

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

August 5, 2026

PUBLIC HEARINGS

**PL-MV-2026-00101 NICHOLAS FOLIGNO
JANELLE FOLIGNO**

Ward: 9

PIN(s) 734720263, Part Lot 11, Concession 2, Location CL12452, being Parts 3 and 4, Plan 53R-19666, Township of Broder, 2106 South Shore Road, Sudbury, [By-law 2010-100Z, R1-1]

For relief from Part 4, Section 4.2, subsection 4.2.10 c) and f) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a dwelling unit in a building accessory to a main dwelling providing, firstly, its location to be in the front yard, where a dwelling unit located in a building accessory to a main building shall only be permitted within the rear and/or interior side yards, and secondly, a maximum height of 9.0m, where the maximum height shall not exceed 8.0m.

PREVIOUSLY SUBJECT TO MINOR VARIANCE APPLICATION PL-MV-2025-00011 (APR 9/25) AND CONSENT APPLICATIONS B117/11 TO B119/11 (SEP 8/11)

**PL-MV-2026-00104 BROOKE HOWES
KEN ROBINEAU**

Ward: 11

PIN(s) 735810523, Part Lots 105-106, Plan M-129, Parts 2-4, Plan 53R-20665, Part Lot 2, Concession 3, Township of McKim, 51 Downing Street, Sudbury, [By-law 2010-100Z, R1-5]

For relief from Part 4, Section 4.2, subsection 4.2.10 c) and f) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a dwelling unit in an existing building accessory to a main dwelling providing, firstly, its location to be in the front yard, where a dwelling unit located in a building accessory to a main building shall only be permitted within the rear and/or interior side yards, and secondly, a maximum height of 8.41m, where the maximum height shall not exceed 8.0m.

PREVIOUSLY SUBJECT TO MINOR VARIANCE APPLICATION PL-MV-2025-00074 AND CONSENT APPLICATIONS B32/16 TO B33/16 (MAY 9/16)

A reminder... the next scheduled meeting is Wednesday, August 19, 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-2026-00101

APPLICATION SUMMARY

File Date: 07/03/2026

Application Type: Minor Variance

Address(es): 2106 South Shore Road, Sudbury P3G 1M3

Applicant(s): TULLOCH

Owner(s): NICHOLAS FOLIGNO AND JANELLE FOLIGNO

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 15, 2012

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?

1

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

1

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

3

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

R1-1

Provide a detailed description of what is being proposed

See attached cover letter

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

See attached cover letter

Is there an eave encroachment?

No

Size of eaves

Lot Frontage of the property

76.5

Lot Depth of the property

208.9

Lot Area of the property

15861.1

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

Unknown

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

Low density residential

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

Yes

Existing uses of neighbouring properties

Low density residential

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)
Detached Garage with additional dwelling unit	No	356.6	356.6	1	14.6	24.4	9	13.4	170.9	46.9	4.6

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)
Single detached dwelling	No	365	730	2	23	30	11	134.3	38.1	18.8	27.3
Shed	No	9.3	9.3	1	3.048	3.048	3	155	48.2	45	26.6
Playhouse	No	36.8	36.8	0	7	5.25	3	98	109.6	67.8	1.8

ZONING BY-LAW RELIEF

Variance To	By-law Requirement	Proposed (m)	Difference (m)
Permit a dwelling unit in an accessory building within the required front yard	Section 4.2.10(c) - a dwelling unit in an accessory building shall only be permitted within the rear and/or interior side yards	N/A	N/A
Permit a maximum height of 9.0 metres for a dwelling unit in an accessory building	Section 4.2.10(f) - Shall not exceed a maximum height of 8.0 metres	9.0 metres	1.0 metre



Planners | Surveyors | Biologists | Engineers

**July 13, 2026
242809**

Committee of Adjustment

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

Re: 2106 South Shore Road Minor Variance Application

Dear Committee of Adjustment,

TULLOCH has been retained by the current owner of those lands known municipally as 2106 South Shore Road (PIN 73472-0263) in Sudbury to submit a minor variance application that would have the effect of permitting a dwelling unit in an accessory building on the subject property.

The subject property previously obtained a minor variance in 2025 (PL-MV-2025-00011) to permit a maximum height of 9.0-metres for a detached garage where a maximum height of 5.0-metres is permitted for accessory buildings and structures in an R (Residential) zone.

The proposed accessory building would still be used for general storage purposes, in addition to the proposed dwelling unit. The property is zoned R1-1 (Low Density Residential One) and contains private services. The R1-1 zone permits 3 dwelling units on lots that contain private servicing (including 2 units in an accessory building) such that the main building façade shall have an entrance that faces a public road. The accessory building would include 1 dwelling unit, and the main building façade faces a public road, being South Shore Road. However, the following zoning reliefs from **Section 4.2.10 - Dwelling Units in Accessory Buildings**, of the Zoning By-law are required:

- To permit a dwelling unit in an accessory building within the front yard, whereas such shall only be permitted in the rear and/or interior side yards; and
- To permit a maximum height of 9.0 metres for a dwelling unit in an accessory building, whereas a maximum height of 8.0 metres is permitted.

The following section assesses the appropriateness of the subject application in the context of the four tests of a minor variance. It is the author's opinion that the proposed minor variances

meet the four tests as outlined under **Section 45(1)** of the *Ontario Planning Act*. These four tests and related analysis are provided below:

IS THE APPLICATION MINOR IN NATURE?

The test of whether the requested variances are minor has been assessed by examining how the proposed reliefs would affect the surrounding neighborhood and environment. The main consideration in determining whether a variance is minor is determining the degree of adverse impact that would occur if the relief were granted. If the variance does not produce an unacceptable adverse impact, then it is likely to meet the test for being minor in nature.

Overall, the requested variances are unlikely to cause adverse impacts given the following:

- The proposed height variance is technical in nature. No further height increase is requested beyond what was previously approved under PL-MV-2025-00011;
- Existing mature vegetation present throughout the property would act as a natural buffer between the proposed accessory building and the surrounding area (i.e. South Shore Road, Long Lake and surrounding residential uses);
- Locating the accessory building within the front yard would enhance land use compatibility as existing dwellings on surrounding properties are generally located closer to the lake (near the subject property's rear and interior side yards);
- The proposed accessory building would be located well beyond the shoreline buffer area and shoreline setbacks required under **Section 4.41** of the Zoning By-law, thereby supporting the improvement of lake health; and
- The accessory building is now proposed to be slightly smaller, in terms of ground floor area, than what was previously proposed under PL-MV-2025-00011. It is the author's opinion that this building would remain ancillary to the main building given the reduction in size, and considering the accessory building would function as a garage for storage purposes, in addition to the additional dwelling unit.

