



## Planning Committee Agenda

**Monday, August 11, 2025**

**Tom Davies Square**

**Councillor Cormier, Chair**

1:30 p.m. Open Session Council Chamber / Electronic Participation

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1.	Call to Order	
2.	Roll Call	
3.	Declarations of Pecuniary Interest and the General Nature Thereof	
4.	Public Hearings	
4.1	407 Gordon Lake Road, Chelmsford	4
	This report provides a recommendation regarding an application to extend a temporary use by-law to continue the use of a garden suite.	
	This report is presented by Stephanie Poirier, Senior Planner.	
4.2	327 Gravel Drive, Hanmer	12
	This report provides a recommendation regarding an application to extend a temporary use by-law to continue the use of a garden suite.	
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4.3	5310 Deschene Road, Hanmer	18
	This report provides a recommendation regarding an application to extend a temporary use by-law in order to continue the use of a garden suite.	
	This report is presented by Stephanie Poirier, Senior Planner.	
4.4	4574 Lammi's Road, Sudbury	24
	This report provides a recommendation regarding an application to rezone the subject lands from the 'RU' Rural to the 'RU(S)' Rural Special Zone to facilitate the creation of one permanent waterfront residential lot with deficient lot frontage on a public year-round maintained road.	
	This report is presented by Stephanie Poirier, Senior Planner.	
	Letter(s) of concern from concerned citizen(s).	
5.	Consent Agenda	
	For the purpose of convenience and for expediting meetings, matters of business of repetitive or routine nature are included in the Consent Agenda, and all such matters of business contained in the Consent Agenda are voted on collectively.	
	A particular matter of business may be singled out from the Consent Agenda for debate or for a separate vote upon the request of any Councillor. In the case of a separate vote, the excluded matter of business is severed from the Consent Agenda, and only the remaining matters of business contained in the Consent Agenda are voted on collectively.	

Each and every matter of business contained in the Consent Agenda is recorded separately in the minutes of the meeting.

## **5.1 Routine Management Reports**

### **5.1.1 120 Radisson Avenue, Chelmsford Extension 2025**

66

This report provides a recommendation regarding an application for an extension to the conditional zoning approval for the subject lands (File #751-5/16-01) in the community of Chelmsford for a period of one year until June 14, 2026.

### **5.1.2 Whitson Lake Subdivision, Val Caron Extension**

71

This report provides a recommendation regarding an application for an extension to the Whitson Lake draft plan of subdivision (File #780-7/98-002) located in the rural area of Val Caron for a period of one year until June 16, 2026.

## **6. Members' Motions**

## **7. Addendum**

## **8. Civic Petitions**

## **9. Question Period**

## **10. Adjournment**

## **407 Gordon Lake Road, Chelmsford**

Presented To:	Planning Committee
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Meeting Date:	August 11, 2025
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Type:	Public Hearing
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Prepared by:	Stephanie Poirier Planning Services
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Recommended by:	General Manager of Planning and Growth
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File Number:	PL-RZN-2025-00010
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## **Report Summary**

This report provides a recommendation regarding an application to extend a temporary use by-law to continue the use of a garden suite.

This report is presented by Stephanie Poirier, Senior Planner.

## **Resolution**

That the City of Greater Sudbury approves the application by Mario Berthiaume to amend Zoning By-law 2010-100Z with respect to lands described as PIN 73353-0161, Parcel 25466 SWS, Part 4, Plan 53R-5936, Lot 1, Concession 2, Township of Dowling, in order to extend the use of a garden suite in accordance with Section 39.1(4) of the Planning Act for a temporary period of three (3) years, as outlined in the report entitled “407 Gordon Lake Road, Chelmsford”, from the Acting General Manager of Planning and Growth, presented at the Planning Committee meeting on August 11, 2025, subject to the following conditions:

1. That prior to the enactment of the amending zoning by-law, the Owner shall finalize the building permit for the garden suite to the satisfaction of the Chief Building Official.
2. That conditional approval shall lapse on August 11, 2026 unless Condition #1 above has been met or an extension has been granted by Council.

## **Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans**

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding. The application contributes to the 2019-2027 City of Greater Sudbury Strategic Plan goals related to housing by adding to the range and mix of housing available in this area. There is no conflict with the Community Energy and Emissions Plan.

## **Financial Implications**

There are no financial implications associated with this report.



## Report Overview

An application to extend a temporary use by-law has been submitted to permit the continued use of a detached structure as a garden suite. Staff recommends approval of the application.

### STAFF REPORT

#### PROPOSAL:

The subject property is located at the intersection of Gordon Lake Road and Country Lane, and are known municipally as 407 Gordon Lake Road, Chelmsford. The subject land has an area of approximately 0.53 ha (1.3 ac) and contains a single detached dwelling, a garden suite, and an accessory building. The lands are serviced by an individual well and septic system and have access off Gordon Lake Road.

The accessory garden suite was first approved as a temporary use in 2015 for a maximum period of ten (10) years.

The purpose and effect of the Temporary Use Zoning By-law Amendment (PL-RZN-2025-00010) is to rezone the subject lands from the 'RU' Rural Zone' to the 'RU-T99' Rural Temporary Zone' to continue to permit a garden suite on the subject lands for an additional period of 3 years. This is first three-year extension request. There is no limit on the number of extensions.

Garden suites are small, self-contained independent living units that are ancillary to a single detached dwelling and designed to be portable and/or temporary. The existing garden suite is a single-storey dwelling with a ground floor area of 80 m<sup>2</sup>. The garden suite is located south of the main single detached dwelling, approximately 27 m from the front lot line along Gordon Lake Road and 1.5 m from the west interior lot line. The garden suite is serviced by an individual well and private septic system and is accessed by an existing driveway off of Gordon Lake Road.

The subject lands are designated 'Rural' within the City's Official Plan and are zoned 'Rural' within By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury.

Surrounding uses are rural in nature.

A location map is attached for reference.

#### POLICY & REGULATORY FRAMEWORK:

The property is subject to the following policy and regulatory framework:

- [2024 Provincial Planning Statement](#)
- [2011 Growth Plan for Northern Ontario](#)
- [Official Plan for the City of Greater Sudbury, 2006](#)
- [Zoning By-law 2010-100Z](#)

Provincial Planning Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

### **Planning Act:**

Section 39.1 of the Planning Act permits municipalities to allow a garden suite through a temporary use zoning by-law amendment with the option to renew in the future for a period not exceeding three years per temporary use application.

A garden suite is defined in the Planning Act as ‘a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable’.

### **Provincial Planning Statement:**

Municipalities in the Province of Ontario are required under Section 3 of the *Planning Act* to ensure that decisions affecting planning matters are consistent with the Provincial Planning Statement.

Section 2.2 of the PPS encourages a range of housing types to address housing needs within the community. Garden suites are intended to provide such accommodation subject to the provisions of Section 39.1 of the *Planning Act*.

### **Growth Plan for Northern Ontario:**

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters conform with the Growth Plan for Northern Ontario. This application is considered to conform to the Growth Plan.

### **Official Plan for the City of Greater Sudbury:**

The subject property is designated ‘Rural’ under the Official Plan.

Section 2.3.5 of the Official Plan states that garden suites are small, self-contained independent living units that are designed for persons who require some level of support. Garden suites support small scale intensification and meet affordable housing needs.

Under Section 5.2.1 of the Official Plan, garden suites are permitted in Rural Areas in accordance with the criteria under Section 2.3.5 as follows:

- a. a single garden suite is allowed as an accessory unit on a lot with only one existing dwelling unit;
- b. services will be connected to the service lines of the host dwelling unit to City specifications;
- c. a garden suite can be integrated with the prevailing character of the surrounding area, and will be removed at no expense to the City at the termination of its use; and,
- d. an agreement may be required between the applicant and the City dealing with such conditions as the installation, location, maintenance, occupancy and removal of the structure.

Notwithstanding the above, a garden suite may be served by its own individual on-site sewage and water services, where appropriate. A mobile home may be used as a garden suite if it is built on its own foundation and in accordance with the Ontario Building Code. None of these policies are intended to result in the creation of new residential lots in the Rural Area.

Section 2.3.6 Additional Dwelling Units states that existing Garden Suites may be considered as accessory dwellings provided they conform with the applicable policies and the Zoning By-law.

## **Zoning By-law 2010-100Z:**

The Zoning By-law defines a garden suite as ‘A one unit detached residential structure containing bathroom and kitchen facilities that is ancillary to a single detached dwelling and that is designed to be temporary and/or portable.’

Section 4.10 of the zoning by-law speaks to garden suites and states that where a garden suite is permitted it shall meet the requirements for accessory buildings. Garden suites may be converted to additional dwelling units subject to the applicable provisions including registration of the unit with Building Services.

The subject land is zoned “RU”, Rural. Residential uses in the form of a single detached dwelling or a mobile home on a permanent foundation are permitted. Garden suites are also permitted subject to the setback requirements applied to accessory buildings.

## **CONSULTATION:**

### **Public Comments:**

Notice of Application was provided to the public by newspaper on May 24, 2025 and by mail out to nearby landowners and tenants located within 244 m of the subject lands on May 22, 2025. Statutory Notice of the Public Hearing was provided by newspaper on July 19, 2025, along with a courtesy mail out to public property owners and tenants within a minimum of 244 m of the property on July 17, 2025.

At the time of writing this report, no oral or written submissions were received from members of the public.

### **Department/Agency Comments:**

The application including relevant accompanying materials have been circulated to all appropriate agencies and departments. Responses received from agencies and departments have been used to assist in evaluating the application and to inform and identify appropriate development standards in an amending zoning by-law should the application be approved. No concerns were noted by the circulated agencies and departments. Building Services did advise that the permit for the Garden Suite will need to be finalized as a condition of the rezoning and that there appears to be several structures that have not been identified on the concept plan that may require a building permit.

## **PLANNING ANALYSIS:**

The Provincial Planning Statement, the Growth Plan for Northern Ontario, and the City of Greater Sudbury Official Plan all encourage mixed forms of housing to accommodate a wide range of people, such as garden suites on a temporary basis.

