COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00124 October 28, 2026

OWNER(S): ANTHONY ROVINELLI, 24 Bank St, Wahnapitae, ON, Canada

AGENT(S): EVOLVING EXTERIORS INC, 1528 Southview Dr, Sudbury, ON, Canada

LOCATION: PIN(s) 734810356, Parcel 24205 SEC SES, Lot 53, Block B, Plan M-9, Part Lot 9, Concession 3, Township of Dryden, 24 Bank Street, Wahnapitae P0M 3C0

SUMMARY

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

Application: Approval to construct an addition on the existing dwelling providing setbacks and encroachments and recognize existing accessory structure providing setbacks, encroachment and lot coverage at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, October 22, 2026

No Comment Received

Development Approvals, October 22, 2026

The purpose and effect of the application is to facilitate the construction of an addition on the existing dwelling and to recognize existing insufficient setbacks, encroachment and lot coverage for the existing detached garage. The following variances are requested:

1. To reduce the front yard setback for the proposed addition to 3.97m, with an eaves projection of 0.6m into the proposed 3.97m, where a 6.0m front yard setback is required and where eaves may encroach 1.2m into the required yard, but not closer than 0.6m to the lot line.

2. Reduce the corner side yard setback for the proposed addition to 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.

3. Reduce the rear yard setback for the existing detached garage to 0.96m, with an eaves projection of 0.6m into the 0.96m rear yard setback, where an accessory building and/or structure greater than 2.5m in height shall be no closer than 1.2m into the required rear yard setback.

4. To permit the existing accessory lot coverage of 12%, where the total of all accessory buildings and

structures on a residential lot shall not exceed 10%.

The subject property is developed with a single detached dwelling of approximately 77.7m2 , a detached garage of approximately 52m2 , two storage sheds and two decks. The existing deck in the front yard is proposing to be removed to make way for the proposed addition. The property is serviced via municipal sewer and water and is accessed by an existing driveway on Bank Street, a municipal road maintained year round.

The applicant is proposing to construct an addition of approximately 40.0m2 and to recognize the insufficient setbacks of the existing detached garage and lot coverage for accessory structures.

The subject property is designated ‘Living Area I’ within the City of Greater Sudbury Official Plan, and is zoned ‘R1-5’, Low Density Residential One within the City of Greater Sudbury Zoning By-law.

Immediate surrounding uses are low density residential in nature. The general area has a mix of commercial and institutional uses along Highway 17 East.

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

Development Engineering, October 22, 2026

Eaves Encroachment (Front yard):
The roof must be complete with eaves troughs and the variance would permit both the structure and its eaves troughs to be 3.36m from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

Eaves Encroachment (Side yard):
The roof must be complete with eaves troughs and the variance would permit both the structure and its eaves troughs to be 3.77m from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

Eaves Encroachment (Rear yard):
The roof must be complete with eaves troughs and the variance would permit both the structure and its eaves troughs to be 0.36m from the lot line. Downspouts must be discharged towards the interior of the property and not towards the adjacent property.

Ministry of Natural Resources and Forestry (MNRF), October 22, 2026

No Comment Received

Building Services, October 20, 2026

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

1. Owner to be aware that an issued building permit to the satisfaction of the Chief Building Official is required prior to construction of the addition.

2. The Owner is advised that sheds greater than 15 m² require a building permit in accordance with Article 1.3.1.1. of Division C of the Ontario Building Code. The Applicant/Owner is also advised 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 require a building permit.

Strategic and Environmental Planning, October 20, 2026

SEP staff have no objections to the application.

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

Ministry of Transportation, October 19, 2026

I can confirm that the subject lands associated with Minor Variance Application PL-MV-2026-00124 (24 Bank Street, Wahnapitae) are within the MTO's permit control area (PCA); therefore is subject for review under the Public Transportation and Highway Improvement Act R.S.O. 1990 and will require MTO permits. MTO supports the proposed Minor Variance in principle; with the following comments to consider:

An MTO Building/Land Use Permit is required for the placement of any buildings/structures within 395 meters of the centre-point of the intersection of Hwy 17 and Bank Street.
Please attach a site plan within the permit application.

Any future development or change in land use must be subject to MTO review/approval.
Permit applications can be made online at the following link: https://www.hcms.mto.gov.on.ca/

Sudbury Hydro, October 16, 2026

We have no concerns with this application, as it falls outside our service territory.

