.

We request that the Applicant ensure the setback values identified on the site plan, correspond with the values indicated in the site statistics table.

- 4) Plumbing calculations shall be provided at the time of building permit submission to confirm the sizing of the water distribution system and required pipe sizes based on the total number of fixture units served.

Provide fixture unit calculations in accordance with Table 7.6.3.2.-A (Sizing of Water Distribution Systems) for the proposed eight unit multiple dwelling. Based on the calculated fixture units, identify and confirm the required pipe sizing in accordance with Table A-7.6.3.1 (Pipe Size Based on Number of Fixture Units Served).

- 5) We acknowledge the location of refuse storage will be located within the building. The location shall also be clearly identified on the site plan and architectural drawings, as applicable.

- 6) Building Services acknowledges the Applicant/Owner's intention to submit a Consent Application to establish an access easement between the subject property at 385 Lasalle Boulevard and the adjacent property at 389 Lasalle Boulevard. The Applicant/Owner is advised that the access easement must be

finalized and registered on title prior to the issuance of a building permit.

Krista Deredin, Plans Examiner
Building Services

Sudbury Hydro, May 29, 2026

All structures, equipment and personnel must maintain proper clearance from energized electrical conductors and apparatus as per the latest edition of the Ontario Electrical Safety Code.

Site Plan, May 28, 2026

No Concerns

Conservation Sudbury, May 27, 2026

No Concerns

Ministry of Transportation, May 27, 2026

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

Meeting Minutes:

06/10/2026 The owner's agent, Vanessa Smith of Tulloch Engineering, appeared before Committee and provided a summary of the Application and addressed the change in the lot area per unit variance
Committee Member Castanza advised Committee that she did a site visit and expressed support for the Application.
Committee Member Murray expressed support for staff's recommendation.
Committee Chair Dumont confirmed with the Secretary-Treasurer that the resolution to be presented to Committee would contain the correct lot area per unit figure. The agent requested staff to confirm that the rounding provisions would apply to the figure and staff confirmed that the rounding provisions of the Zoning By-law would apply and the new figure was correct.

The following decision was reached:

DECISION:

THAT the application by:
2380363 ONTARIO LIMITED
the owner(s) of PIN(s) 021230027, Parcel 12507 SEC SES, Part Lot 8, Plan M-164, except Part 25, Plan SR-2888, except Part 1, Expropriation Plan D-439, Part Lot 4, Concession 5, Township of McKim, 385 Lasalle Boulevard, Sudbury P3A 1W7

for relief from Part 4, Section 4.2, Table 4.1 and Section 4.15, subsections 4.15.4 a) and b), Part 5, Section 5.2, subsection 5.2.9.2 and Section 5.5, Table 5.5 and 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 facilitate the construction of a two-storey multiple dwelling containing 8-dwelling units providing, firstly, a minimum lot area of 81 sq. m per unit, where 110.0 sq. m

per unit is permitted, secondly, a minimum landscaped open space of 18%, where 30% is required, thirdly, a minimum lot frontage of 16.3m, where a minimum lot frontage of 18.0m is required for multiple dwelling, fourthly, no planting strip with a 1.5m tall fence adjacent to the full length of the easterly and southerly lot lines, where a 3.0m wide planting strip is required adjacent to the full length of the lot line where a lot zoned Medium Density Residential (R3-1) with more than 4 dwelling units abuts a lot zoned Low Density Residential One or Two, fifthly, 9 parking spaces, where 11 are required, and sixthly, a driveway width accessing a parking area to be a minimum of 2.5m, where a driveway width of 6.0m is required for two-way traffic, 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	Absent
MATTHEW DUMONT	Concurring
RON GOSWELL	Absent



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00063

June 10, 2026

OWNER(S): CITY OF GREATER SUDBURY, 200 Brady Street, Sudbury, ON, Canada

AGENT(S): JASON RADLEY, 200 Brady Street, Sudbury, ON, Canada

LOCATION: PIN(s) 735720437, Parcel 26975 SEC SES; Part Lot 11, Concession 4, as in LT172339, except Part 2, Plan 53R-6010, Part 1, Plan 53R-6218, Parts 1 & 2, 53R-11420, Parts 1-16, Plan 53R-16353 & Part 1-3, Plan 53R-16996, subject to LT31957; Township of Neelon, 1825 Frobisher Street, Sudbury P3A 6C8, 1805 Frobisher Street, Sudbury P3A 6C8, 1853 Frobisher Street, Sudbury P3A 6C8, 1800 Frobisher Street, Sudbury P3A 5K3, 1900 Frobisher Street, Sudbury P3A 5K3

SUMMARY

Zoning: The property is zoned M2 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.

Application: Approval to construct a sand and salt storage building providing a height at variance to the By-law.

Comments concerning this application were submitted as follows:

Strategic and Environmental Planning, June 5, 2026

The subject lands contain wetlands as per Schedule 5 of the City of Greater Sudbury Official Plan, and Wildland Fire Hazard as per Schedule 6b of the City of Greater Sudbury Official Plan. SEP have no concerns with the variance request for height as the building appears to be located greater than 50 m from the wetlands on site and outside of the area with wildland fire hazards.

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.

The applicant is advised that wildland fire mitigation best practices can be found in provincial standards such as FireSmart.

Corridor Management, June 4, 2026

No Comment Received

Hydro One, June 4, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNR), June 4, 2026

No Comment Received

Development Approvals, June 3, 2026

The purpose and effect of the application is to facilitate the construction of a sand and salt storage building, providing a maximum height of 17.5m, where the maximum permitted height is 15.0m. The applicant is requesting to vary Zoning By-law 2010-100Z, as described below:

1. Increase height to 17.5m, where a maximum of 15.0m is permitted (Table 8.2 of the Zoning By-law).

The subject lands are designated 'General Industrial' within the City of Greater Sudbury Official Plan, are zoned 'M2', Light Industrial within the City of Greater Sudbury Zoning By-law, are located in the Ramsey Lake Protection Zone IV of the Source Water Protection Plan, and are regulated by Conservation Sudbury (NDCA).

The City of Greater Sudbury Roads Operation Department utilizes the existing buildings/ structures on the property as a municipal yard. The proposed sand and salt storage building will replace an existing sand and salt storage building on the property, in a new location.