The application conforms to the Official Plan policies pertaining to garden suites, which permit one garden suite accessory to an existing single detached dwelling on private servicing for a period of 10 years, with option for 3 year renewal through a temporary use zoning by-law amendment application. The existing garden suite maintains the rural character of the surrounding area comprising of low-density forms of housing. Staff does not anticipate compatibility concerns with surrounding land uses as a result of the continued use of the garden suite. No visual or use changes are being proposed.

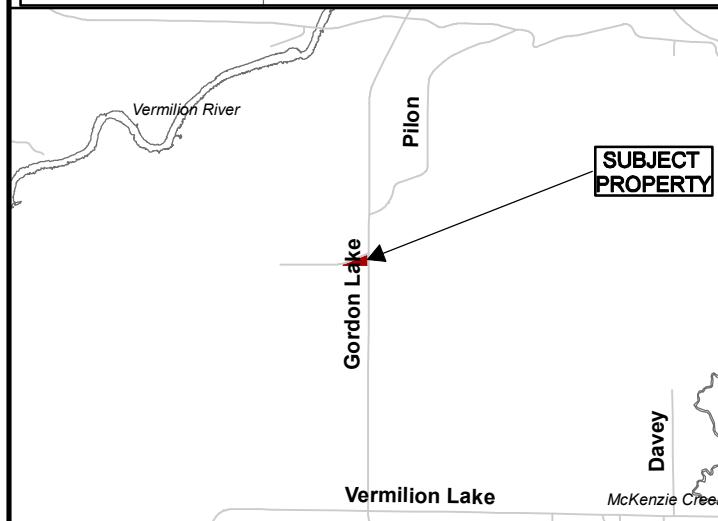
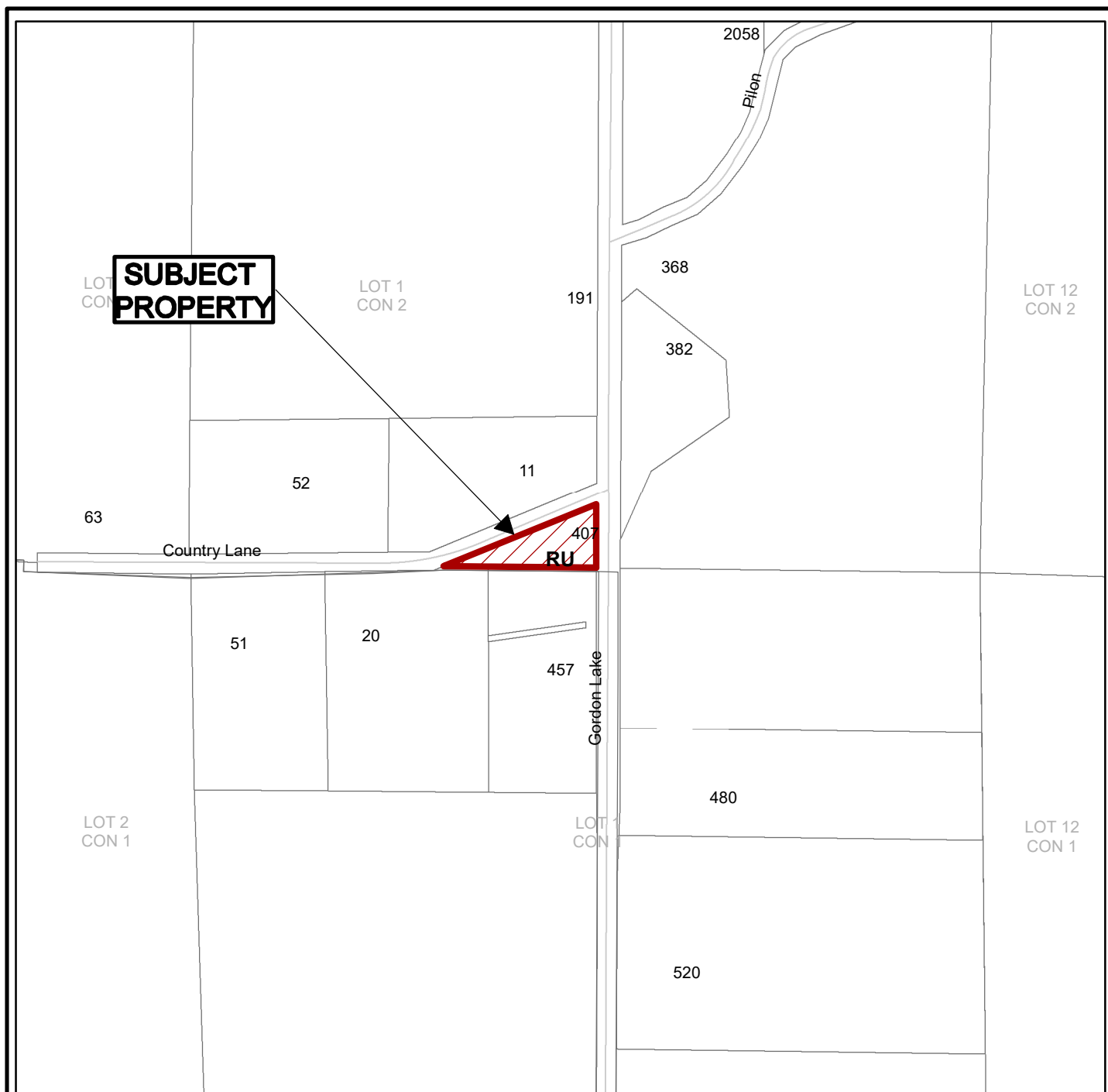
Staff has reviewed the existing garden suite and is satisfied that the zoning standards of Section 4.2, being the 'Accessory Buildings, Structures, and Uses' provisions are being maintained.

The owner has not indicated that they wish to make the garden suite a permanent use under the additional dwelling unit provisions of the Zoning By-law at this time. The owner is advised that once the garden suite is no longer required for its intended purpose, the City shall be notified, and the dwelling unit must be removed or otherwise made uninhabitable.

If additional garden suite extensions are required in the future, the owners are advised to submit an application at least four (4) months prior to the lapsing date.

## **CONCLUSION:**

Overall, staff is in the opinion that the application to permit the continuation of a garden suite on a rural parcel of land for a period of three years is consistent with the Provincial Policy Statement, conforms to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury, has regard for matters of provincial interest, and represents good planning. It is on this basis that staff recommends the application be approved.



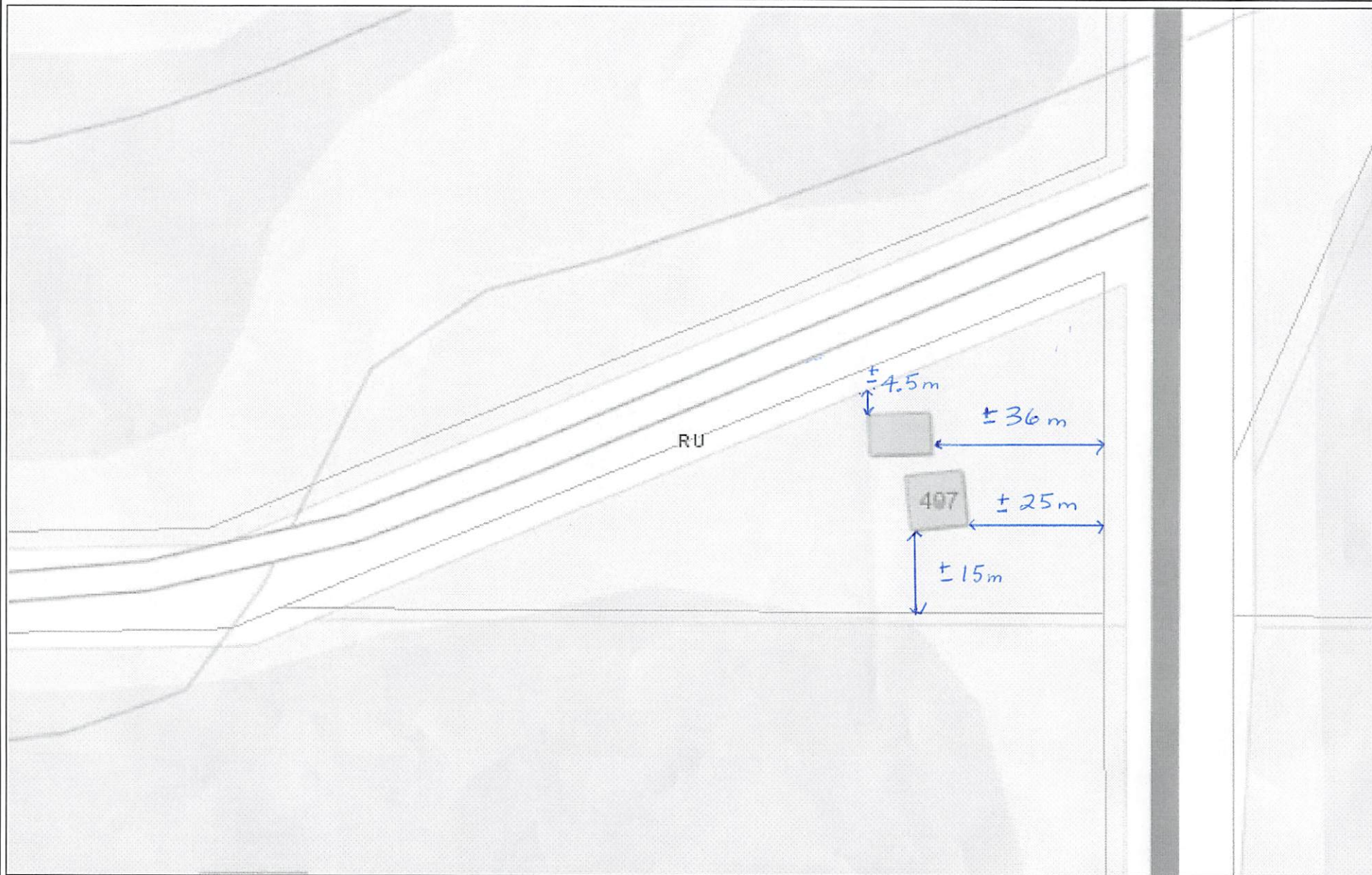
## Growth and Infrastructure Department



Subject Property being PIN 73353-0161,  
Parcel 25466 SEC SWS,  
Part 4, Plan 53R-5936,  
Lot 1, Concession 2,  
Township of Dowling,  
407 Gordon Lake Road, Chelmsford,  
City of Greater Sudbury