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

One of the tests of whether the minor variance application is desirable for the appropriate development of the subject property is primarily predicated on whether the requested variances are required to facilitate the proposal.

As previously noted, a minor variance was approved in 2025 for a height of 9.0 metres for a detached garage. However, the introduction of **Section 4.2.10** of the Zoning By-law establishes a new maximum permitted height of 8.0 m for dwelling units within accessory buildings. While technical in nature, relief is required to permit the previously approved height of 9.0 metres for a detached garage, with the inclusion of a dwelling unit.

The subject property currently contains an existing dwelling and shed. Along with an additional dwelling unit, the proposed accessory building is planned as a detached garage containing a series overhead garage doors along the south and west sides of the building for the purpose of

storing a range of recreational vehicles with varying heights. As shown on the submitted Concept Sketch, limited space exists within the rear and interior side yards, particularly when accounting for the setbacks required in the Zoning By-law (i.e. shoreline setback of 30 metres under **Section 4.41**; interior side yard setback of 1.8 metres under **Table 6.2**; and setback of 2.4 metres between main buildings and dwelling units in accessory buildings under **Section 4.2.10**). Locating the accessory building within this area would likely hinder further zoning compliance for the building and proposed leaching bed, and makes access to the south and west side of the building with a vehicle not feasible. This is due to the location of the existing dwelling (± 27.3 metre interior side yard setback) and shed (± 26.6 metre interior side yard setback). Given the length of the accessory building at ± 24.4 metres, sufficient space does not exist to construct a drive aisle for access to both sides of the building, especially when accounting for the above noted setbacks under **Section 4.41**, **Table 6.2** and **Section 4.2.10** of the Zoning By-law.

In addition, the accessory building's location in the front yard limits the amount of vegetation that would be cleared near the lake, places the proposed leaching bed further away from the lake and enhances land use compatibility between existing dwellings on surrounding properties. Overall, it is the authors opinion that this variance is necessary for the intended use of the building, and desirable for the appropriate development of the subject property given its location on Long Lake, and the location of existing dwellings on neighbouring properties.

DOES THE APPLICATION CONFORM TO THE GENERAL INTENT OF THE ZONING-BY-LAW?

In determining whether the requested variances conform to the general intent of the Zoning By-law, consideration should be given to the overall functionality of the site and whether the proposed development is consistent with all other applicable zoning provisions. It is the author's opinion that the subject application meets the general intent of the Zoning By-law given that:

- A dwelling unit in an accessory building is now permitted as-of-right on the subject property;
- An additional dwelling unit can be accommodated within the proposed accessory building and maintain applicable zoning setback requirements, and a lot coverage of 2.5%, where a maximum of 10% is permitted for accessory buildings;
- A height of 9.0 metres was previously approved for an accessory building (detached garage) on the property;
- Locating the accessory building in the front yard places it further away from the shoreline of Long Lake, well beyond the shoreline buffer area and shoreline setbacks required under **Section 4.41** of the Zoning By-law, thereby minimizing impacts on the shoreline and supporting the improvement of lake health; and
- The proposed accessory building would remain ancillary to the main building.

DOES THE APPLICATION CONFORM TO THE GENERAL INTENT OF THE OFFICIAL PLAN?

The subject property is located outside of the City's Settlement Area and is designated Rural.

Rural residential development that is compatible with the character of surrounding existing uses is permitted, provided no additional public services would be required, per **Section 5.2.1.1**. It is the author's opinion that the proposed additional dwelling unit is consistent with this section as it would not alter the established and planned rural character of the surrounding area, and would not require public services.

Section 8.4 of the OP outlines policies which speak to the protection of surface water quality through restriction and management of development on the shorelines of lakes, rivers and streams. The intent of such policies is to preserve the health of all local lakes within the City. In doing so, **Section 8.4.1.3** states that a minimum setback of 30 metres from the normal high-water mark of a lake is required for all new development, excluding shoreline structures. At its closest, the proposed accessory building would be located approximately 170.9 metres away from the high water mark of Long Lake. This well exceeds the 30 metre setback requirement outlined in the OP and would support the improvement of lake health, particularly for those lakes identified in **Appendix B** of the OP, including Long Lake. Therefore, it is the author's opinion that the subject application conforms with **Section 8.4.1**, and meets the intent of the Official Plan with respect to development along sensitive lakes.

Overall, the proposed accessory building creates no adverse impacts to the surrounding area by maintaining a height that was previously approved and remaining ancillary to the main dwelling. The subject application represents a desirable development by navigating site constraints and existing setbacks to ensure functional access while preserving mature vegetation near the lake and enhancing land use compatibility between existing dwellings on surrounding properties. Finally, the proposed development maintains the intent of the Zoning By-law and Official Plan by upholding the existing and planned rural character of the area and significantly exceeding shoreline buffer and setback requirements, which support the long-term health of Long Lake.

Please find attached the following documents and supporting information in support of the minor variance application:

- Concept Sketch;
- Plans & Elevations; and
- Legal Property Description (GeoWarehouse).

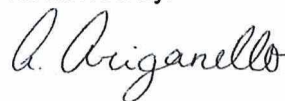
Respectfully submitted,

Prepared by:



Brandon Cormier
Land Use Planner

Reviewed by:

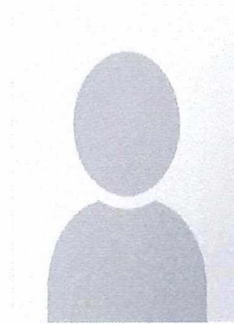


Aaron Ariganello, BURP, RPP
Land Use Planner

**2106 SOUTHSORE
SUDBURY**

PIN 734720263

Report title



This report was prepared by:

Tina Presse
Administration

TULLOCH Geomatics
1942 Regent Street, Unit L
Sudbury, Ontario, Canada, P3E 5V5
Office: 705-671-2295
Fax: 705-671-2295



PROPERTY REPORT

Property Details

GeoWarehouse Address:

2106 SOUTHSORE
SUDBURY

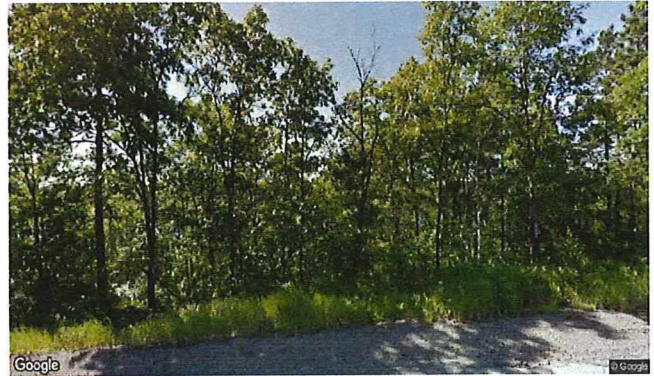
PIN: 734720263

Land Registry Office: SUDBURY (53)

Land Registry Status: Active

Registration Type: Certified (Land Titles)

Ownership Type: Freehold



Ownership

Owner Name:

FOLIGNO, JANELLE;FOLIGNO, NICHOLAS

Legal Description

PT LT 11 CON 2 BRODER AND PT LT 11 CON 2 LOCATION CL12452 BEING PTS 3 & 4 53R19666; S/T EASEMENT IN GROSS OVER PT 4, 53R19666 AS IN SD216881; CITY OF GREATER SUDBURY

Lot Size

Area: 15995.0 sq.m

Perimeter: 569.0 m

Measurements: 216.41m x 7.44m x 73.01m x 195.53m x 76.7m

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
May 15, 2012		Transfer	FOLIGNO, JANELLE; FOLIGNO, NICHOLAS;	

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.