The lands are serviced by municipal water and sanitary sewer and appear to be accessed from Frobisher Street and Kingsway.

Surrounding uses are predominantly a mix of business industrial, commercial and residential uses. Lands to the north and east of the subject lands are zoned 'FD', Future Development. As per the applicant's sketch, the sand and salt storage building is proposed to be located north of Frobisher Street, abutting lands that are zoned business industrial.

Staff have no concerns with the requested relief as it generally reflects the existing site conditions. Limited visual changes are being proposed at this time. Staff is of the opinion that there are no land use compatibility concerns between the subject lands and abutting properties.

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

Development Engineering, June 3, 2026

No Concerns

Site Plan, June 3, 2026

No Concerns

Source Water Protection, June 3, 2026

Proposed development of a Sand/Salt Storage Structure is occurring outside the Ramsey Lake IPZ 3. Proposed development has a function of removing a known drinking water threat outside the Ramsey Watershed. Existing Risk Management Plant for current location of Salt Dome, which is within IPZ-3. No significant drinking water threat identified for this proposal.

Building Services, June 2, 2026

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

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

1) A building permit application, along with all required supporting documentation, shall be submitted to the satisfaction of the Chief Building Official for the proposed sand and salt storage building.

The Applicant/Owner is advised that in lieu of Site Plan Control, the proposal is subject to the Comprehensive Plot Plan Process. As part of the building permit submission, the following shall be provided:

- a) Comprehensive plot plan
- b) Site statistics table
- c) Lot grading plan
- d) Site servicing plan

The following documentation and requirements will also apply (but not limited to) at the building permit stage:

- a) An aerial key plan shall be included to clearly identify and give an understanding of the location of the proposed building on the subject property.
- b) Fire flow calculations prepared in accordance with the 2020 Fire Underwriters Survey requirements.
- c) A geotechnical report prepared by a Professional Geotechnical Engineer
- d) A minimum building separation distance of 3.0 m shall be maintained in accordance with Table 8.2.
- e) The design of the proposed sand and salt storage building shall demonstrate compliance with the Ontario Building Code spatial separation requirements for all exposing building faces. Compliance may result in restrictions on window openings and may require specific design considerations related to exterior cladding materials and construction methods
- f) If blasting is required, a pre-blast survey and blasting report

With respect to additional considerations related to this development, Building Services reserves further comment until the time of Building Permit Application and Plans Examination.

2) A review of Building Services records indicates that there are numerous incomplete building permits associated with the subject property. Please contact Building Services to arrange for any outstanding inspections and to facilitate the closure of these permits.

Krista Deredin, Plans Examiner
Building Services

Sudbury Hydro, May 29, 2026

No objection.

Conservation Sudbury, May 28, 2026

No Concerns

Ministry of Transportation, May 27, 2026

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

Meeting Minutes:

06/10/2026 The owner's authorized representative, Jason Radley and the owner's agent, Tim James of 3rdLine Studio, appeared before Committee and Jason Radley provided a summary of the Application. Committee Members and the Chair expressed support for the Application and staff's recommendation to grant the Application.

The following decision was reached:

DECISION:

THAT the application by:

CITY OF GREATER SUDBURY

the owner(s) of PIN(s) 735720437, Parcel 26975 SEC SES; Part Lot 11, Concession 4, as in LT172339, except Part 2, Plan 53R-6010, Part 1, Plan 53R-6218, Parts 1 & 2, 53R-11420, Parts 1-16, Plan 53R-16353 & Part 1-3, Plan 53R-16996, subject to LT31957; Township of Neelon, 1825 Frobisher Street, Sudbury P3A 6C8, 1805 Frobisher Street, Sudbury P3A 6C8, 1853 Frobisher Street, Sudbury P3A 6C8, 1800 Frobisher Street, Sudbury P3A 5K3, 1900 Frobisher Street, Sudbury P3A 5K3

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 sand and salt storage building providing a maximum height of 17.5m, where the maximum permitted height is 15.0m, be granted.

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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00066

June 10, 2026

OWNER(S): ROBERT LAMY, 81 Hesta St, Dowling, ON, Canada
AGENT(S): SHIELD CONSULTING ENGINEERS LTD., 130 Paris Street, Third Floor, Sudbury, Ontario, Canada P3E3E1
LOCATION: PIN(s) 733520609, Parcel 22752 SEC SWS, Lot 12, Plan M-954, Part Lot 3, Concession 4, Township of Dowling, 81 Hesta Street, Dowling P0M 1R0

SUMMARY

Zoning: The property is zoned R1-5 according to the City of Greater Sudbury Zoning By-law 2010-100Z, as amended.
Application: Approval to construct a detached accessory building with attached lean-to providing accessory lot coverage and height at variance to the By-law.

Comments concerning this application were submitted as follows:

Strategic and Environmental Planning, June 5, 2026

The subject lands contain floodplain as per Schedule 6a of the City of Greater Sudbury Official Plan. The evaluation of flood and erosion hazards is under the jurisdiction of Conservation Sudbury. Staff acknowledge that Conservation Sudbury has no objections and that a Section 28 permit has been identified as being required for the location of the accessory building in the floodplain. SEP staff therefore have no objections to the application in regard to increased lot coverage and height.

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.

Corridor Management, June 4, 2026

No Comment Received

Hydro One, June 4, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), June 4, 2026

No Comment Received

Building Services, June 3, 2026

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

For the applicants' information:

1. A building permit shall be required for the construction of the proposed detached garage, to the satisfaction of the Chief Building Official.

Development Approvals, June 3, 2026

The purpose and effect of the application is to facilitate the construction of a detached accessory building with attached lean-to. Variances requested for the proposed development are the following:

1. Increase accessory lot coverage to 11%, where the total lot coverage of all accessory buildings and structures on a residential lot shall not exceed 10% (Subsection 4.2.3 of the Zoning By-law).
2. Increase height to 6.3m, where a maximum of 5.0m is permitted for any accessory building or structure on a residential lot (Subsection 4.2.4 a) of the Zoning By-law).

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan, are zoned 'R1-5', Low Density Residential One within the City of Greater Sudbury Zoning By-law, and are regulated by Conservation Sudbury (NDCA). Conservation Sudbury has noted that a permit from their office will be required prior to issuance of the building permit. Development must also comply with design requirements listed in the "Garages in a Floodplain" guidance document available here <https://www.conservationsudbury.ca/permits-planning/permit-resources/>.