NTS  
Sketch 1

PL-RZN-2025-00010  
Date: 2025 05 07



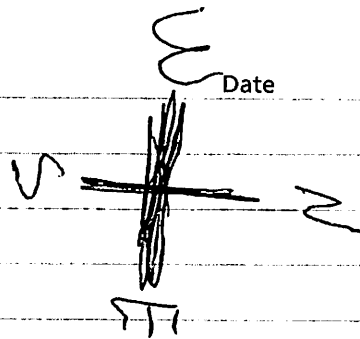
0.1 0 0.04 0.1 Kilometers

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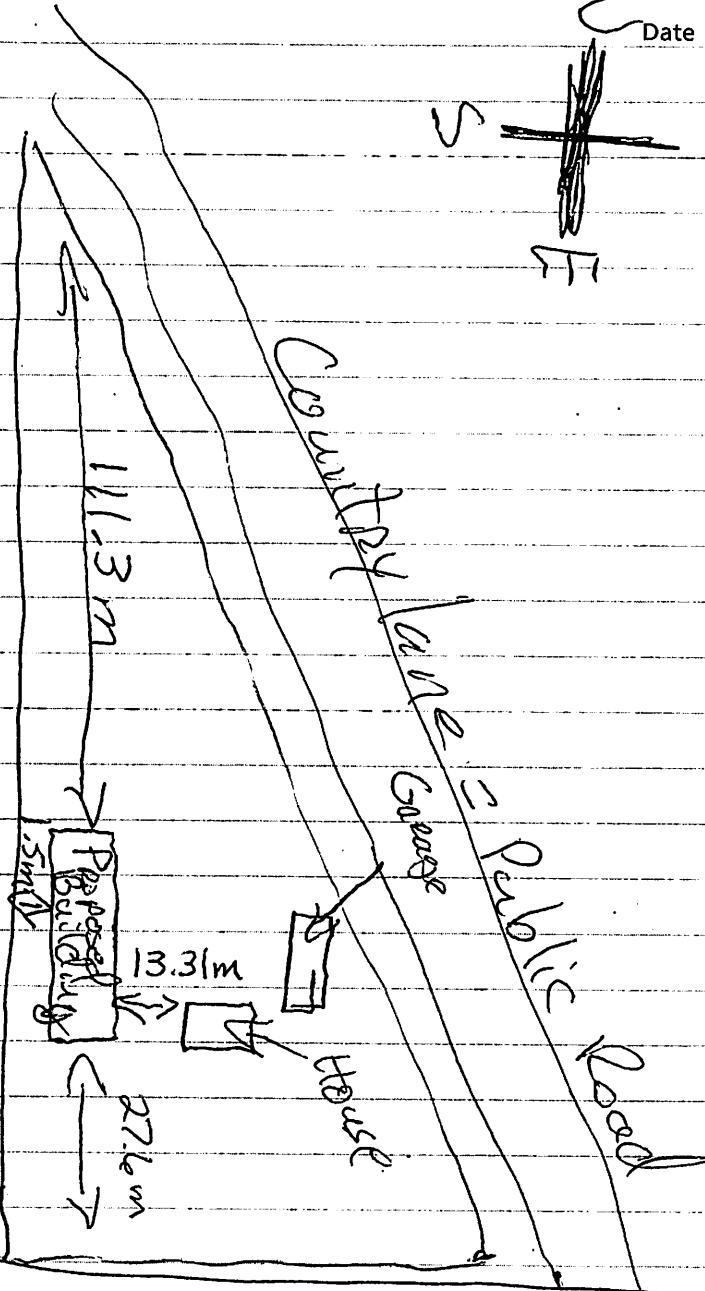
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION

**Notes**

407 Gordon Lake Road



Front of Proposed Building to lot line = 27.6 m  
 From Proposed Building to house = 13.31 m  
 From Rear of Proposed Building to Rear lot line = 111.3 m  
 From Side of Proposed Building to lot line = 11.5 m



Gordon Lake Rd  
 Public Road



## 327 Gravel Drive, Hanmer

Presented To:	Planning Committee
Meeting Date:	August 11, 2025
Type:	Public Hearing
Prepared by:	Stephanie Poirier Planning Services
Recommended by:	General Manager of Planning and Growth
File Number:	PL-RZN-2025-00008

## Report Summary

This report provides a recommendation regarding an application to extend a temporary use by-law to continue the use of a garden suite.

This report is presented by Stephanie Poirier, Senior Planner.

## Resolution

That the City of Greater Sudbury approves the application by Theo & Dawn Noel de Tilly and Stephanie Proulx to amend Zoning By-law 2010-100Z with respect to lands described as PIN 73503-0273, Parcel 49981 S.E.S., Part 1, Plan 53R-14091 in Lot 2, Concession 3, Township of Hanmer in order to extend the use of a garden suite in accordance with Section 39.1(4) of the Planning Act for a temporary period of three (3) years, as outlined in the report entitled “327 Gravel Drive, Hanmer”, from the General Manager of Planning & Growth, presented at the Planning Committee meeting on August 11, 2025.

## Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding. The application contributes to the 2019-2027 City of Greater Sudbury Strategic Plan goals related to housing by adding to the range and mix of housing available in this area. There is no conflict with the Community Energy and Emissions Plan.

## Financial Implications

There are no financial implications associated with this report.

## Report Overview

An application to extend a temporary use by-law has been submitted to permit the continued use of a detached structure as a garden suite. Staff recommends approval of the application.



## STAFF REPORT

### PROPOSAL:

The subject property is located on the south side of Gravel Drive, east of Coleen Avenue, and are known municipally as 327 Gravel Drive, Hanmer. The subject land has an area of approximately 0.8 ha (1.97 ac) and contains a single detached dwelling, a garden suite, and three accessory buildings. The lands are serviced by an individual well and septic system and have two existing accesses off Gravel Drive.

The accessory garden suite was first approved as a temporary use in 1996 for a maximum period of ten (10) years. Three-year extensions were granted in 2006, 2010, 2013, 2016, 2019, and 2022 in compliance with the Planning Act.

The purpose and effect of the Temporary Use Zoning By-law Amendment (PL-RZN-2025-00008) is to rezone the subject lands from the 'RU' Rural Zone' to the 'RU-T2' Rural Temporary Zone' in order to continue to permit a garden suite on the subject lands for an additional period of 3 years. This is the seventh three-year extension request. There is no limit on the number of extensions.

Garden suites are small, self-contained independent living units that are ancillary to a single detached dwelling and designed to be portable and/or temporary. The existing garden suite is a single storey dwelling with a ground floor area of 132.24 m<sup>2</sup>. The garden suite is located east of the main single detached dwelling, approximately 24 m from the front lot line, 40 m from the west interior lot line, 11 m from the east interior lot line, and 44 m from the rear lot line. The garden suite is serviced by an individual well and private septic system and is accessed by an existing driveway off of Gravel Drive.

The subject lands are designated 'Rural' within the City's Official Plan and are zoned 'Rural' within By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury.

Surrounding uses are rural and residential in nature.

A location map is attached for reference.

### POLICY & REGULATORY FRAMEWORK:

The property is subject to the following policy and regulatory framework:

- [2024 Provincial Planning Statement](#)
- [2011 Growth Plan for Northern Ontario](#)
- [Official Plan for the City of Greater Sudbury, 2006](#)
- [Zoning By-law 2010-100Z](#)

Provincial Planning Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

### Planning Act:

Section 39.1 of the Planning Act permits municipalities to allow a garden suite through a temporary use zoning by-law amendment with the option to renew in the future for a period not exceeding three years per temporary use application.

A garden suite is defined in the Planning Act as 'a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable'.

### **Provincial Policy Statement:**

Municipalities in the Province of Ontario are required under Section 3 of the *Planning Act* to ensure that decisions affecting planning matters are consistent with the Provincial Policy Statement.

Section 2.2 of the PPS encourages a range of housing types in order to address housing needs within the community. Garden suites are intended to provide such accommodation subject to the provisions of Section 39.1 of the *Planning Act*.

### **Growth Plan for Northern Ontario:**

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters conform with the Growth Plan for Northern Ontario. This application is considered to conform to the Growth Plan.

### **Official Plan for the City of Greater Sudbury:**

The subject property is designated 'Rural' under the Official Plan.

Section 2.3.5 of the Official Plan states that garden suites are small, self-contained independent living units that are designed for persons who require some level of support. Garden suites support small scale intensification and meet affordable housing needs.

Under Section 5.2.1 of the Official Plan, garden suites are permitted in Rural Areas in accordance with the criteria under Section 2.3.5 as follows:

- a. a single garden suite is allowed as an accessory unit on a lot with only one existing dwelling unit;
- b. services will be connected to the service lines of the host dwelling unit to City specifications;
- c. a garden suite can be integrated with the prevailing character of the surrounding area, and will be removed at no expense to the City at the termination of its use; and,
- d. an agreement may be required between the applicant and the City dealing with such conditions as the installation, location, maintenance, occupancy and removal of the structure.

Notwithstanding the above, a garden suite may be served by its own individual on-site sewage and water services, where appropriate. A mobile home may be used as a garden suite if it is built on its own foundation and in accordance with the Ontario Building Code. None of these policies are intended to result in the creation of new residential lots in the Rural Area.

Section 2.3.6 Additional Dwelling Units states that existing Garden Suites may be considered as accessory dwellings provided they conform with the applicable policies and the Zoning By-law.

### **Zoning By-law 2010-100Z:**

The Zoning By-law defines a garden suite as 'A one unit detached residential structure containing bathroom and kitchen facilities that is ancillary to a single detached dwelling and that is designed to be temporary and/or portable.'

Section 4.10 of the zoning by-law speaks to garden suites and states that where a garden suite is permitted it shall meet the requirements for accessory buildings. Garden suites may be converted to additional dwelling units subject to the applicable provisions including registration of the unit with Building Services.

The subject land is zoned "RU", Rural. Residential uses in the form of a single detached dwelling or a mobile home on a permanent foundation are permitted. Garden suites are also permitted subject to the setback requirements applied to accessory buildings.