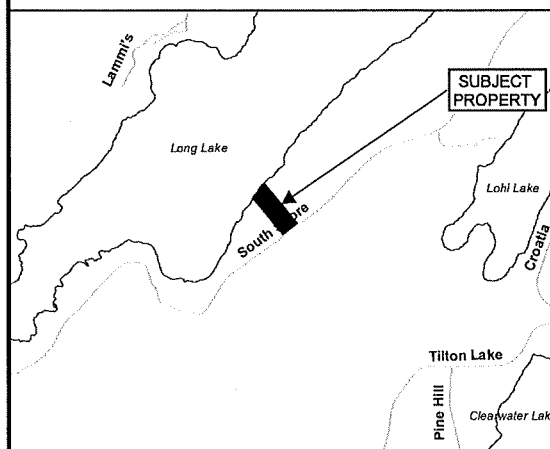
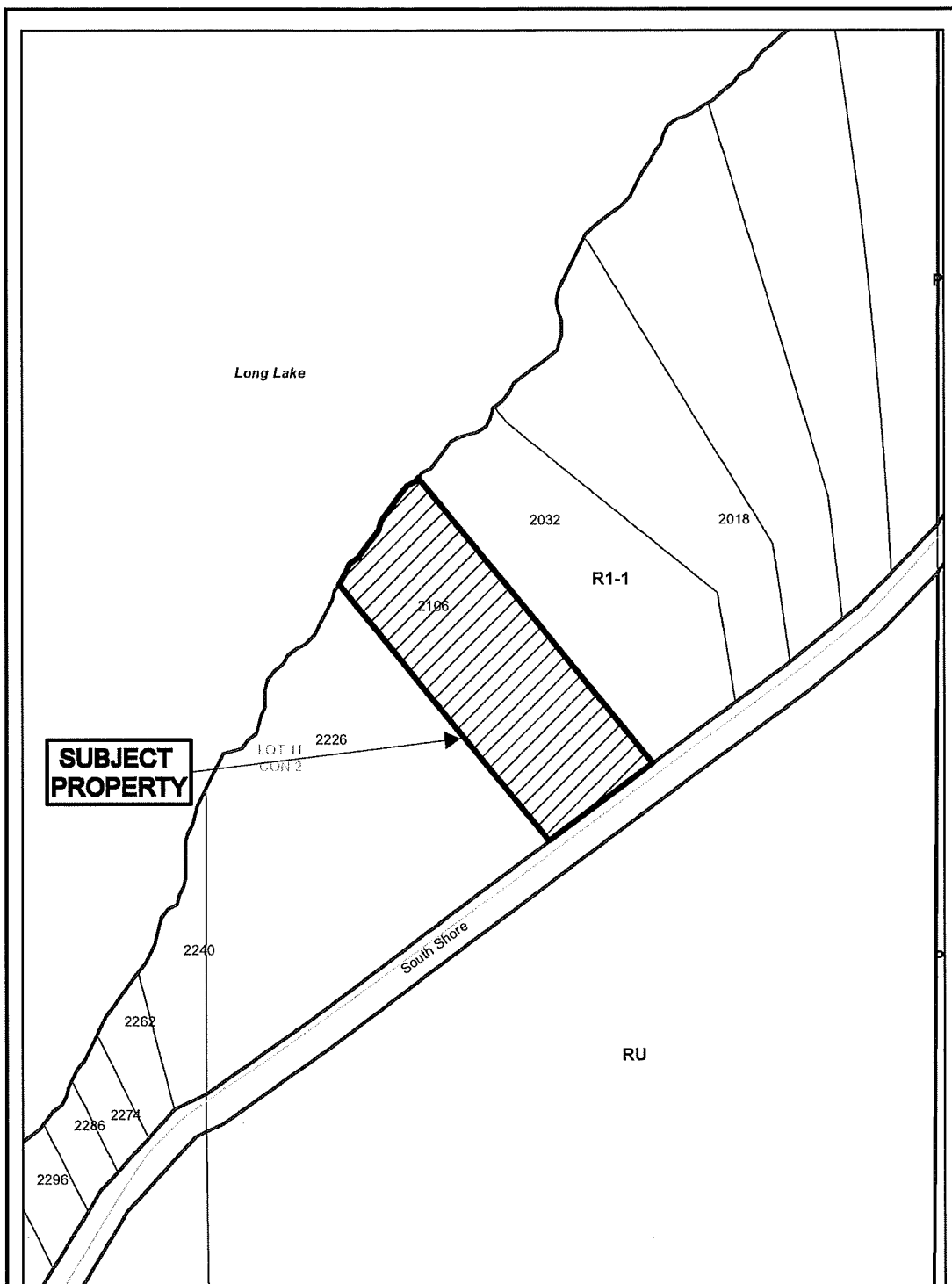
Coverage. Data, information and other products and services accessed through the Land Registry Information Services are limited to land registry offices in the areas identified on the coverage map.

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.