The property currently contains a single detached dwelling (house), deck, gazebo and shed. The owners are proposing to construct the detached accessory building in the corner side yard for additional storage on the property. The lands are serviced by municipal water and sanitary sewer and are accessed from Hesta Street. Surrounding uses are predominantly residential uses.

Staff have no concerns with the requested relief as the existing dwelling is 8m in height, therefore, the proposed detached accessory building will remain lower than the house. Although the detached accessory building is located in the corner side yard, the building is proposed to be located 22.29 m from the exterior side yard property line (abutting Poplar Street). Staff is of the opinion that the proposed building will not create a negative visual impact from either Poplar or Hesta Street. Based on aerial imagery of the property and surrounding area, staff note that there are several residential properties containing detached accessory buildings such as sheds/ garages. The proposed detached accessory building would not conflict with the existing character of the neighbourhood.

Further, due to the size of the property, the proposed detached accessory building, although would represent 11% total lot coverage for accessory structures, would not be overcrowding the lot. Staff is of the opinion that the variance is considered to be minor in nature, is an appropriate use of the land, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted.

Development Engineering, June 3, 2026

No Concerns

Conservation Sudbury, June 2, 2026

No Concerns

Sudbury Hydro, May 29, 2026

outside our service territory, no concerns.

Ministry of Transportation, May 27, 2026

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

Site Plan, May 27, 2026

No Concerns

Meeting Minutes:

06/10/2026 The owner, Robert Lamy, appeared before Committee and provided a summary of the Application. Committee Members and the Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:
ROBERT LAMY

the owner(s) of PIN(s) 733520609, Parcel 22752 SEC SWS, Lot 12, Plan M-954, Part Lot 3, Concession 4, Township of Dowling, 81 Hesta Street, Dowling P0M 1R0

for relief from Part 4, Section 4.2, subsections 4.2.3 and 4.2.4 a) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached accessory building with attached lean-to providing, firstly, an accessory lot coverage of 11%, where the total lot coverage of all accessory buildings and structures on a residential lot shall not exceed 10%, and secondly, a maximum height of 6.3m, where the maximum height of any accessory building or structure on a residential lot shall be 5.0m, be granted.

Consideration was given to Section 45(1) of the *Planning Act*, R.S.O.1990, c. P.13, as amended, including written and oral submissions related to the Application, it is our opinion the variances are minor in nature and 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-2026-00069

June 10, 2026

OWNER(S): TRACY BAKKER, 1946 Fire Route 4, Capreol, ON, Canada
DONALD MCGOWAN, #12-#14 Bexhill Court, Sudbury, ON, Canada

AGENT(S): BORTOLUSSI SURVEYING, 144 Elm Street, Sudbury, ON, Canada

LOCATION: PIN(s) 735100128, Parcel 12812 SEC SES, Part Lot 5, Concession 6, Summer Resort
Location EP7008, Township of Capreol, 1946 Fire Road 4, Capreol P3P 0B7

SUMMARY

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

Application: Approval to permit lot area and lot frontage for a proposed lot subject of Consent Application PL-CON-2026-00006.

Comments concerning this application were submitted as follows:

Strategic and Environmental Planning, June 5, 2026

Staff's understanding is that the variances are required as a result of lot addition(s). SEP staff have no objections to the application as no new lots are being created and no new buildings or structures within the high water mark or shoreline buffer are being proposed at this time.

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.

Corridor Management, June 4, 2026

No Comment Received

Development Approvals, June 4, 2026

The purpose and effect of the application is to permit the proposed retained lot subject of Consent Application PL-CON-2026-00006. Variances requested are the following:

- 1.Reduce minimum lot area to 1,850.0 sq. m., where 8,000.0 sq. m. is required (Table 9.3 of the Zoning By-law).
2.Reduce minimum lot frontage to 27.6m, where 45.0m is required (Table 9.3 of the Zoning By-law).

Consent application PL-CON-2026-00006, was applied for to convey a portion of land from 1946 Fire Road 4 to 1962 Fire Road 4, to rectify an existing shed encroachment. The consent application was further applied for to convey a portion of land from 1946 Fire Road 4 to 1896, 1906 and 1916 Fire Road 4, to rectify a sauna encroachment. As a result, the consent application was conditional upon a minor variance being obtained for lot area and frontage deficiencies for the retained lot, being 1946 Fire Road 4.

The subject lands are designated 'Rural' and 'Mining Mineral Reserve' within the City of Greater Sudbury Official Plan and are zoned 'RS', Rural Shoreline within the City of Greater Sudbury Zoning By-law, and are regulated by Conservation Sudbury (NDCA).

The subject property currently contains a seasonal dwelling (summer cottage) and two sheds.

The lands are serviced via the Lake (water) and private septic system. The lands are currently accessed via a right-of-way (Fire Road 4). Properties on the northern side of Ella Lake, surrounding 1946 Fire Road 4, are residential (either seasonal or for year-round use).

Staff have no concerns with the requested relief as the minor variance application is required to satisfy a condition of consent for Consent Application PL-CON-2026-00006. No changes are proposed to the use of 1946 Fire Road 4 at this time. No new buildings/structures are proposed at this time.

Staff is of the opinion that there are no land use compatibility concerns between the subject lands and abutting properties. Staff is of the opinion that the variance is considered to be minor in nature, is an appropriate use of the land, and meets the intent of the Official Plan and Zoning By-law. It is recommended that the application be granted.

Hydro One, June 4, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), June 4, 2026

No Comment Received

Development Engineering, June 3, 2026

No Concerns

Building Services, June 2, 2026

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

Sudbury Hydro, May 29, 2026

outside our service territory, no concerns.

Conservation Sudbury, May 28, 2026

No Concerns

Ministry of Transportation, May 27, 2026

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

Site Plan, May 27, 2026

No Concerns

Meeting Minutes:

06/10/2026 The owner's agent, Adrian Bortolussi, appeared before Committee and provided a summary of the Application. Committee Members and the Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

TRACY BAKKER AND DONALD MCGOWAN

the owner(s) of PIN(s) 735100128, Parcel 12812 SEC SES, Part Lot 5, Concession 6, Summer Resort Location EP7008, Township of Capreol, 1946 Fire Road 4, Capreol P3P 0B7

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 permit the proposed retained lot subject of Consent Application PL-CON-2026-00006 to provide, firstly, a minimum lot area of 1850.0 sq. m, where 8000.0 sq. m is required, and secondly, a minimum lot frontage of 27.6m, where 45.0m is required, be granted.