## **CONSULTATION:**

### **Public Comments:**

Notice of Application was provided to the public by newspaper on May 24, 2025 and by mail out to nearby landowners and tenants located within 244 m of the subject lands on May 22, 2025. Statutory Notice of the Public Hearing was provided by newspaper on July 19, 2025, along with a courtesy mail out to public property owners and tenants within a minimum of 244 m of the property on July 17, 2025.

At the time of writing this report, no oral or written submissions were received from members of the public.

### **Department/Agency Comments:**

The application including relevant accompanying materials have been circulated to all appropriate agencies and departments. Responses received from agencies and departments have been used to assist in evaluating the application and to inform and identify appropriate development standards in an amending zoning by-law should the application be approved. No concerns were noted by the circulated agencies and departments.

## **PLANNING ANALYSIS:**

The Provincial Planning Statement, the Growth Plan for Northern Ontario, and the City of Greater Sudbury Official Plan all encourage mixed forms of housing in order to accommodate a wide range of people, such as garden suites on a temporary basis.

The application conforms to the Official Plan policies pertaining to garden suites, which permit one garden suite accessory to an existing single detached dwelling on private servicing for a period of 10 years, with option for 3-year renewal through a temporary use zoning by-law amendment application. The existing garden suite maintains the rural character of the surrounding area comprising of low-density forms of housing. Staff does not anticipate compatibility concerns with surrounding land uses as a result of the continued use of the garden suite. No visual or use changes are being proposed.

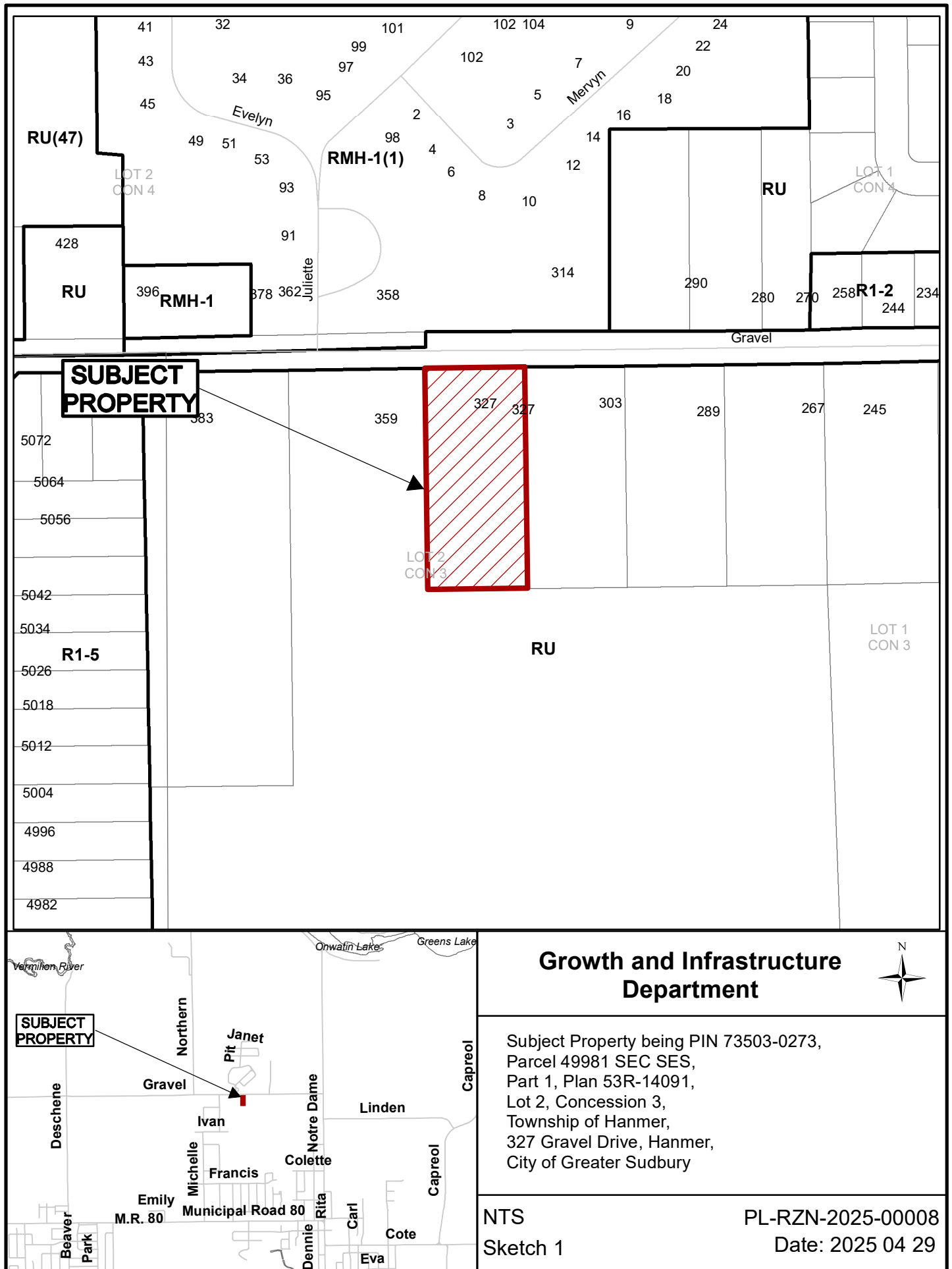
Staff has reviewed the existing garden suite and is satisfied that the zoning standards of Section 4.2, being the 'Accessory Buildings, Structures, and Uses' provisions are being maintained.

The owner has not indicated that they wish to make the garden suite a permanent use under the additional dwelling unit provisions of the Zoning By-law at this time. The owner is advised that once the garden suite is no longer required for its intended purpose, the City shall be notified, and the dwelling unit must be removed or otherwise made uninhabitable.

If additional garden suite extensions are required in the future, the owners are advised to submit an application at least four (4) months prior to the lapsing date.

## **CONCLUSION:**

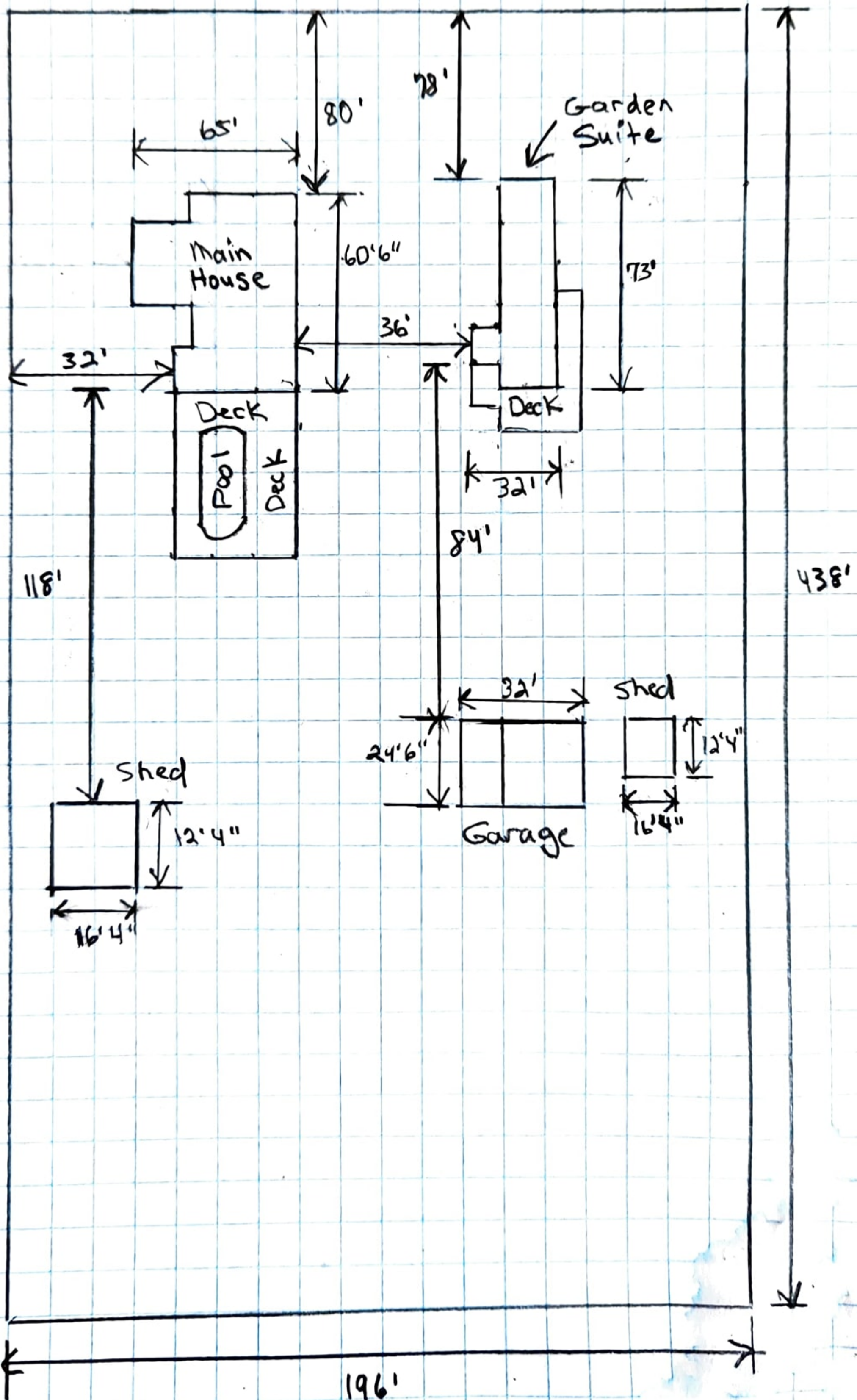
Overall, staff is of the opinion that the application to permit the continuation of a garden suite on a rural parcel of land for a period of three years is consistent with the Provincial Policy Statement, conforms to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury, has regard for matters of provincial interest, and represents good planning. It is on this basis that staff recommends the application be approved.





↑ North

Gravel Drive



Concept Plan  
(327 Gravel Drive)



## 5310 Deschene Road, Hanmer

Presented To:	Planning Committee
Meeting Date:	August 11, 2025
Type:	Public Hearing
Prepared by:	Stephanie Poirier Planning Services
Recommended by:	General Manager of Planning and Growth
File Number:	PL-RZN-2025-00007

## Report Summary

This report provides a recommendation regarding an application to extend a temporary use by-law in order to continue the use of a garden suite.