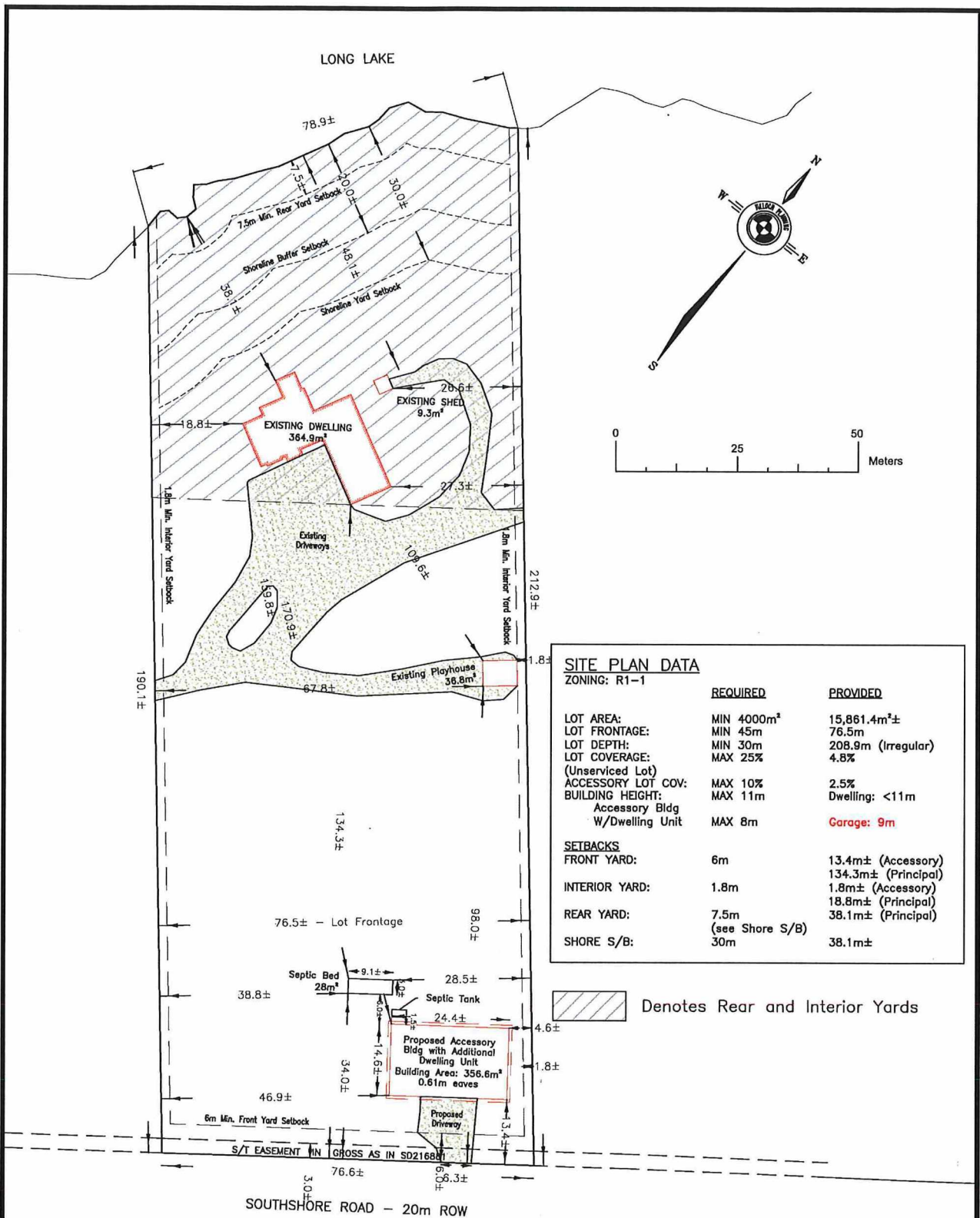
Application for Minor Variance or Permission



Subject Property being PIN 73472-0263,
Location CL12452, being Parts 3 and 4,
Plan 53R-19666, Part Lot 11, Concession 2,
Township of Broder,
2106 South Shore Road, Sudbury,
City of Greater Sudbury

Sketch 1, NTS
NDCA

PL-MV-2026-00101
Date: 2026 07 07



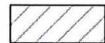
SITE PLAN DATA

ZONING: R1-1

	REQUIRED	PROVIDED
LOT AREA:	MIN 4000m ²	15,861.4m ² ±
LOT FRONTAGE:	MIN 45m	76.5m
LOT DEPTH:	MIN 30m	208.9m (Irregular)
LOT COVERAGE:	MAX 25%	4.8%
(Unserviced Lot)		
ACCESSORY LOT COV:	MAX 10%	2.5%
BUILDING HEIGHT:	MAX 11m	Dwelling: <11m
Accessory Bldg		
W/Dwelling Unit	MAX 8m	Garage: 9m

SETBACKS

FRONT YARD:	6m	13.4m± (Accessory)
		134.3m± (Principal)
INTERIOR YARD:	1.8m	1.8m± (Accessory)
		18.8m± (Principal)
REAR YARD:	7.5m	38.1m± (Principal)
	(see Shore S/B)	
SHORE S/B:	30m	38.1m±



Denotes Rear and Interior Yards



131 FIELDING ROAD
LIVELY, ONTARIO
P3Y 1L7

PROJECT:

**2106 South Shore Road
Part Lot 11, Con 2, Broder
City of Greater Sudbury**

DRAWING:

Sketch for Minor Variance

CAUTION

THE PROPERTY BOUNDARIES ILLUSTRATED ON THIS PLAN HAVE BEEN COPIED FROM REGISTRY PLANS 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.
NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF TULLOCH ENGINEERING. © TULLOCH ENGINEERING, 2026.

DRAWN BY:

MDJ

CHECKED BY:

BC/AA

PROJECT No.:

24-2809

SCALE:

1:750

PLOT SIZE:

11x17

DATE:

July 13, 2026



PO Box 900
Aurora, Ontario
M1M 1S5

Professional Stamp

NOT FOR
CONSTRUCTION

No.	Description	Date
1	ISSUED FOR INFORMATION	2025-07-13

PROPOSED GARAGE

2108 SOUTH SHORE ROAD, SUDBURY, ONTARIO

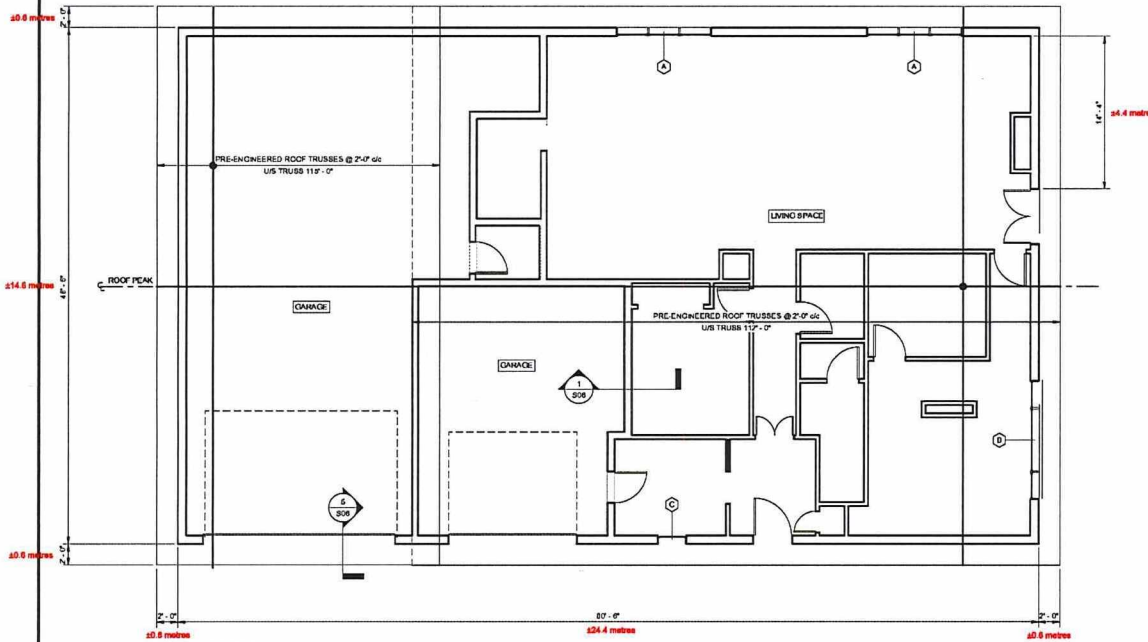
PLANS & ELEVATIONS

Project Number	TPC24-1652
Date	2025-07-13
Drawn By	SG
Checked By	SG
Sheet Number	5 of 6

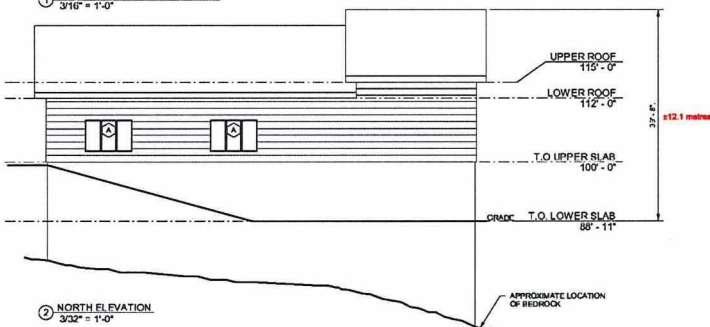
S05

2108 SOUTH SHORE ROAD - GARAGE OTHER SHEET

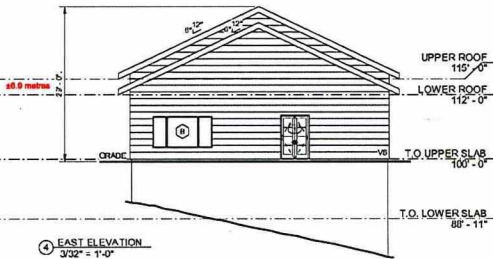
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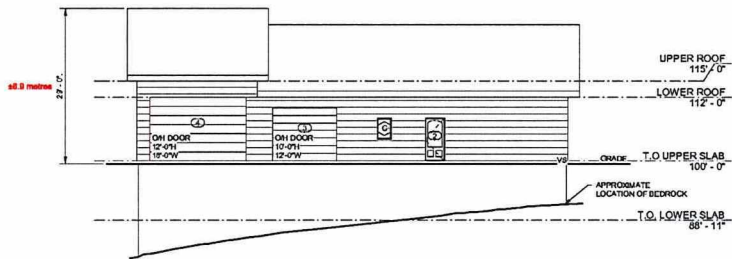
1 ROOF FRAMING PLAN - ALTERED
3/16" = 1'-0"



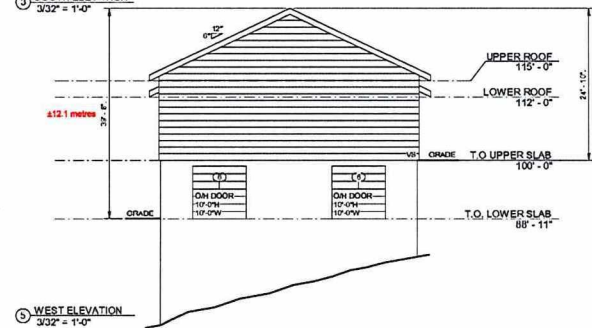
2 NORTH ELEVATION
3/32" = 1'-0"



4 EAST ELEVATION
3/32" = 1'-0"



3 SOUTH ELEVATION
3/32" = 1'-0"



5 WEST ELEVATION
3/32" = 1'-0"

PL-MV-2026-00101 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-2026-00104

APPLICATION SUMMARY

File Date: 07/15/2026

Application Type: Minor Variance

Address(es): 51 Downing Street, Sudbury P3B 3E7

Applicant(s): CR DESIGN

Owner(s): BROOKE HOWES AND KEN ROBINEAU

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?

01/06/2024

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?

1

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

0

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

2

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?

Yes

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

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
Please see attached letter of rationale for explanation

Provide a detailed reason why the proposal cannot comply with the Zoning By-law
Please see attached letter of rationale for explanation

Is there an eave encroachment?
No

Size of eaves

Lot Frontage of the property
18.3

Lot Depth of the property
89

Lot Area of the property
2696

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
SFD - 1970'S

Existing use(s) of the subject property and length of time it/they have continued, ex. Residential, Commercial, Institutional, Park, etc.
SFD - ENTIRE LENGTH OF PROPERTY EXISTENCE

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

Existing uses of neighbouring properties
SFD'S

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

☐
☐
☐
☒
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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)
DETACHED GARAGE	No	112	218	2	9.14	12.2	8.41	22.9	42.5	1.8	7.3
SFD (NEW)	No	224	444	2	14	18.5	10.7	47	13	3.9	9.9

ZONING BY-LAW RELIEF

Variance To	By-law Requirement	Proposed (m)	Difference (m)
4.2.10.(C) LOCATION OF DWELLING UNIT ACCESSORY TO A MAIN BUILDING	PERMITTED WITHIN REAR OR INTERIOR SIDE YARDS	TO PERMIT IN FRONT YARD	NOT PERMITTED
4.2.10 (F) HEIGHT OF DWELLING UNITS IN ACCESSORY BUILDING	8M	8.41M	0.41M

Letter of Rationale

51 Downing Street, Sudbury

Minor Variance Application – Accessory Building with Secondary Dwelling Unit (Height and Location)

Dear Members of the Committee of Adjustment,

We are requesting two minor variances to permit a detached accessory building containing a secondary dwelling unit.

The first variance is to permit a maximum accessory building height of **8.41 m**, whereas the maximum permitted height is **8.0 m**.

The second variance is to permit a **secondary dwelling unit** within an accessory building located in the **front yard**, whereas Section **4.2.10(c)** of Zoning By-law 2010-100Z permits a dwelling unit within an accessory building only where the building is located within the rear yard or an interior side yard.

In our opinion, both variances are minor in nature and maintain the general intent and purpose of the Official Plan and Zoning By-law.