Consideration was given to Section 45(1) of the *Planning Act*, R.S.O.1990, c. P.13, as amended, including written and oral submissions related to the Application, it is our opinion the variances are minor in nature and 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-2026-00070

June 10, 2026

OWNER(S): TERRY TOMIUK, 34 COULSON ST, CAPREOL, ON, Canada P0M1H0

AGENT(S): TERRY TOMIUK, 34 COULSON ST, CAPREOL, ON, Canada P0M1H0

LOCATION: PIN(s) 735071189, Parcel 34884 SEC SES, Lot 62, Plan M-633, Part Lot 10, Concession 6, Township of Capreol, 34 Coulson Street, Capreol P0M 1H0

SUMMARY

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

Application: Approval to construct a detached accessory building providing accessory lot coverage at variance to the By-law.

Comments concerning this application were submitted as follows:

Strategic and Environmental Planning, June 5, 2026

SEP staff have no objection to the application.

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.

Corridor Management, June 4, 2026

No Comment Received

Hydro One, June 4, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNRF), June 4, 2026

No Comment Received

Development Approvals, June 3, 2026

The purpose and effect of the application is to facilitate the construction of a detached garage. Variance

requested for the proposed development is as follows:

1. Increase accessory lot coverage to 11%, where the total lot coverage of all accessory buildings and structures on a residential lot shall not exceed 10% (Subsection 4.2.3 of the Zoning By-law).

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan and are zoned 'R1-5', Low Density Residential One within the City of Greater Sudbury Zoning By-law. The property currently contains a single detached dwelling (house), gazebo and garage. The existing garage is proposed to be demolished. The applicant has advised that they need a larger garage for personal storage. The new garage is proposed in the same location as the existing garage, which is to be demolished.

The lands are serviced by municipal water and sanitary sewer and are accessed from Coulson Street.

Surrounding uses are predominantly low and medium residential uses.

The Capreol Community Center and Arena is located to the north west of the subject lands.

Staff have no concerns with the requested relief as it generally reflects the existing site conditions. Limited visual changes are being proposed at this time. Staff is of the opinion that there are no land use compatibility concerns between the subject lands and abutting properties.

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

Development Engineering, June 3, 2026

No Concerns

Building Services, June 2, 2026

Based on the information provided, Building Services has no concerns with this application. Applicant/Owner to be advised of the following comments:

- 1) We acknowledge the receipt of associated demolition permit (BP-DEM-2026-00034) to demolish the existing detached garage & associated building permit (BP-NEW-2026-00532) for the construction of the proposed detached garage.

Sudbury Hydro, May 29, 2026

No objection.

Conservation Sudbury, May 27, 2026

No Concerns

Ministry of Transportation, May 27, 2026

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

Site Plan, May 27, 2026

No Concerns

Meeting Minutes:

06/10/2026 The owner, Terry Tomiuk, appeared before Committee and provided a summary of the Application. Committee Members and the Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:
TERRY TOMIUK

the owner(s) of PIN(s) 735071189, Parcel 34884 SEC SES, Lot 62, Plan M-633, Part Lot 10, Concession 6, Township of Capreol, 34 Coulson Street, Capreol P0M 1H0

for relief from Part 4, Section 4.2, subsection 4.2.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage providing an accessory lot coverage of 11%, where the total lot coverage of all accessory buildings and structures on a residential lot shall not exceed 10%, 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



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2025-00072

June 10, 2026

OWNER(S): SAHIL BHARDWAJ, 1827 Torbay, Sudbury, ON, Canada P3B1A3
NEELIMA BHARDWAJ, 1827 Torbay, Sudbury, ON, Canada

AGENT(S): PROSPEC ENGINEERING AND ARCHITECTURE, 2502 Elm Street, Sudbury, ON, Canada P3E4P8

LOCATION: PIN(s) 735780119, Parcel 5878 SEC SES, Part Lot 12, Concession 3, Parts 11-13, Plan 53R-13566, together with easement over Parts 2, 3, 5, 6, 8 & 10, Plan 53R-13566, Township of Neelon, 1827 Torbay Road, Sudbury P3B 1A3

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 an addition on the existing dwelling and to permit existing accessory structures all providing high water mark setbacks and locations at variance to the By-law.

Comments concerning this application were submitted as follows:

Development Approvals, June 4, 2026

Comments attached as PDF - in 'other'

Strategic and Environmental Planning, June 4, 2026

REVISED

Staff in SEP have reviewed the proposed application. 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 applicant has not demonstrated compliance with the above policies at this time.

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

Building Services, June 3, 2026

REVISED

Based on the information provided, Building Services has no concerns with this application. Applicant/Owner to be advised of the following comments:

1) Building Services acknowledges an open building permit application BP-NEW-2025-00627 (Sunroom addition).?

?2) Based on our research, it appears garden shed A and garden shed B were built without the benefit of a building permit. A building permit or demolition permit shall be required for the accessory structures identified as existing garden shed (A) and (B), to the satisfaction of the Chief Building Official. Owner to be aware that sheds greater than 15m² require a building permit in accordance with the Ontario Building Code Article 1.3.1.1. of Division C. Applicant/Owner to also be aware that with the exception of sheds, accessory buildings and structures greater than 10 m² (108 ft²) are also subject to the Ontario Building Code and would require a building permit.??

3) As these structures appear to be located within the floodplain, a permit/approval from Conservation Sudbury shall be obtained at the time of building permit application.?

Conservation Sudbury, May 28, 2026

No Concerns

Development Approvals, April 23, 2026

No change from previous comments.

Conservation Sudbury, April 22, 2026

The development being considered for Minor Variance is located within a natural hazard and was completed without the benefit of a permit from our office. To date we have not been able to confirm that the development is located otherwise complies with the Natural Hazard policies of the Provincial Planning Statement. We have communicated with the agent regarding the steps required for our office to be able to assess compliance, and they have not yet completed that process. We recommend deferral of the Minor Variance until such time as they have supplied the required information, and we can assess the proposal for compliance with provincial legislation.