This report is presented by Stephanie Poirier, Senior Planner.

## Resolution

THAT the City of Greater Sudbury approves the application by Chantal Fournier to amend Zoning By-law 2010-100Z with respect to lands described as PIN 73506-0008, Parcel 53605 S.E.S., Part 1, Plan 53R-16536 in Lot 4, Concession 4, Township of Hanmer in order to extend the use of a garden suite in accordance with Section 39.1(4) of the Planning Act for a temporary period of three (3) years, as outlined in the report entitled “5310 Deschene Road, Hanmer” from the Acting General Manager of Planning & Growth, presented at the Planning Committee meeting on August 11, 2025.

## Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding. The application contributes to the 2019-2027 City of Greater Sudbury Strategic Plan goals related to housing by adding to the range and mix of housing available in this area. There is no conflict with the Community Energy and Emissions Plan.

## Financial Implications

There are no financial implications associated with this report.

## Report Overview

An application to extend a temporary use by-law has been submitted in order to permit the continued use of a detached structure as a garden suite. Staff recommends approval of the application.

## STAFF REPORT

### PROPOSAL:

The subject property is located on the east side of Deschene Road, north of Gravel Drive, and are known municipally as 5310 Deschene, Hanmer. The subject land has an area of approximately 2.54 ha (6.27 ac) and contains a single detached dwelling, a garden suite, and five accessory buildings. The lands are serviced by an individual well and septic system and have existing access off Deschene Road.

The initial garden suite approval on this property was for a mobile home, which was approved in 2003 (File 751-7/03-11). The mobile home was subsequently removed in 2015 and replaced with a building that has been designed to accommodate a garden suite (File 751-7/16-1). The temporary use by-law was subsequently extended in 2019 and 2022 in compliance with the Planning Act.

The purpose and effect of the Temporary Use Zoning By-law Amendment (PL-RZN-2025-00007) is to rezone the subject lands from the 'RU' Rural Zone' to the 'RU-T9' Rural Temporary Zone' in order to continue to permit a garden suite on the subject lands for an additional period of 3 years. This is the third three-year extension request with the current garden suite. There is no limit on the number of extensions.

Garden suites are small, self-contained independent living units that are ancillary to a single detached dwelling and designed to be portable and/or temporary. The existing garden suite is a single-storey dwelling with a ground floor area of 307 m<sup>2</sup>. The garden suite is located north of the main single detached dwelling, approximately 46 m from the front lot line, 130 m from the rear lot line, 50 m from the south interior lot line, and 24 m from the north interior lot line. The garden suite is serviced by an individual well and private septic system, and is accessed by an existing driveway off of Deschene Drive.

The subject lands are designated 'Rural' within the City's Official Plan and are zoned 'Rural' within By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury.

Surrounding uses are rural in nature.

A location map is attached for reference.

### POLICY & REGULATORY FRAMEWORK:

The property is subject to the following policy and regulatory framework:

- [2024 Provincial Planning Statement](#)
- [2011 Growth Plan for Northern Ontario](#)
- [Official Plan for the City of Greater Sudbury, 2006](#)
- [Zoning By-law 2010-100Z](#)

Provincial Planning Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

### Planning Act:

Section 39.1 of the Planning Act permits municipalities to allow a garden suite through a temporary use zoning by-law amendment with the option to renew in the future for a period not exceeding three years per temporary use application.

A garden suite is defined in the Planning Act as 'a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable'.

### **Provincial Planning Statement:**

Municipalities in the Province of Ontario are required under Section 3 of the *Planning Act* to ensure that decisions affecting planning matters are consistent with the Provincial Planning Statement.

Section 2.2 of the PPS encourages a range of housing types in order to address housing needs within the community. Garden suites are intended to provide such accommodation subject to the provisions of Section 39.1 of the *Planning Act*.

### **Growth Plan for Northern Ontario:**

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters conform with the Growth Plan for Northern Ontario. This application is considered to conform to the Growth Plan.

### **Official Plan for the City of Greater Sudbury:**

The subject property is designated 'Rural' under the Official Plan.

Section 2.3.5 of the Official Plan states that garden suites are small, self-contained independent living units that are designed for persons who require some level of support. Garden suites support small scale intensification and meet affordable housing needs.

Under Section 5.2.1 of the Official Plan, garden suites are permitted in Rural Areas in accordance with the criteria under Section 2.3.5 as follows:

- a. a single garden suite is allowed as an accessory unit on a lot with only one existing dwelling unit;
- b. services will be connected to the service lines of the host dwelling unit to City specifications;
- c. a garden suite can be integrated with the prevailing character of the surrounding area, and will be removed at no expense to the City at the termination of its use; and,
- d. an agreement may be required between the applicant and the City dealing with such conditions as the installation, location, maintenance, occupancy and removal of the structure.

Notwithstanding the above, a garden suite may be served by its own individual on-site sewage and water services, where appropriate. A mobile home may be used as a garden suite if it is built on its own foundation and in accordance with the Ontario Building Code. None of these policies are intended to result in the creation of new residential lots in the Rural Area.

Section 2.3.6 Additional Dwelling Units states that existing Garden Suites may be considered as accessory dwellings provided they conform with the applicable policies and the Zoning By-law.

### **Zoning By-law 2010-100Z:**

The Zoning By-law defines a garden suite as 'A one unit detached residential structure containing bathroom and kitchen facilities that is ancillary to a single detached dwelling and that is designed to be temporary and/or portable.'

Section 4.10 of the zoning by-law speaks to garden suites and states that where a garden suite is permitted it shall meet the requirements for accessory buildings. Garden suites may be converted to additional dwelling units subject to the applicable provisions including registration of the unit with Building Services.

The subject land is zoned "RU", Rural. Residential uses in the form of a single detached dwelling or a mobile home on a permanent foundation are permitted. Garden suites are also permitted subject to the setback requirements applied to accessory buildings.



## **CONSULTATION:**

### **Public Comments:**

Notice of Application was provided to the public by newspaper on May 31, 2025 and by mail out to nearby landowners and tenants located within 244 m of the subject lands on May 29, 2025. Statutory Notice of the Public Hearing was provided by newspaper on July 19, 2025, along with a courtesy mail out to public property owners and tenants within a minimum of 244 m of the property on July 17, 2025.

At the time of writing this report, no oral or written submissions were received from members of the public.

### **Department/Agency Comments:**

The application including relevant accompanying materials have been circulated to all appropriate agencies and departments. Responses received from agencies and departments have been used to assist in evaluating the application and to inform and identify appropriate development standards in an amending zoning by-law should the application be approved. No concerns were noted by the circulated agencies and departments.

## **PLANNING ANALYSIS:**

The Provincial Planning Statement, the Growth Plan for Northern Ontario, and the City of Greater Sudbury Official Plan all encourage mixed forms of housing in order to accommodate a wide range of people, such as garden suites on a temporary basis.

The application conforms to the Official Plan policies pertaining to garden suites, which permit one garden suite accessory to an existing single detached dwelling on private servicing for a period of 10 years, with option for 3 year renewal through a temporary use zoning by-law amendment application. The existing garden suite maintains the rural character of the surrounding area comprising of low-density forms of housing. Staff does not anticipate compatibility concerns with surrounding land uses as a result of the continued use of the garden suite. No visual or use changes are being proposed at this time.

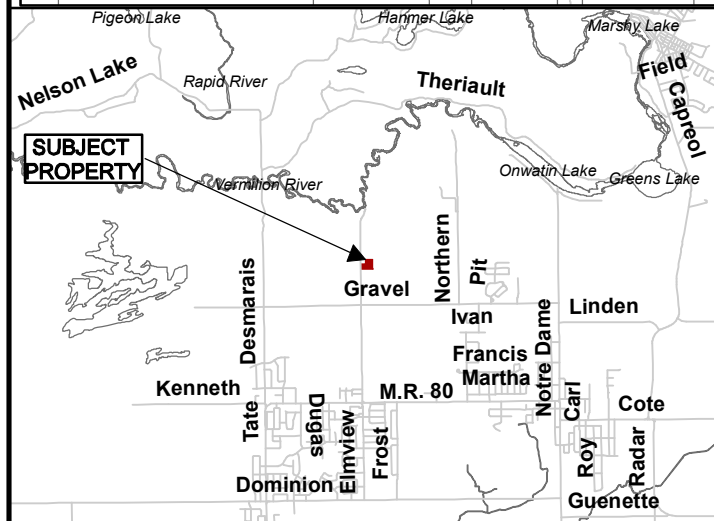
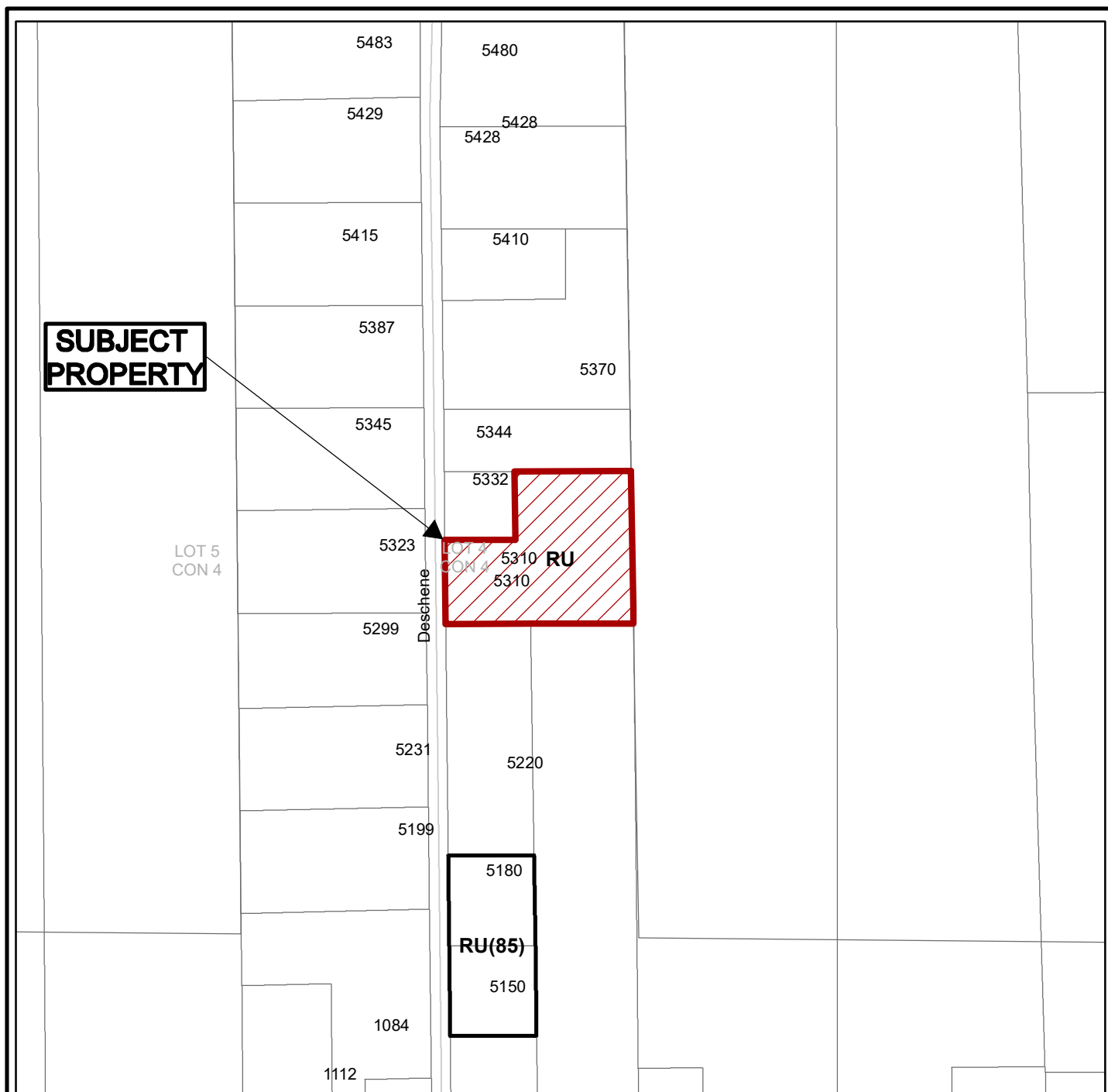
Staff has reviewed the existing garden suite and is satisfied that the zoning standards of Section 4.2, being the 'Accessory Buildings, Structures, and Uses' provisions are being maintained.