Conservation Sudbury, October 14, 2026

No Concerns

Site Plan, October 14, 2026

No Concerns

Meeting Minutes:

10/28/2026 The owner’s agent, Ethan Lavigne, appeared before Committee and provided a summary of the Application.
The Committee Members and the Chair expressed support for the Application and staff’s recommendation as the Application met the four tests of a minor variance.

The following decision was reached:

DECISION:

THAT the application by:

ANTHONY ROVINELLI
the owner(s) of PIN(s) 734810356, Parcel 24205 SEC SES, Lot 53, Block B, Plan M-9, Part Lot 9, Concession 3, Township of Dryden, 24 Bank Street, Wahnapitae P0M 3C0

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%, 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	Absent
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring

COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00138 October 28, 2026

OWNER(S): 1582673 ONTARIO LIMITED, 0, 0, ON, Canada

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

LOCATION: PIN(s) 733500146; 733500266, 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 P0M 1L0

SUMMARY

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

Application: 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).

Comments concerning this application were submitted as follows:

Corridor Management, October 22, 2026

No Comment Received

Development Engineering, October 22, 2026

No Concerns

Ministry of Natural Resources and Forestry (MNRF), October 22, 2026

No Comment Received

Building Services, October 21, 2026

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

1) Owner to be aware that a Change of Use Building Permit to the satisfaction of the Chief Building Official is required.

2) A search of our records indicates an issued Building Permit (B18-0700) for an addition to a commercial garage. Please contact Building Services to arrange for the required inspections to close this project.

Development Approvals, October 21, 2026

The purpose and effect of the application is to change the legal non-conforming use of the property, under Section 45(2) of the Planning Act, including the buildings, from that of 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).

The subject property is developed with an existing building, serving as a shop and associated office of approximately 1010.0m2. There is also an existing partially gravel and partially asphalt yard along the periphery of the building. Lastly, opaque fencing exists along the northern, western and southern boundaries of the property.

The subject property is designated ‘Rural’ within the City of Greater Sudbury Official Plan, and is zoned ‘RU’, Rural within the City of Greater Sudbury Zoning By-law.
Surrounding uses are currently a mix of rural, rural residential and agricultural uses.

The applicant is proposing to be occupied by ‘Canadian Dewatering’, which provides fluid management and dewatering services. The applicant has also clarified that as part of the business model, the majority of work done by this business would be off site due to the operating of equipment in the mining, industrial and oil/gas and infrastructure sectors. In addition to these services, the business proposes to rent, sell and service different types of pumps and associated systems and diesel generators. Lastly, approximately 5 to 7 employees are expected to be employed over the next five years, with a fleet of 30 to 45 pumps.

As demonstrated by the applicant, Planning Staff agrees that the proposed variance would not introduce adverse effects to the subject property or abutting lands. Planning Staff is of the opinion that the proposed use is similar to the existing uses on these lands.

Staff is of the opinion that the proposed minor variance meets the tests under Section 45(2) of the Planning Act. It is recommended that the application be granted.

Strategic and Environmental Planning, October 20, 2026

SEP staff have no objections to the application.

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

Ministry of Transportation, October 19, 2026

I can confirm that the subject lads for application PL-MV-2026-00138 (1582673 Ontario Ltd.) are located outside the MTO’s permit control area PCA; therefore, we have no comments to provide at this time.

Sudbury Hydro, October 16, 2026

We have no concerns with this application, as it falls outside our service territory.

Conservation Sudbury, October 14, 2026

No Concerns

Site Plan, October 14, 2026

No Concerns

Meeting Minutes:

10/28/2026 The owner's agent, Vanessa Smith of Tulloch Engineering, appeared before Committee and provided a summary of the Application.
The Committee Members and the Chair expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:
1582673 ONTARIO LIMITED
the owner(s) of PIN(s) 733500146; 733500266, 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 P0M 1L0

for 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), be granted.

Consideration was given to Section 45(2) of the Planning Act. The use that was made of the building and land on the day the By-law was passed continued until the date of the Application to the Committee. The use of the building and land is within the limits of the land owned and used in connection therewith on the day the By-law was passed. The request is desirable for the appropriate development and use of the land and will not result in undue adverse impacts on surrounding properties and neighborhood.

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	Absent
JUSTIN SAWCHUK	Concurring
MATTHEW DUMONT	Concurring
RON GOSWELL	Concurring