Strategic and Environmental Planning, April 22, 2026

Staff in SEP have reviewed the proposed application. Staff rely on policies in 8.4.1 of the City's Official Plan when considering reductions to the highwater mark setback. Policy 3 allows consideration for a reduced highwater mark setback when:

- 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 applicant has not demonstrated compliance with the above policies at this time.

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.

Building Services, April 17, 2026

Based on the information provided, Building Services has no concerns with this application. Applicant/Owner to be advised of the following comments:

1. Building Services acknowledges building permit application BP-NEW-2025-00627 (Sunroom addition).
2. Based on our research, it appears garden shed A and garden shed B were built without the benefit of a building permit. A building permit or demolition permit shall be required for the accessory structures identified as existing garden shed (A) and (B), to the satisfaction of the Chief Building Official. Owner to be aware that sheds greater than 15m² require a building permit in accordance with the Ontario Building Code Article 1.3.1.1. of Division C. Applicant/Owner to also be aware that with the exception of sheds, accessory buildings and structures greater than 10 m² (108 ft²) are also subject to the Ontario Building Code and would require a building permit.
3. As these structures appear to be located within the floodplain, a permit/approval from Conservation Sudbury shall be obtained at the time of building permit application.

Development Approvals, August 29, 2025

REVISED

The purpose and effect of the application is to facilitate the construction of an addition on the existing single detached dwelling and to permit two sheds with the following variances:

1. a minimum high water mark setbacks of 17.9m for the addition to the single detached dwelling, whereas residential buildings shall be no closer than 30.0m to the high water mark;
2. a minimum high water mark setback of 13.7m for Garden Shed A as identified on the Site Plan, whereas accessory buildings or structures shall be no closer than 30.0m to the high water mark;
3. a portion of a single detached dwelling be permitted in the shoreline buffer area, whereas the only gazebos, boathouses, docks, decks, stairs, water pumps, saunas, boat launches, marine railways, waterlines and heat pump loops are permitted within 20.0m of the high water mark.

The subject lands contain a single detached dwelling and two accessory buildings, one of which the applicant has identified as to be removed. The subject lands are serviced by a municipal water and sanitary connection and have access from Torbay Road.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan, are zoned 'R1-5' Low Density Residential One within the City of Greater Sudbury Zoning By-law, are located in the Ramsey Lake Intake Protection Zone IV of the Source Water Protection Plan, and are regulated by Conservation Sudbury (NDCA).

Surrounding uses are low density residential and park in nature.

Subsequent to receiving comments and requesting a deferral, the applicant has proposed to remove Garden Shed B and associated hard surfacing in order to increase vegetated area in the shoreline buffer and achieve compliance with minimum shoreline clearance requirements, has acknowledged the need to submit a building permit for Garden Shed A, and has provided rationale on the proposed placement of the sunroom addition.

The applicants have advised that the location of the addition is in their opinion logical given the existing structure and features, and would be supported by three beams, allowing for vegetation under the structure.

The proposed addition is 14.64 m² in area and will not extend beyond the existing rear building face of the single detached dwelling. While the subject property has a relatively straight shoreline, the abutting properties on either side have curve shaped shorelines, resulting in a 'v' shaped 20 m buffer area and 30 m high water mark setback on the subject lands. Staff recognize that only a portion of the proposed addition would encroach into the shoreline buffer area.

Policy 3 of section 8.4.1 of the City's Official Plan provides the following criteria when considering reductions to the highwater mark setback:

- a) sufficient lot depth is not available;
- b) terrain or soil conditions exist which make other locations on the lot less suitable;
- c) the proposal is for an addition to an existing building or replacement of a leaching bed where the setback is not further reduced; or
- d) redevelopment is proposed on an existing lot and a net improvement is achieved

Staff are unable to support the proposed application as it does not conform to the Official Plan, in that the lot has sufficient depth, no terrain challenges have been identified to locate the addition elsewhere, the setback is further being reduced, and the construction of the addition will not result in a net improvement. Based on the Official Plan, there is no policy basis to support the reduction of the high water mark setback, therefore staff recommend that the application be denied.

Strategic and Environmental Planning, August 28, 2025

UPDATED AUG. 28/25

Staff in Strategic and Environmental Planning have reviewed the proposed development and the updated information provided. The proposed sunroom addition further encroaches into the highwater mark setback by 1.7 metres, being located 17.9 metres from the highwater mark where the dwelling is currently no closer than 19.6 metres. Staff rely on policy 3 of section 8.4.1 of the City's Official Plan when considering reductions to the 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

Despite the additional rationale, there is no evidence that the proposed development meet the criteria outlined in the policy noted above.

Staff acknowledge the intent to address the requirements under Zoning By-law 2010-100Z for the required shoreline buffer area and to ensure compliance.

The applicant is advised that compliance with the federal Migratory Bird Convention Act, 1994, the federal Fisheries Act, 1985, the provincial Fish and Wildlife Conservation Act, 1997, and the provincial Endangered Species Act, 2007, is their sole responsibility.

Building Services, August 27, 2025

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

Applicant/Owner to be advised of the following comments:

- 1) Building Services acknowledges a building permit application BP-NEW-2025-00627 (Sunroom addition).?
- ?2) Based on our research, it appears garden shed A and garden shed B were built without the benefit of a building permit. A building permit or demolition permit shall be required for the accessory structures identified as existing garden shed (A) and (B), to the satisfaction of the Chief Building Official. Owner to be aware that sheds greater than 15m² require a building permit in accordance with the Ontario Building Code Article 1.3.1.1. of Division C. Applicant/Owner to also be aware that with the exception of sheds, accessory buildings and structures greater than 10 m² (108 ft²) are also subject to the Ontario Building Code and would require a building permit.??
- ?3) As these structures appear to be located within the floodplain, a permit/approval from Conservation Sudbury shall be obtained at the time of building permit application.?
- ?

Building Services, June 19, 2025

Based on the information provided, Building Services has the following comment:

- 1) Garden Shed (B) does not comply with the minimum required interior side yard setback of 1.2m, as only 0.7m is provided. Therefore, additional zoning relief must be obtained prior to the issuance of a building permit for this structure.