The owner has not indicated that they wish to make the garden suite a permanent use under the additional dwelling unit provisions of the Zoning By-law at this time. The owner is advised that once the garden suite is no longer required for its intended purpose, the City shall be notified, and the dwelling unit must be removed or otherwise made uninhabitable.

If additional garden suite extensions are required in the future, the owners are advised to submit an application at least four (4) months prior to the lapsing date.

## **CONCLUSION:**

Overall, staff is in the opinion that the application to permit the continuation of a garden suite on a rural parcel of land for a period of three years is consistent with the Provincial Policy Statement, conforms to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury, has regard for matters of provincial interest, and represents good planning. It is on this basis that staff recommends the application be approved.



## Growth and Infrastructure Department



Subject Property being PIN 73506-0008,  
Parcel 53605 SEC SES,  
Part 1, Plan 53R-16536,  
Lot 4, Concession 4,  
Township of Hanmer,  
5310 Deschene Road, Hanmer,  
City of Greater Sudbury

NTS  
Sketch 1

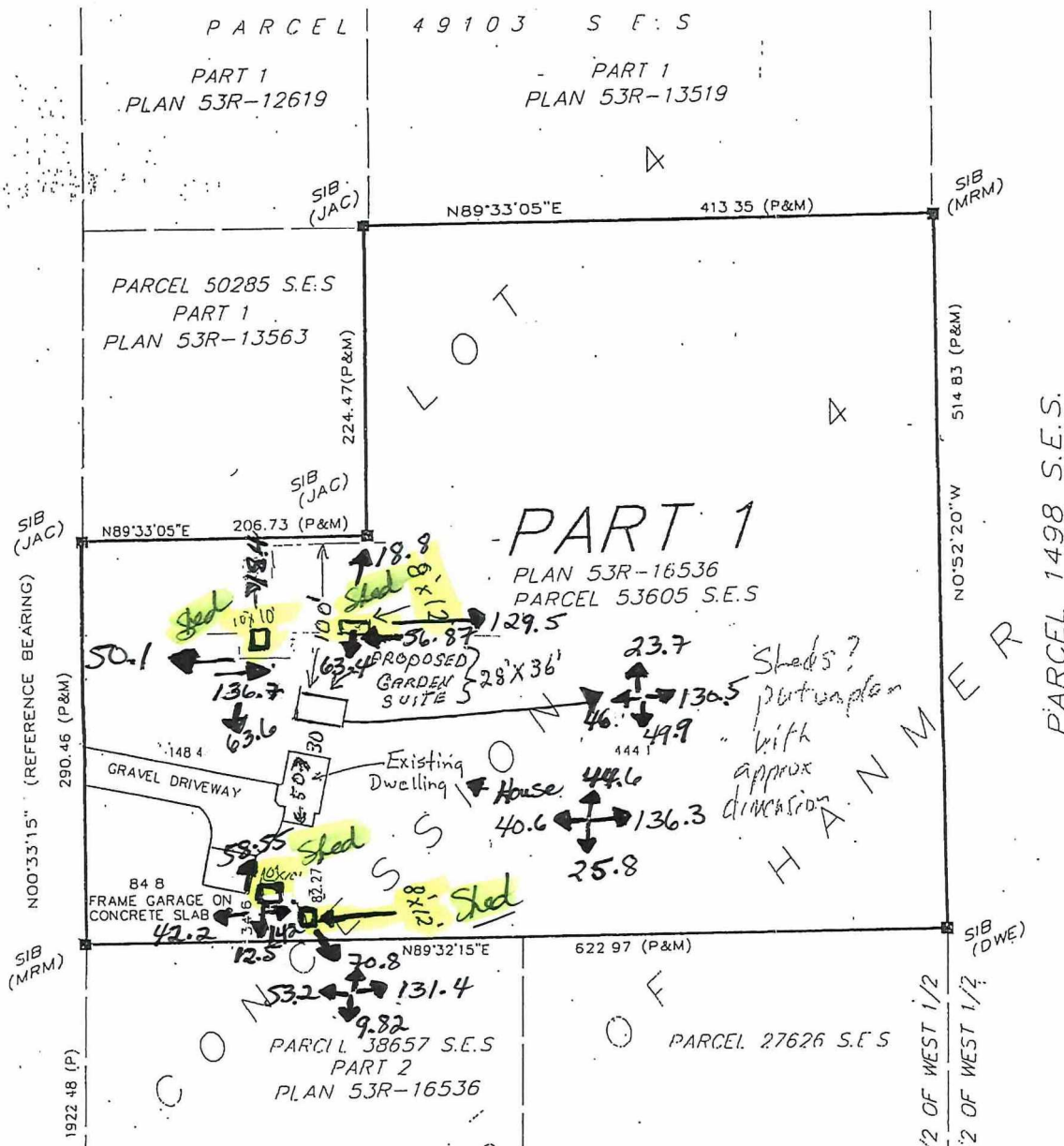
PL-RZN-2025-00007  
Date: 2025 04 28

1-5310 DESCHENE DRIVE

Hammer, on P31/R3

PLAN P-2687 (LRO NO. 57705)

PARCEL 10359 S.E.S.



P  
BE

DESIGN/

\* Garden Suite Built in 2016.  
\* Maria Epistoff Home Built in 2001

## 4574 Lammi's Road, Sudbury

Presented To:	Planning Committee
Meeting Date:	August 11, 2025
Type:	Public Hearing
Prepared by:	Stephanie Poirier Planning Services
Recommended by:	General Manager of Planning and Growth
File Number:	PL-RZN-2025-00004

## Report Summary

This report provides a recommendation regarding an application to rezone the subject lands from the 'RU' Rural to the 'RU(S)' Rural Special Zone to facilitate the creation of one permanent waterfront residential lot with deficient lot frontage on a public year-round maintained road.

This report is presented by Stephanie Poirier, Senior Planner.

Letter(s) of concern from concerned citizen(s).

## Resolution

THAT the City of Greater Sudbury denies the application by Robert John D'Agostino to amend Zoning By-law 2010-100Z by changing the zoning classification from 'RU' Rural to the 'RU(S)' Rural Special Zone, on lands described as PIN 73472-0273, Parcel 6151, Part of Lot 12, Concession 2, Township of Broder, as outlined in the report entitled "4574 Lammi's Road", from the General Manager of Planning and Growth, presented at the Planning Committee meeting on August 11, 2025.

## Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding.

The creation of a permanent waterfront residence in the rural area with access proposed by a private road does not align with the strategic goals and objectives associated with Climate Change and the adoption of the CEEP that are identified within the City's Strategic Plan. The proposed lot creation with access by a private road would impact Asset Management and Service Excellence strategic goals and objectives as the new lot could create undue pressure to upgrade infrastructure and municipal service levels that are expected from a permanent residence, which undermines the City's ability to implement cost-effective service delivery with the intent being to reduce net costs. The development proposal therefore does not align with the City's Strategic Plan.

The development proposal would also negatively impact the stated goals and recommendations that are contained within the CEEP for the same reasons above, thereby undermining the City's key objective of

creating compact and complete communities.

## **Financial Implications**

If approved, staff estimates approximately \$8,400 in taxation revenue in the supplemental tax year only, based on the assumption of one single detached dwelling unit at assessed value of \$500,000 at the 2025 property tax rates.

This additional taxation revenue will only occur in the supplemental tax year. Any taxation revenue generated from new development is part of the supplemental taxation in its first year. Therefore, the City does not receive additional taxation revenue in future years from new development, as the tax levy amount to be collected as determined from the budget process, is spread out over all properties within the City.

The amount of development charges will be based on final review of the property by the Building Services department, at time of building permit issuance.