The detached accessory building itself is already permitted in its proposed location. The requested relief relates only to permitting the secondary dwelling unit within an otherwise permitted accessory building. Although the building is technically located within the required front yard, it remains approximately **22.9 m** from Downing Street and approximately **12.0 m** in front of the principal dwelling. This substantial separation, together with the generous lot size and existing development pattern, ensures that the proposal remains compatible with the surrounding area and does not create adverse impacts on neighbouring properties. Ample parking is provided on the property, including enclosed parking within the accessory building.

This application does not represent a change in the intended location, footprint or overall design of the accessory building. Rather, it has been submitted to address an unintended increase in the constructed height that occurred during construction together with the inclusion of a secondary dwelling unit within the second floor.

The owners originally applied for a taller garage; however, following comments received from City staff and the Committee during the initial hearing, the application was deferred and the proposal was redesigned to reduce the overall height from approximately **9.0 m** to **8.0 m**. The revised proposal was subsequently approved by the Committee, and it was always the intention of both the owners and contractor to construct the building in accordance with that approval.

During construction, however, it was determined the structural floor system for the second floor needed to be deeper than originally anticipated. In addition, the roof truss design mistakenly had a higher pitch than what was originally intended. While each of these changes was relatively minor on its own, the combined effect increased the overall height of the building by approximately **0.41 m**.

Unfortunately, this discrepancy was not identified until Building Services conducted a framing inspection, at which point the structural framing had already been completed.

As soon as the discrepancy was identified, the contractor contacted the undersigned to review the matter and prepare this application so that it could be addressed through the proper planning process. The purpose of this application is simply to seek approval for the additional **0.41 m** of height together with the secondary dwelling unit within the accessory building.

It is also important to note that the owners were not responsible for the increase in height. The contractor has acknowledged responsibility for the construction discrepancy, retained the undersigned to prepare this application, and is covering all costs associated with the minor variance process.

The requested relief does not materially alter the appearance, function or planning impact of the development. The building remains substantially setback from Downing Street, is located on a large residential lot, and maintains a significant separation from both the street and the principal dwelling. The inclusion of a secondary dwelling unit does not increase the building footprint or change the established site layout. The proposal continues to provide adequate parking and maintains compatibility with surrounding residential development.

While modifying the completed structure to remove approximately **0.41 m** of height would be extremely difficult and costly, doing so would provide little or no corresponding planning benefit. Likewise, requiring relocation of the secondary dwelling unit would not improve the planning function of the property, as the accessory building is already permitted in its current location. The proposal continues to maintain the intent of the Official Plan and Zoning By-law and remains appropriate for the property and surrounding neighbourhood.

Planning Act Tests

Minor in Nature

The requested relief consists of a modest increase in building height together with permission for a secondary dwelling unit within an accessory building that is already permitted in its current location. Neither variance creates meaningful impacts respecting privacy, shadowing, parking or neighbourhood character.

Desirable for the Appropriate Development or Use of the Land

The proposal provides an appropriate form of residential intensification while utilizing an accessory building that has already been approved in principle by the Committee. The development makes efficient use of an existing structure without altering the overall site layout.

Maintains the General Intent and Purpose of the Official Plan

The proposal supports efficient residential development while remaining compatible with the surrounding neighbourhood. The requested variances facilitate additional housing opportunities without creating adverse land use impacts.

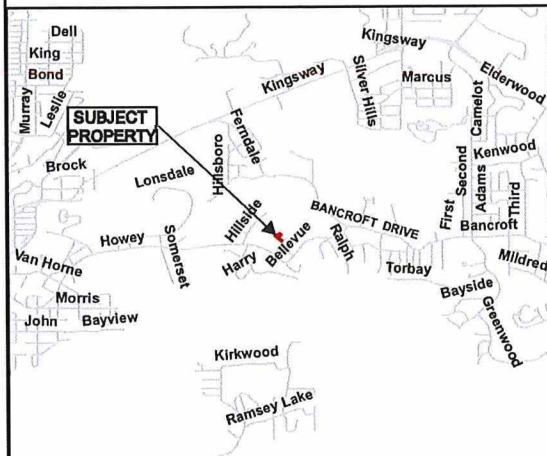
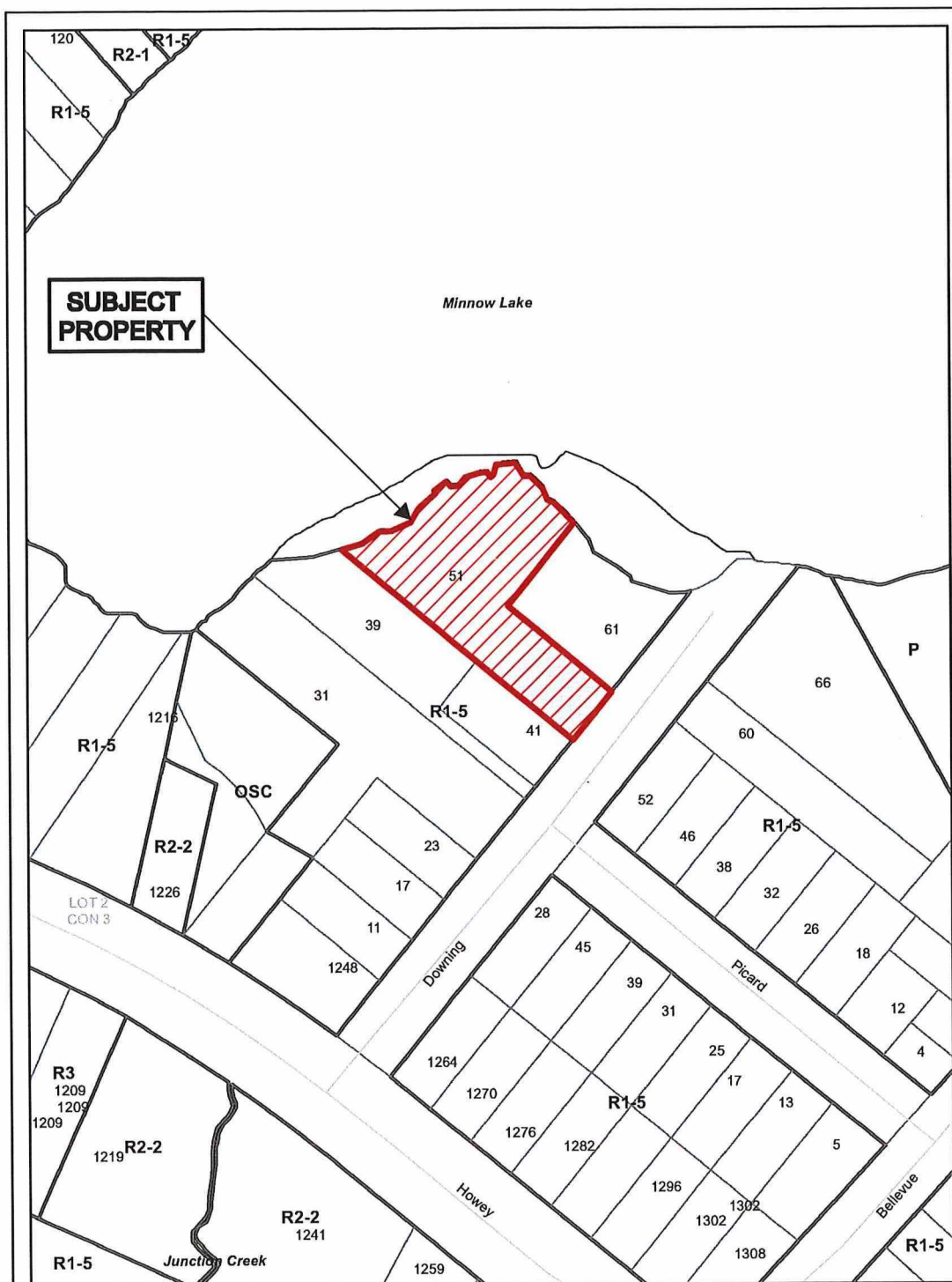
Maintains the General Intent and Purpose of the Zoning By-law