For the applicants' information:

- 1) Building Services acknowledges a building permit application # BP-NEW-2025-00627 (Sunroom addition).
- 2) Based on our research, it appears garden shed A and garden shed B were built without the benefit of a building permit. Building permits shall be required for the accessory structures identified as existing garden shed (A) and (B), to the satisfaction of the Chief Building Official. Owner to be aware that sheds greater than 15m² require a building permit in accordance with the Ontario Building Code Article 1.3.1.1. of Division C. Applicant/Owner to also be aware that with the exception of sheds, accessory buildings and structures greater than 10 m² (108 ft²) are also subject to the Ontario Building Code and would require a building permit.?
- 3) As these structures appear to be located within the floodplain, a permit/approval from Conservation Sudbury shall be obtained at the time of building permit application.
- 4) A search of our records indicates outstanding building permits to repair structural supports (B13-2039) & insulation (B12-0612). Please contact Building Services to close these projects.

Corridor Management, June 19, 2025

No Comment Received

Development Approvals, June 19, 2025

The purpose and effect of the application is to facilitate the construction of an addition on the existing single detached dwelling and to permit two sheds with the following variances:

1. a minimum high water mark setbacks of 17.9m for the addition to the single detached dwelling, whereas

residential buildings shall be no closer than 30.0m to the high water mark;

2. a minimum high water mark setback of 13.2m for Garden Shed A as identified on the Site Plan, whereas accessory buildings or structures shall be no closer than 30.0m to the high water mark;
3. a minimum high water mark setback of 7.9m for Garden Shed B as identified on the Site Plan, whereas accessory buildings or structures shall be no closer than 30.0m to the high water mark; and
4. a portion of a single detached dwelling be permitted in the shoreline buffer area, whereas the only gazebos, boathouses, docks, decks, stairs, water pumps, saunas, boat launches, marine railways, waterlines and heat pump loops are permitted within 20.0m of the high water mark.

The subject lands contain a single detached dwelling and two accessory buildings. The subject lands are serviced by a municipal water and sanitary connection and have access from Torbay Road.

The subject lands are designated 'Living Area I' within the City of Greater Sudbury Official Plan, are zoned 'R1-5' Low Density Residential One within the City of Greater Sudbury Zoning By-law, are located in the Ramsey Lake Intake Protection Zone IV of the Source Water Protection Plan, and are regulated by Conservation Sudbury (NDCA).

Surrounding uses are low density residential and park in nature.

The applicant has not provided a rationale for the high water mark setback relief for the addition or existing accessory buildings within their application.

It is noted that the proposed addition is 14.64 m² in area and will not extend beyond the existing rear building face of the single detached dwelling. While the subject property has a relatively straight shoreline, the abutting properties on either side have curve shaped shorelines, resulting in a 'v' shaped 20 m buffer area and 30 m high water mark setback on the subject lands. Staff recognize that only a portion of the proposed addition would encroach into the shoreline buffer area, however, would prevent the re-naturalization of the shoreline buffer area which already appears to predominantly comprise of manicured grass and landscaping.

Strategic and Environmental Planning are unable to support the variance as it is not consistent with Official Plan Policy 3 of Section 8.4.1, and it appears as additional relief may be required for shoreline buffer clearance.

Building Services has advised that the two garden sheds were established without benefit of a building permit and that additional relief is required for the interior side yard setback for Garden Shed B.

Conservation Sudbury (NDCA) has advised that they have no objections to the variances so long as it can be demonstrated to be located outside of the floodplain hazard. This information was not included in the application submission. They have advised this can be addressed through the building permit process however may require relocation of the proposed structures further away from the high water mark permissions.

Staff recommend that the application be deferred to allow the applicant an opportunity to address staff comments.

Ministry of Natural Resources and Forestry (MNRF), June 19, 2025

No Comment Received

Strategic and Environmental Planning, June 19, 2025

Staff in Strategic and Environmental Planning have reviewed the proposed development. The proposed

sunroom addition further encroaches into the highwater mark setback by 1.7 metres. Staff rely on policy 3 of section 8.4.1 of the City's Official Plan when considering reductions to the 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

It does not appear that the proposed development meets any of these tests.

The proposed sunroom addition and two sheds represent approximately 37.5 square metres of new shoreline buffer area clearance, which already has a substantial area cleared. Based on the submitted drawings, the total required shoreline buffer area is approximately 610 square metres for the subject lands. Based on the same drawings, and corroborated by aerial imagery, it appears that approximately 183 square metres of the required shoreline buffer area have existing or proposed structures, or are surfaced with hardscaping. This represents a 30% clearance of the required shoreline buffer area, approximately 30.5 square metres greater than the maximum 25% permitted. While the hardscaping may predate the requirements of the required shoreline buffer area (staff are unable to confirm the date of installation), the sheds and sunroom addition are subject to the standards of today.

Given the above, staff in SEP are unable to support the application at this time.

The applicant is advised that compliance with the federal Migratory Bird Convention Act, 1994, the federal Fisheries Act, 1985, the provincial Fish and Wildlife Conservation Act, 1997, and the provincial Endangered Species Act, 2007, is their sole responsibility.

Strategic and Environmental Planning, June 19, 2025

Staff in Strategic and Environmental Planning have reviewed the proposed development. The proposed sunroom addition further encroaches into the highwater mark setback by 1.7 metres. Staff rely on policy 3 of section 8.4.1 of the City's Official Plan when considering reductions to the 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

It does not appear that the proposed development meets any of these tests.

The proposed sunroom addition and two sheds represent approximately 37.5 square metres of new shoreline buffer area clearance, which already has a substantial area cleared. Based on the submitted drawings, the total required shoreline buffer area is approximately 610 square metres for the subject lands. Based on the same drawings, and corroborated by aerial imagery, it appears that approximately 183 square metres of the required shoreline buffer area have existing or proposed structures, or are surfaced with hardscaping. This represents a 30% clearance of the required shoreline buffer area, approximately 30.5 square metres greater than the maximum 25% permitted. While the hardscaping may predate the requirements of the required shoreline buffer area (staff are unable to confirm the date of installation), the sheds and sunroom addition are subject to the standards of today.

Given the above, staff in SEP are unable to support the application at this time.