## **Report Overview**

An application for rezoning has been submitted to permit the creation of a permanent waterfront residential lot with the following site-specific provisions:

1. A minimum lot frontage of 10 m for the proposed lands to be retained, whereas a minimum of 90 m is required; and
2. A minimum lot frontage of 20 m for the proposed lands to be severed, whereas a minimum of 90 m is required.

Staff recommends denial of the application as described in the Resolution section on the basis that it is not consistent with the Official Plan for the City of Greater Sudbury and does not represent good planning.

# STAFF REPORT

## Proposal:

The purpose and effect of the proposed Zoning By-law Amendment is to change the zoning classification on the subject lands from 'RU', Rural to the 'RU(S)', Rural Special Zone to permit the creation of a permanent waterfront residential lot with the following site-specific provisions:

1. A minimum lot frontage of 10 m for the proposed lands to be retained, whereas a minimum of 90 m is required; and
2. A minimum lot frontage of 20 m for the proposed lands to be severed, whereas a minimum of 90 m is required.

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

The lands proposed to be severed are currently vacant of buildings or structures. The severed lands are proposed to be serviced by an individual septic system and lake water. The subject lands are proposed to be accessed by a proposed easement over the privately owned portion of Lammi's Road (south of Sandy Cove Road) connecting to the publicly maintained portion of Lammi's Road. The lands are intended for permanent waterfront residential use.

The lands proposed to be retained contains a single detached dwelling that is serviced by an individual septic system and lake water. The lands are currently accessed from the private portion of Lammi's Road, which is owned by the applicant, connecting to the publicly maintained portion of Lammi's Road. The retained lands are proposed to continue to utilize the existing driveway which crosses the proposed severed lands, subject to an access easement.

Surrounding uses are rural, seasonal limited service, and low density residential in nature.

The following documents were submitted as part of the application package and are attached to the report:

- Concept Plan 1
- Concept Plan 2
- Planning Justification Report

A location map has been attached for reference.

## Background:

The lands were subject to Consent Applications B0123/2014, B0124/2014, B0125/2014 for the proposed creation of three seasonal waterfront residential lots and one retained lot, which was conditionally approved but lapsed in March of 2016. One of the conditions required a rezoning application to allow permission for seasonal dwellings, since seasonal dwellings are only permitted on legally existing lots in the Rural Zone. The lands were subject to Zoning By-law Amendment Application 751-6/15-12 in order to rezone the lands to a site-specific 'RU' Zone to permit seasonal dwelling, which did not proceed to public hearing.

In 2023, the City received a Minor Variance Application A0134/2023 for a future proposed severed lot with a lot frontage of 45 m along the privately owned portion of Lammi's Road. As part of the concept plan provided, it was identified that the privately owned portion of Lammi's Road was intended to be transferred to the City of Greater Sudbury. Through the circulation process the City of Greater Sudbury's Road Department confirmed that the transfer would not be accepted due to the steep terrain and inability to perform winter maintenance. The application was deferred at the request of the applicant and expired within the one-year deferral period. The lands were also subject to concurrent Consent Applications B0001/2024 & B0002/2024 for the creation of two seasonal waterfront residential lots and one retained lot, which were withdrawn by the applicant.

## Policy & Regulatory Framework:

The property is subject to the following policy and regulatory framework:

- [2024 Provincial Planning Statement](#);
- [2011 Growth Plan for Northern Ontario](#);
- [Official Plan for the City of Greater Sudbury, 2006](#); and,
- [Zoning By-law 2010-100Z](#).

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

### **Provincial Planning Statement:**

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters are consistent with the Provincial Planning Statement (PPS).

The lands are considered to be *rural lands* within the PPS being outside of a *settlement area* and *prime agricultural land*. *Rural lands* are included within *rural areas* being a system of land uses within municipalities that may include *rural settlement areas*, *rural lands*, *prime agricultural areas*, *natural heritage features and areas*, and *resource areas*.

Section 2.5 contains policies for the broader *rural areas*, which states that *rural settlement areas* shall be the focus of growth and development. This section also states that growth and development may be directed to *rural lands* in accordance with policy 2.6.

Section 2.6 contains policies for *rural lands*, which permits residential lot creation where site conditions are suitable for the provision of appropriate sewage and water services. Development that can be sustained by rural service levels should be promoted. Development shall be appropriate to the *infrastructure*, which is planned or available, and avoid the need for the uneconomical expansion of this *infrastructure*. New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.

*Infrastructure* is defined as physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications including broadband, transit and transportation corridors and facilities, active transportation systems, oil and gas pipelines and associated facilities.

Section 3.6 contains policies on sewage, water, and wastewater, which outlines a hierarchy with preference for full municipal services, private communal services, and then lastly *individual onsite sewage services* and *individual on-site water services* may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

The subject lands contain natural hazards associated with Long Lake. Section 5.2 of the PPS contains policies on natural hazards which directs development outside of hazard lands associated with waterbodies and prevents development in areas where safe access cannot be demonstrated due to natural hazards.

## **Growth Plan for Northern Ontario:**

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters conform with the Growth Plan for Northern Ontario. The Growth Plan encourages Municipalities to plan communities that achieve accommodation of the diverse needs of all residents, now and in the future, optimize use of existing infrastructure, and result in a high quality of place.

## **Official Plan for the City of Greater Sudbury:**

The subject property is designated as 'Rural' in the City of Greater Sudbury Official Plan. Section 5 of the Official Plan speaks to Rural policies. Through these policies, it is recognized that a significant portion of the municipality is comprised of rural lands mostly serviced by individual private services. Rural Areas require well-defined policies that protect existing uses while recognizing that the focus of future development will be fully serviced areas within Communities. The Rural Areas designation supports this overall concept, while also striving to protect those qualities that make Rural Areas special for their waterfront areas, open space, natural features, and resource potential. The intent of this designation is to accommodate a variety of land uses that are appropriate for a rural location.

Section 5.1 outlines the objectives of the Rural designation, including:

- a) provide an efficient and orderly pattern of land use in Rural Areas, reducing land use conflicts and requiring minimal municipal services;
- b) ensure that all development is adequately serviced and does not negatively impact the environment.

Section 5.2 states that residential uses are permitted in the Rural designation and that waterfront development must also comply to policies in Section 8.4.

Section 5.2.1 speaks to rural residential uses and states that rural residential development compatible with the character of surrounding existing uses is permitted, provided no additional public services, including the extension of existing or creation of new partial services would be required.

Section 5.2.2 contains policies for rural and waterfront lot creation. Given the lands abut Long Lake, the following waterfront policies apply:

- 4. For new lots located on a waterbody or watercourse, the following lot creation policies apply:
  - a) Excluding those waterbodies or watercourses covered by Chapter 20.0, Special Policy Areas, new lots on waterbodies or watercourses in Rural Areas will be a minimum 0.8 hectare (2 acres) in size and have a minimum water frontage of 45 metres (148 feet), unless detailed waterbody studies indicate a change in the standard. The appropriate regulations will be set out in the Zoning By-law.
  - b) New lots for permanent waterfront residential use must front onto a public road that is maintained year-round.
  - c) New lots for seasonal waterfront residential uses are permitted on waterbodies or watercourses with public water access with adequate offstreet parking and boat docking facilities.
  - d) Dwellings and accessory buildings must be set back to appropriate levels based on individual waterbody or watercourse conditions and regulations set out in the Zoning By-law (see additional water resource policies in Section 8.4).
- 5. Where applicable, all rural residential severances must also comply with the Minimum Distance Separation (MDS) formulae established by the Province in order to minimize conflicts between residential development and adjacent livestock facilities.

Section 8 contains policies on the protection of surface water resources including lakes, rivers, and streams. Section 8.4.1 contains general policies which requires a 30 m high water mark setback for septic systems and buildings and structures, with the exception of shoreline structures.



Long Lake is identified as having phosphorous level concerns and is subject to Enhanced Management 2 policies found in Sections 8.4.2.7 and 8.4.2.8, which speak to the requirement for the completion of a site assessment to demonstrate that development will not negatively impact water quality. As part of the site assessment the applicant must identify a suitable building and septic envelope aligned with shoreline protection policies.

Section 8.4.5 speaks to vegetative buffers and includes policies on the protection and maintenance of shoreline buffer areas.

Section 10 includes policies regarding protecting public health and safety in relation to natural and human hazards. The subject lands abut Long Lake and contain associated flood and erosion hazards. Section 10.2 contains policies on flood and erosion hazards, which prevent development and site alteration within flood and erosion hazards and must have a suitable access during times of hazard.

Section 20.11 of the Official Plan is a site-specific policy for Long Lake Area Waterbodies, which permits a permanent residential waterfront zone for properties abutting water where such areas front on a public road that is maintained year-round, or where a registered right-of-way provides access from an existing parcel to a year-round, publicly maintained road. The area in which this policy applies is shown on Schedule 2a of the Official Plan. The subject lands are located outside of this site-specific policy area.

### **Zoning By-law 2010-100Z:**

The subject lands are zoned 'RU' Rural within the City's Zoning By-law.

The development standards for a single detached dwelling in the 'RU' Zone are as follows:

- Minimum lot area of 2 ha
- Minimum lot frontage of 90 m
- Minimum front yard setback 10 m
- Minimum rear yard setback 10 m
- Minimum interior side yard setback 10 m
- Minimum corner side yard setback 10 m
- Maximum lot coverage 10%
- Maximum height for residential uses 11 m

The subject lands abut Long Lake and are subject to the following waterbody provisions of the zoning by-law:

- The minimum total water frontage required for all shorelines shall be equivalent to the lot frontage required for such lot in the applicable zone;
- No person shall erect any residential building, accessory building, or leaching bed closer than 30.0 metres to the high water mark of a lake or river;
- a shoreline buffer area is to remain in a natural vegetated state to a depth of 20.0 metres from the high water mark of a lake or river;
- On a residential lot a maximum of 25% of the required shoreline buffer area may be cleared of natural vegetation, but in no case shall exceed a maximum of 276 m<sup>2</sup>;
- The maximum length of the cleared area measured at the high water mark shall be 25% of the length of the shoreline of the lot but in no case shall the maximum length of cleared area measured at the high water mark exceed 23 metres in length; and
- Permitted accessory structures in the shoreline buffer area include gazebos, boathouses, docks, decks, stairs, water pumps and saunas, boat launches, marine railways, waterlines and heat pump loops.