The intent of the height provisions is maintained, as the additional **0.41 m** is modest and resulted from unforeseen structural requirements during construction. The intent of Section 4.2.10(c) is also maintained. Although the secondary dwelling unit is proposed within an accessory building located in the front yard, the building itself is already permitted in that location. The proposal does not alter the approved location of the building, provides ample parking, and remains compatible with the surrounding residential neighbourhood. The requested relief is technical in nature and does not undermine the planning objectives of the Zoning By-law.

We respectfully submit that the requested variances satisfy the four tests under Section 45(1) of the Planning Act and respectfully request the Committee's support and approval of this application.

Sincerely,

Rohit Walia
Principal Designer
C.R. Design



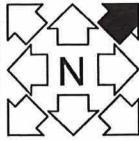
Application for Minor Variance or Permission



Subject Property being PIN 73581-0523,
Part Lots 105-106, Plan M-129,
Parts 2-4, Plan 53R-20665,
Part Lot 2, Concession 3,
Township of McKim,
51 Downing Street, Sudbury,
City of Greater Sudbury

Sketch 1, NTS
NDCA

PL-MV-2026-00104
Date: 2026 07 21



BUILDING SETBACKS

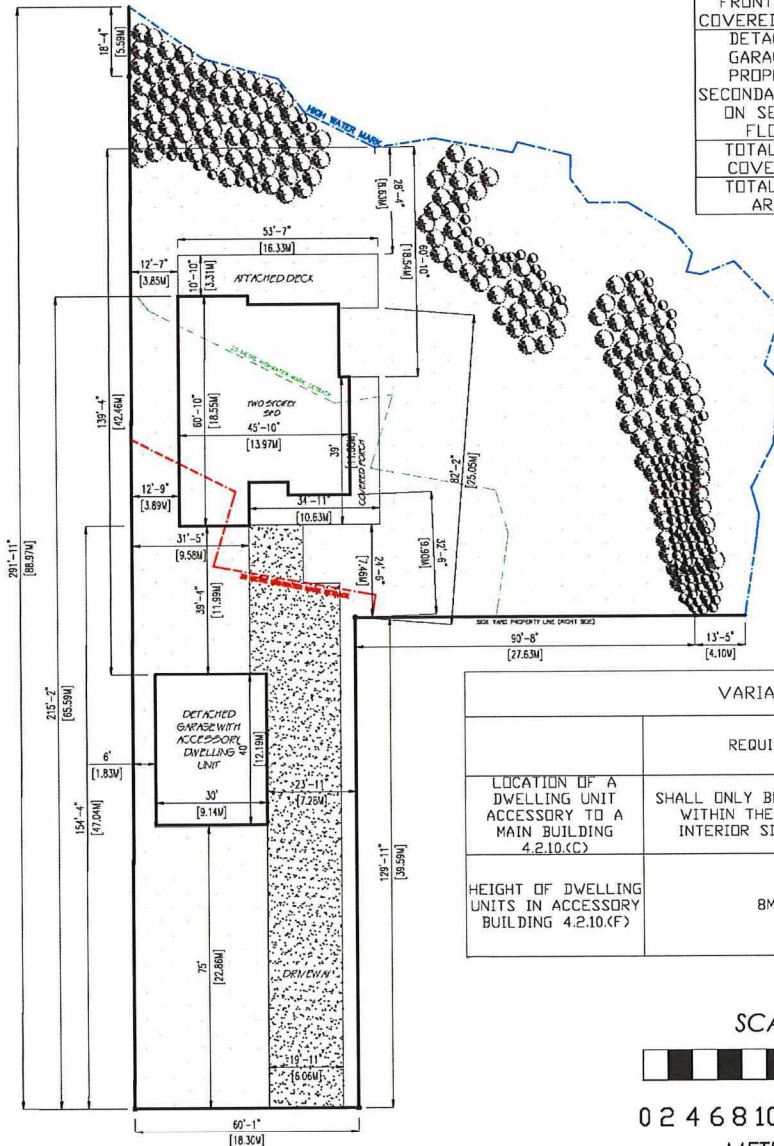
SETBACKS	FRONT(ROAD)	SIDE (LEFT)	SIDE (RIGHT)	REAR (HIGH WATER MARK)	REQUIRED SETBACK FROM HIGH WATER MARK (4.41.2)	DIFFERENCE	REQUIRED SHORELINE BUFFER (4.41.3)	DIFFERENCE
HOUSE	47 M	3.9 M	9.9 M	13 M	30 M	17 M	20 M	7 M
REAR YARD ATTACHED DECK	65.6 M	3.8 M	25 M	8.6 M	30 M	21.4 M	20 M	11.4 M
FRONT / SIDE COVERED PORCH	47 M	9.6 M	7.5 M	18.5 M	30 M	11.5 M	20 M	1.5 M
EXISTING DETACHED GARAGE / PROPOSED SECONDARY UNIT ON SECOND FLOOR	22.9 M	1.8 M	7.3 M	42.5 M	30 M			

SHORELINE BUFFER

TOTAL SHORELINE BUFFER AREA (15,347 SQ. FT)	ATTACHED DECK 62.2M2 (672 SQ.FT)	SINGLE FAMILY DWELLING 70.2M2 (759 SQ.FT)	COVERED PORCH 4.2M2 (45 SQ.FT)	TOTAL SHORELINE BUFFER AREA CLEARED 136.6 M2 (1,475 SQ. FT) (10%)				
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AREA OF STRUCTURES

	GROUND FLOOR AREA	GROSS FLOOR AREA
SFD	224 SQ. M.	444 SQ. M.
REAR YARD DECK	63 SQ. M.	63 SQ. M.
FRONT/SIDE COVERED PORCH	52 SQ. M.	52 SQ. M.
DETACHED GARAGE / PROPOSED SECONDARY UNIT ON SECOND FLOOR	112 SQ. M.	218 SQ. M.
TOTAL LOT COVERAGE	451 SQ. M. (17%)	
TOTAL LOT AREA	2,696 SQ. M.	