The applicant is advised that compliance with the federal Migratory Bird Convention Act, 1994, the federal Fisheries Act, 1985, the provincial Fish and Wildlife Conservation Act, 1997, and the provincial Endangered Species Act, 2007, is their sole responsibility.

Conservation Sudbury, June 18, 2025

Conservation Sudbury has reviewed Minor Variance application MV-2025-00072 to allow an addition to an existing dwelling and permit existing accessory structures providing high water mark setbacks and locations at variance with the City of Greater Sudbury Zoning By-law.

Conservation Sudbury has no objection to the high water mark setback distances of the addition provided that the location is outside of both the flood and erosion hazard. Not enough information has been provided to indicate this. A permit from Conservation Sudbury will be required at the building permit stage. Further information on the hazard limits, and potential relocation of the proposed addition to outside of the hazard limits (further from the high water mark) will be required at that time.

Development Engineering, June 18, 2025

No Concerns

Linear Infrastructure Services, June 18, 2025

No Concerns

Source Water Protection, June 18, 2025

Proposed addition of Sunroom to existing SFD within the Ramsey Lake IPZ "3". No significant drinking water threat identified at this time.

Sudbury Hydro, June 18, 2025

No objections.

Ministry of Transportation, June 17, 2025

We have determined that the subject properties are not located within the MTO's permit control area (PCA); therefore, we have no comments to provide at this time.

Site Plan, June 12, 2025

No Concerns

Meeting Minutes:

06/25/2025 This Application was deferred at the request of the applicant's agent, Shayne Bol of Prospec Engineering, in order to address staff's concerns.

- 09/03/2025 This Application was deferred at the request of the applicant's agent, Shayne Bol of Prospec Engineering, in order to address staff's concerns.
- 04/29/2026 The applicant Sahil Bhardwaj and his agent, Shane Bol of Prospec Engineering and Architecture, appeared before Committee and provide a summary of the Application. Committee Member Castanza advised Committee that she attended the site and suggested that the Application be deferred to allow the applicant an opportunity to address staff's concerns. Committee Member Goswell asked staff if the engineering letter mentioned by the agent in the opening remarks were provided to Committee and staff confirmed that the letter was not part of the submission. The agent advised Committee that the letter was provided to Conservation Sudbury only. The Member expressed support for a deferral. Committee Member Sawchuk asked staff if the letter was relevant to the Application and staff referred to the comments recommending denial of the Application. Committee Member Goswell asked the agent why the concerns outlined by Conservation Sudbury were not addressed before submission and the agent provided an explanation. The Member expressed support for a deferral. Committee Member Sawchuk expressed support for the addition and asked staff if the shed required a permit and if was permitted in the high watermark setback. Staff advised that a permit was not required but the shed would not be permitted in the setback. The Member advised Committee that he would support a denial of the shed. Committee Member Murray commented on the permitted structures within the high water mark setback and advised Committee that he would like to see Conservation Sudbury's concerns addressed and expressed support for a deferral. Committee Chair Dumont provided the agent and applicant with an explanation of Conservation Sudbury's comment regarding the Natural Hazards, and Strategic and Environmental Planning and Development Approval's comments. The Chair expressed no concern with the proposed addition and clarified the use of Shed A with the applicant. The Chair suggested that the applicant contact staff to discuss the option of removing both sheds. Committee Member Murray asked the Chair if he was proposing a partial approval with a condition. Staff advised Committee that Conservation Sudbury's comments regarding the Natural Hazards were not specific and suggested that there may be direct relation to the four tests if Conservation Sudbury was not supportive. Staff advised that no wording was provided by Conservation Sudbury to draft a condition. Committee Member Murray put forward a motion to defer the Application, the motion was seconded by Committee Member Castanza. The motion was supported and carried.

06/10/2026 The owner, Sahil Bhardwaj, appeared before Committee. The Chair requested the owner to explain the changes and provide any new information and the owner provided an explanation. Committee Chair Dumont requested the Secretary-Treasurer to confirm the resolution that would be read to Committee and the Secretary-Treasurer confirmed the recommendation in the prepared resolution.

Committee Member Castanza requested clarification on removal of Shed A and the owner advised that Shed B would be removed and Shed A would be converted to a sauna. The Chair requested the owner to explain what the sheds were used for and the owner advised they were used for storage. The Chair confirmed with the owner that Shed A would be converted to a sauna and Shed B would be removed. The Member requested clarification on the Application and the Chair advised that the concerns related to the addition.

Committee Member Goswell expressed disappointment that the deferral didn't result in support from staff. The Member referred to Development Approval's comments in relation to the sheds and asked the owner if he was aware that the resolution was to deny. The owner confirmed his understanding and advised Committee that the important structure was the addition and that the sheds could be removed or converted to a sauna. The Member requested staff to provide comments on the sheds and staff advised that a sauna would be a permitted structure and accessory structures would not. The Member asked if the resolution could be revised and the Chair confirmed that it could.

Committee Member Sawchuk reiterated the owner's comments with regards to the sheds and expressed support for the addition as it was a minor encroachment, removal of Shed B and the conversion of Shed A.

Committee Member Murray expressed agreement with Committee Member Sawchuk's comments and commented on the lot configuration and considered the addition minor. The Member suggested a condition could be added relating to the sheds.

Committee Chair Dumont commented on Conservation Sudbury's revised comments. The Chair expressed support for the addition and agreement with Committee Member Sawchuk's comments regarding the sheds. The Chair commented on the Official Plan policies referred to by staff in Development Approval's comments and advised that he believed a small net improvement would be achieved with the removal/conversion of the sheds.

Committee Member Costanza expressed support for the removal/conversion of the sheds. Committee Member Goswell expressed agreement with Committee's comments and support for an amending motion. Committee Member Sawchuk expressed agreement with Committee's comments on the sheds with a condition and support for the addition. Committee Member Murray expressed agreement with Committee.

The Secretary-Treasurer commented on imposing a condition and explained the result of a denial of the variance relating to the shed and suggested that Committee could support the addition only. Staff advised Committee what was and was not permitted under the By-law and that staff were unsure of the building permit process to convert the shed to a sauna. Committee Member Costanza requested an explanation, and the Chair provided an explanation.

The Secretary-Treasurer suggested the appropriate procedure to follow to grant the variances relating to the addition and deny the variances relating to the shed.

Committee Member Murray provided an explanation to the owner.

