



COMMITTEE OF ADJUSTMENT

SUBMISSION NO. PL-MV-2026-00101

August 5, 2026

OWNER(S): NICHOLAS FOLIGNO, 2106 South Shore Road, Greater Sudbury, ON, Canada
JANELLE FOLIGNO, 2106 South Shore Road, Greater Sudbury, ON, Canada

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

LOCATION: 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 P3G 1M3

SUMMARY

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

Application: Approval to construct a detached additional dwelling providing a location and height at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, July 30, 2026

No Comment Received

Development Engineering, July 30, 2026

No Concerns

Ministry of Natural Resources and Forestry (MNRF), July 30, 2026

No Comment Received

Ministry of Transportation, July 30, 2026

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

Building Services, July 28, 2026

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.

Building Services has no objections to the proposed minor variances, however, Applicant/Owner to be aware of the following comments:

- 1) The owner is advised that a building permit application for the proposed detached accessory dwelling unit must be submitted to the satisfaction of the Chief Building Official.
- 2) A new driveway entrance permit for the proposed access from South Shore Road will be required as part of the building permit approval process.
- 3) Our research indicates that several existing buildings and structures adjacent to the waterfront are not shown on the submitted plot plan. Applicant/Owner to verify so that compliance with the applicable zoning provisions, including required setbacks and lot coverage, can be verified. Applicant/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) would also be subject to the Ontario Building Code and would require a building permit.
- 4) A search of our records indicates an incomplete permit on the subject property (B11-2265 - SFD with attached garage, finished basement, covered porch and decks). Please contact building services to schedule outstanding inspections to complete this project.
- 5) It appears a significant portion of the shoreline buffer has been cleared of natural vegetation and may not meet the requirements of 4.41.3 of zoning by-law 2010-100z. Further minor variance may be required.
- 6) The proposed single detached dwelling shall be provided with legal access. This may be achieved through direct driveway access from a publicly maintained road or by a registered right-of-way established through the consent process.

Comments provided by A.Dittrich, Plans Examiner

Development Approvals, July 28, 2026

Comments uploaded as PDF document.

Conservation Sudbury, July 27, 2026

No objection to MV-2026-00101 to facilitate the construction of a detached additional unit.

Please note that subject property contains some features regulated by Conservation Sudbury (see map attached in pronto). Future development in these areas requires permission of Conservation Sudbury.

Strategic and Environmental Planning, July 24, 2026

SEP staff have no concerns with the application due to the location of the proposed building in proximity to the lake.

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

as FireSmart.

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

Site Plan, July 22, 2026

No Concerns

Sudbury Hydro, July 22, 2026

No objection.

Meeting Minutes:

08/05/2026 The owner's agent, Aaron Ariganello of Tulloch Engineering, appeared before Committee and provided a summary of the Application. Committee Members and the Chair had no questions and expressed support for the Application and staff's recommendation.

The following decision was reached:

DECISION:

THAT the application by:

NICHOLAS FOLIGNO AND JANELLE FOLIGNO

the owner(s) of 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 P3G 1M3

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, 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-2026-00104

August 5, 2026

OWNER(S): BROOKE HOWES, 1167 PRESTIGE PLACE, SUDBURY, ON, Canada
KEN ROBINEAU, 1167 PRESTIGE PLACE, SUDBURY, ON, Canada

AGENT(S): CR DESIGN, 2200 - 3609 Lakeshore Blvd West, Toronto, ON, Canada M8V1A4

LOCATION: 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 P3B 3E7

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 permit a dwelling unit within an existing accessory building providing a location and height at variance to the By-law.

Comments concerning this application were submitted as follows:

Corridor Management, July 30, 2026

No Comment Received

Development Engineering, July 30, 2026

No Concerns

Ministry of Natural Resources and Forestry (MNRF), July 30, 2026

No Comment Received

Ministry of Transportation, July 30, 2026

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

Source Water Protection, July 29, 2026

Parcel located within Ramsey Lake Intake Protection Zone "3" and Ramsey Lake Issue Contributing Area. Proposed demolition of existing house and construction a new SFD with a new detached garage. Use of the

detached garage is for domestic use only; storage large amounts of fuel and storage of DNAPLs/Organic Solvents of 25Ls or greater is prohibited within this vulnerable area. No significant drinking water threat identified at this time.

Building Services, July 28, 2026

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.

Building Services has no objections to the proposed minor variances.

Owner to be aware that:

- 1) A building permit is required to be submitted for the additional dwelling unit to the satisfaction of the Chief Building Official.
- 2) A search of our records indicates an issued permit on the subject property (BP-NEW-2025-00558 for Detached Garage with Loft). Please contact building services to schedule outstanding inspections to complete this project.

Comments provided by A.Dittrich, Plans Examiner

Development Approvals, July 28, 2026

Comments uploaded as PDF.

Strategic and Environmental Planning, July 24, 2026

SEP staff have no concerns with the application due to the accessory building already existing and its location in proximity to the lake.

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.

Conservation Sudbury, July 22, 2026

No objection to detached ADU in garage. Any future development along the shoreline of Minnow Lake requires permission from Conservation Sudbury.

Site Plan, July 22, 2026

No Concerns

Sudbury Hydro, July 22, 2026

No objection.

Meeting Minutes:

08/05/2026 The owner's agent, Rohit Walia, appeared before Committee and provided a summary of the Application.
Committee Members and the Chair had no questions and expressed support for the Application and staff's recommendation as the variances met the four tests.

The following decision was reached:

DECISION:

THAT the application by:

BROOKE HOWES AND KEN ROBINEAU

the owner(s) of 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 P3B 3E7

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, 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