VARIANCES REQUIRED

	REQUIRED	PROPOSED	DIFFERENCE
LOCATION OF A DWELLING UNIT ACCESSORY TO A MAIN BUILDING 4.2.10.(C)	SHALL ONLY BE PERMITTED WITHIN THE REAR OR INTERIOR SIDE YARDS	LOCATED WITHIN THE REQUIRED FRONT YARD	IN THE FRONT YARD
HEIGHT OF DWELLING UNITS IN ACCESSORY BUILDING 4.2.10.(F)	8M	8.41M	0.41M

SCALE



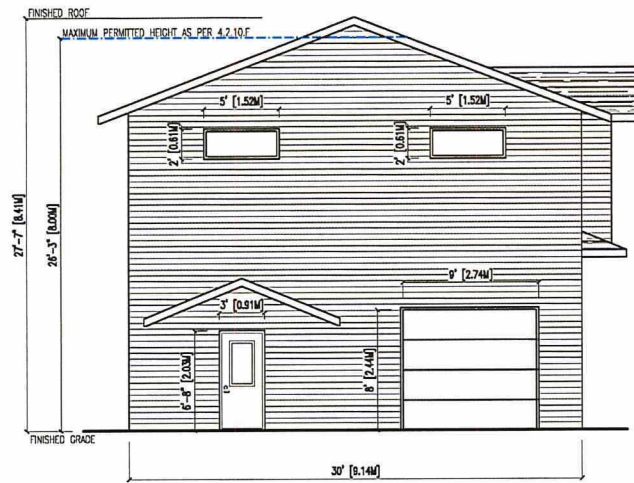
0 2 4 6 8 10 12 14 16 18 20
METRES



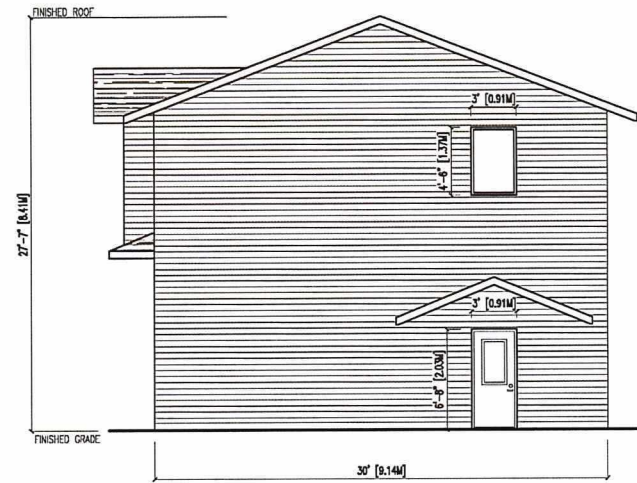
PROJECT	Detached Garage with Accessory Dwelling Unit	DATE	2020.07.20
CLIENT	51 Downing Street, Sudbury	SCALE	1/2" = 1'-0"
SHEET	Site Plan	SP1	

PL-MV-2020-00104

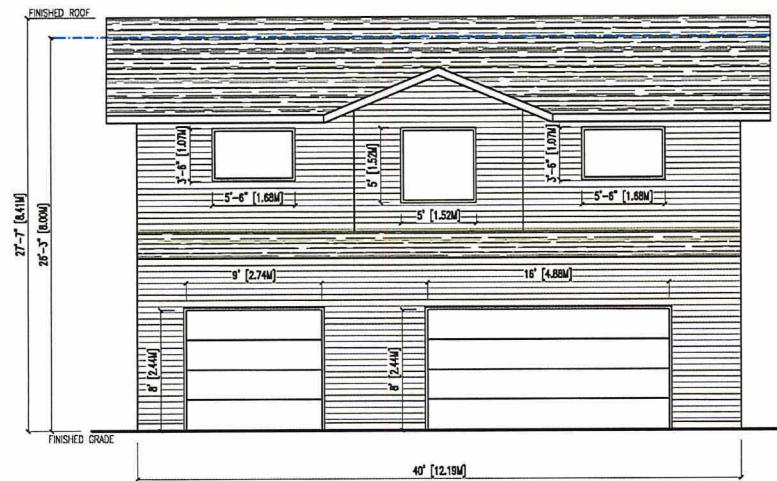
Sketch 2



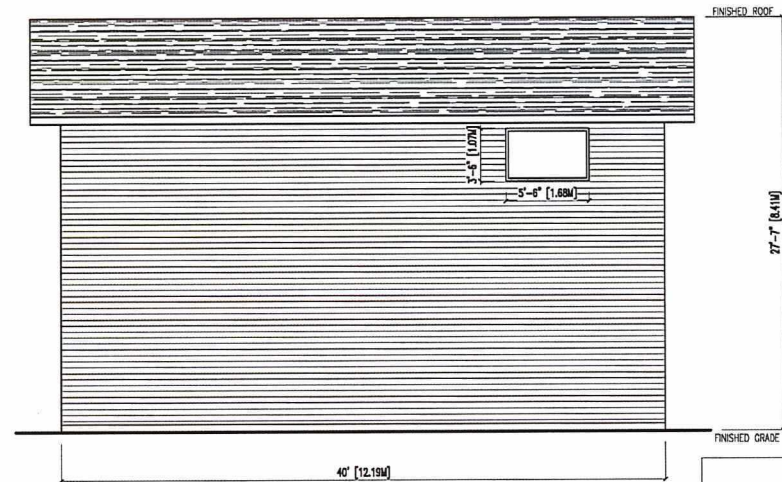
SOUTH ELEVATION (FRONT)



NORTH ELEVATION (REAR)



EAST ELEVATION (RIGHT)



WEST ELEVATION (LEFT)

SCALE



0 2 4 6 8 10 METRES



PROJECT	OWNER	DATE
Detached Garage with Accessory Dwelling Unit	RW	2026-07-20
51 DOWNING STREET, SUDBURY	OWNER	SCALE
Elevations	1/8"=1'-0"	A1

PL-MV-2026-00104 Sketch 3