Staff's resolution to deny the Application was defeated. Committee Chair Dumont put forward a motion to approve the variances for the addition and deny the variances for the shed which was seconded by Committee Member Costanza. The Motion was supported.

The following decision was reached:

DECISION:

THAT the application by:

SAHIL BHARDWAJ AND NEELIMA BHARDWAJ

the owner(s) of PIN(s) 735780119, Parcel 5878 SEC SES, Part Lot 12, Concession 3, Parts 11-13, Plan 53R-13566, together with easement over Parts 2, 3, 5, 6, 8 & 10, Plan 53R-13566, Township of Neelon, 1827 Torbay Road, Sudbury P3B 1A3

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 single detached dwelling providing high water mark setback of 17.9m, where accessory buildings or structures shall be no closer than 30.0m to the high water mark and where the only permitted structures within 20.0m of the high water mark are the permitted accessory structures set out in 4.41.2 of the Zoning By-law, boat launches, marine railways, waterlines and heat pump loops, be approved.

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

AND THAT 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 permit Garden Shed A as identified on the Site Plan submitted with the Application providing high water mark setback 13.7m, where accessory buildings or structures shall be no closer than 30.0m to the high water mark and where the only permitted structures within 20.0m of the high water mark are the permitted accessory structures set out in 4.41.2 of the Zoning By-law, boat launches, marine railways, waterlines and heat pump loops, be denied.

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 not minor in nature and are not 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 would not be 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-2026-00073

June 10, 2026

OWNER(S): MICHEAL ARTINDALE, 2407 Vermillion, Dowling, ON, Canada
 JOELLE LACHANCE, 2407 Vermilion Lake Road, Dowling, Ontario, Canada P0M 1L0

AGENT(S): DESTINIE FOURNIER, 457 Gordon Lake RD, Chelmsford, Ontario, Canada P0M1L0

LOCATION: PIN(s) 733670043, Parcel 12720 SEC SWS, Lot 19, Plan M-303, except Part 4, Plan SR-2956, Part Lot 9, Concession 6, Township of Fairbank, 2407 Vermilion Lake Road, Dowling P0M 1L0

SUMMARY

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

Application: Approval to construct a detached accessory building providing a height at variance to the By-law.

Comments concerning this application were submitted as follows:

Strategic and Environmental Planning, June 5, 2026

The subject lands contain floodplain as per Schedule 6a of the City of Greater Sudbury Official Plan. SEP staff have no objection to the requested height variance as the accessory building appears to be located outside of the floodplain area, and outside of the high water mark and shoreline setbacks.

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.

Corridor Management, June 4, 2026

No Comment Received

Hydro One, June 4, 2026

No Comment Received

Ministry of Natural Resources and Forestry (MNR), June 4, 2026

No Comment Received

Development Approvals, June 3, 2026

The purpose and effect of the application is to facilitate the construction of a detached garage. Variance requested for the proposed development is as follows:

1. Increase height of 6.85m, where a maximum of 5.0m is permitted for any accessory building or structure on a residential lot (Subsection 4.2.4 a) of the Zoning By-law).

The subject lands are designated 'Living Area II' within the City of Greater Sudbury Official Plan, are zoned 'R1-1', Low Density Residential One within the City of Greater Sudbury Zoning By-law, are located in the Vermilion River Protection Zone of the Source Water Protection Plan, and are regulated by Conservation Sudbury (NDCA).

The property currently contains a single detached dwelling (house) and shed. The property is serviced via private services (well and septic) and is currently accessed from Vermilion Street.

Generally, properties abutting the northern portion of Vermilion Lake, in proximity to the subject lands are zoned 'R1-1', Low Density Residential One. Based on the aerial imagery, several properties in the R1-1 zone, contain a dwelling along with accessory buildings/structures.

Based on a review of the applicant's concept plan, along with the NDCA regulation area mapping, staff note that the proposed garage appears to be located outside of the floodplain area. The proposed garage is located in front of the dwelling (closer to the street line), meeting all required setbacks from the high water mark.

Based on aerial imagery, there are a few properties in proximity to the subject lands which also have a detached accessory building located in front of the dwelling, closer to the street. Further, there are trees located along the front property line and both interior side property lines, offering screening between the proposed detached accessory building and the street, along with both abutting properties. It is staff's opinion that there are no land use compatibility concerns between the subject lands and abutting properties.

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

Development Engineering, June 3, 2026

No Concerns

Building Services, June 2, 2026

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

1. We acknowledge the receipt of associated building permit (BP-NEW-2026-00534) for the construction of a detached garage.

2. A search of our records indicates an open building permit for the subject property for a shed (BP-NEW-2026-00245). Please contact Building Services to proceed in closing this project.

3.Owner to be aware that sheds greater than 15m² require a building permit in accordance with the Ontario Building Code Article 1.3.1.1. of Division C. Applicant/Owner to also be aware that with the exception of sheds, accessory buildings and structures greater than 10 m² (108 ft²) are also subject to the Ontario Building Code and would require a building permit.??

Sudbury Hydro, May 29, 2026

outside our service territory, no concerns.

Conservation Sudbury, May 28, 2026

No Concerns

Ministry of Transportation, May 27, 2026

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

Site Plan, May 27, 2026

No Concerns

Meeting Minutes:

06/10/2026 The owners, Joelle Lachance and Micheal Artindale and their agent, Destinie Fournier, appeared before Committee and provided a summary of the Application. Committee Members and the Chair expressed support for the Application and staff's recommendation. In response to the agent's comments, the Secretary-Treasurer requested the Chair to confirm that the side yard setback in the Application was correct, and the agent confirmed that the 9' indicated in the Application was correct.

The following decision was reached:

DECISION:

THAT the application by:
MICHEAL ARTINDALE AND JOELLE LACHANCE
the owner(s) of PIN(s) 733670043, Parcel 12720 SEC SWS, Lot 19, Plan M-303, except Part 4, Plan SR-2956, Part Lot 9, Concession 6, Township of Fairbank, 2407 Vermilion Lake Road, Dowling P0M 1L0

for relief from Part 4, Section 4.2, subsection 4.2.4 a) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage providing a maximum height of 6.85m for the detached garage, where the maximum height of any accessory building or structure on a residential lot shall be 5.0m, be granted.

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