The subject lands contain floodplain and natural hazards and are subject to Section 4.9.2 and 4.9.3 of the Zoning By-law, requiring buildings and structures to be erected in accordance with the regulations of Conservation Sudbury (NDCA).

## **Consultation**

### **Public Consultation:**

The statutory notice of the application was provided by newspaper on May 24, 2025 along with a courtesy mail-out to surrounding property owners and tenants within 244 m of the property on May 22, 2025. The statutory notice of the public hearing was provided by newspaper on July 19, 2025, and courtesy mail-out within 244 m of the property on July 17, 2025.

At the time of writing this report, one written submission and four phone calls with respect to this application have been received by the Planning Services Division. Concerns received were in regard to the impact of the additional dwelling on the quality of Long Lake, drainage runoff, and ownership/access concerns with the privately owned portion of Lammi's Road. A copy of the written submission has been attached for reference.

### **Department/Agency Review:**

The application including relevant accompanying materials has been circulated to all appropriate agencies and departments. Responses received from agencies and departments have been used to assist in evaluating the application and to inform and identify appropriate development standards in a zoning by-law should the application be approved. Comments received from departments generally had no concerns with the rezoning request.

Building Services has advised of outstanding building permits on the subject lands.

Conservation Sudbury requires that development take place outside of the hazard areas and advised that further information may be required at building permit stage.

Fire Services has highlighted the challenges of fighting fire on private roads given they are not required to be maintained to City standards and may be deemed unsafe for fire truck access.

Infrastructure Capital Planning confirmed Lammi's Road south of Sandy Cove is a private road which receives seasonal summer maintenance.

Strategic and Environmental Planning has advised that a site assessment completed in accordance with policy 8 of section 8.4.2 Lakes with Phosphorus Enrichment Concerns will be required as part of a Consent Application.

Detailed comments can be found in Appendix 1 to this report.

### **Planning Analysis:**

The Provincial Planning Statement and Office Plan permit permanent waterfront residential lot creation on *rural lands* subject to criteria.

#### **1. Lot Creation and Access**

The Official Plan requires that new lots on waterbodies in rural areas have a minimum lot size of 0.8 ha (2 ac) and have a minimum water frontage of 45 m (148 ft). The lands proposed to be severed would have a lot area of 6.7 ha (16.56 ac) and a water frontage of 67.7 m. The lands proposed to be retained would have a lot area of 17.61 ha (43.52 ac) and water frontage of 292 m. Both parcels meet the minimum size and water frontage requirements within the Official Plan for waterfront lot creation in the rural area.

Two types of waterfront residential use are contemplated in the lot creation policies, which differ based on access provisions. The first being new lots for permanent waterfront residential uses which must front onto a public road that is maintained year-round for access purposes, and the second being seasonal waterfront residential uses with public water access with adequate off-street parking and boat docking facilities. Staff acknowledge the proposed easement to ensure the legal right to access the severed lands through a private road, however, there are no provisions for access by private road for permanent residential use in the waterfront lot creation policies of the Official Plan. Additionally, Section 20.11 of the Official Plan which is a site-specific policy that does allow permanent residential use with private access to a public road does not apply to the subject lands as they are located outside of the site-specific policy area shown on Schedule 2a of the Official Plan. The intent of the Official Plan policy requiring frontage on a public year-round maintained road is to ensure that the permanent residence has direct and safe access to and from the subject lands throughout all seasons, to benefit from rural municipal service levels, and to maintain rural character. Although the proposal would result in two lots which have frontage on a public year-round maintained road, the intent of this official plan policy is not being met as the frontages are not proposed to be utilized for access purposes. Staff are of the opinion that the applicant has not demonstrated conformity with the access requirements of 5.2.2.4 for a permanent waterfront residential lot and that it is not considered to be good planning to permit the creation of a permanent waterfront residential lot with access by easement on a private road.

## 2. Private Roads and Rural Service Level Expectations

Existing private roads are largely associated with seasonal residential uses in recreational waterfront areas. When the amount of private road users increase, the municipality can experience undue pressure to assume ownership of the private road and/or to provide the same service levels as public road users (road maintenance, emergency services, waste management, etc.). Where any municipal services are provided on private roads additional pressure often occurs for the municipality to assume full responsibility for the maintenance of the road. Additionally, private roads and their associated challenges can be perceived by the public as the responsibility of the City to address on behalf of rate payers who have service level expectations. The City of Greater Sudbury's Infrastructure and Capital Planning department has advised that summer maintenance is provided to the privately owned portion of Lammi's Road and that municipal assumption is not feasible due to the inability to perform winter maintenance due to the steep grade of the road.

In terms of emergency services, Fire staff have advised that private roads are generally not constructed or maintained to a municipal standard, which makes it challenging, especially in the winter season, for fire trucks to traverse safely. The decision to traverse a private road with a fire truck is the responsibility of the captain and if deemed unsafe alternative protocols would be followed.

Staff have consulted with Waste Management and can confirm that their fleet does not traverse down the privately owned portion of Lammi's Road, however, the existing seasonal residences bring their waste to the curb of Sandy Cove Road for collection.

Overall, the private portion of Lammi's Road will not be maintained by the City in winter months, will not be directly serviced by Waste Management for curbside pickup, and due to the steep grade of the road, may pose a challenge for emergency services in the case of an emergency. Staff are of the opinion that it is not considered to be responsible good land use planning to permit the creation of a permanent residence with access by easement over a privately owned road as rural service level expectations associated with permanent residence cannot guaranteed to be met.

### 3. Rural Character

The PPS and Official Plan permit limited rural residential development that meets the rural character and does not require extension of services. Staff recognize that there are various forms of rural use in the area, however, the proposed severed and retained lands would not have sufficient frontage to maintain the character of rural lots abutting a public road. Staff acknowledge that the subject land has an existing deficient lot frontage of +/-30 m, however, will move further away from compliance with the Zoning By-law as a result of the proposal.

The intent of having a minimum frontage requirement in the rural area is to limit the amount of development that occurs in the rural area, maintain rural character, and ensure sufficient spacing between buildings and structures and interior side lot lines. Staff are of the opinion that the requested deficient frontage relief of 20 m and 10 m respectively are not keeping with rural character.

### 4. Servicing

The lands proposed to be retained are serviced by an individual septic system and lake water and the lands proposed to be severed are intended to be serviced by individual private servicing, which will be required to be demonstrated through the consent application process. Given that the subject lands are located outside of the municipal water and sanitary servicing area boundary, and that private communal systems wouldn't be appropriate for one lot, staff are satisfied that individual private servicing is appropriate. Should the applicant be unable to demonstrate site suitability for private servicing, the consent application would not be successful. There is no intention for the City of Greater Sudbury to expand municipal servicing to rural areas.

### 5. MDS

The applicant has advised that no livestock operations exist within proximity to the subject lands, therefore staff are satisfied that minimum distance separation (MDS I) is not applicable.

### 6. Natural Hazards and Shoreline

The applicant has worked with Conservation Sudbury in determining the extent of the flood and erosion hazards, which has been identified on Concept Plan 1 (attached for reference). The applicant has advised that the identified erosion hazard on Concept Plan 1 has been confirmed to be negated by the presence of bedrock by Conservation Sudbury, resulting in additional lands being located outside of the hazard lands for development potential. This information has been confirmed by Conservation Sudbury and is reflected in their comments.

The applicant has also provided a concept plan which identified the 30 m high water mark setback and shoreline buffer areas, see Concept Plan 2, attached. The applicant has not requested any specific relief in relation to the waterbody provisions of the zoning by-law.

Long Lake is considered to have phosphorus enrichment concerns and is categorized as Enhanced Management 2 per the City's Official Plan. The applicant will need to demonstrate a suitable building envelope and septic system location as part of the site assessment required through the consent application in accordance with Section 8.4.2.5 of the Official Plan.

Conservation Sudbury and Environmental and Strategic Planning staff have no objections to the rezoning application, however, have both identified that additional information will be required through the consent and building application processes. Staff are therefore satisfied that the applicant will need to demonstrate a suitable building envelope outside of the natural hazard, high water mark, and shoreline areas prior to development taking place.

## Conclusion:

Staff has reviewed the application and is of the opinion that the development proposal does not conform with rural lot creation policies in the Official Plan for the City of Greater Sudbury pertaining to the intent of requiring frontage on a public rear-round maintained road. Staff are unable to support the creation of a permanent waterfront residential lot with access by easement over a private road as it is not considered to be good responsible land use planning. Additionally, the requested deficient lot frontages of 10 m and 20 m along a public road where 90 m is required, does not maintain the character of the rural area. The Planning Services Division therefore recommends that the application for Zoning By-law Amendment be denied in accordance with the resolution section of this report.

## Appendix 1:

### Departmental & Agency Comments

#### a) Building Services

Building Services has reviewed the application and can advise that we have no concerns with the proposed zoning and request for the site-specific reduced frontages.

Applicant to be advised of the following:

- The Building Permit for the single-family dwelling on the retained property has not been completed. Please contact Building Services to arrange for the required inspections to close the permit.
- There appears to be several structures on the proposed severed property that have not been indicated on the provided sketch. Please be advised that all structures greater than 10 sq.m. and residential storage sheds greater than 15 sq.m. require building permits or must be removed from the site.

#### b) Conservation Sudbury (NDCA)

Conservation Sudbury has no objection to the rezoning of the subject property from "RU" to "RU(S)". Circulated sketch indicated both the flood and erosion hazard. Future development will be required to be located outside of these hazards. The presence of consolidated bedrock negates the erosion hazard. Note that at the time of building permit application, the limits of the erosion hazard may be refined through a site-specific study, or the demonstration of consolidated bedrock along the shoreline and at the location of proposed development.

#### c) Development Engineering

Development Engineering has reviewed the above noted application. This location is not presently serviced with water or sanitary sewer.

We have no objection to this change from "RU", Rural, to "RU(S)", Rural Special, under By-law 2010-100Z provided that the proponent provide a lot grading plan to the satisfaction of the General Manager of Growth and Infrastructure.

#### d) Fire

No concerns with the rezoning request, however, all privately maintained roads are a potential problem, if they are not designed and maintained to ensure safe travel for fire department equipment. The Captain on the responding truck may consider the road is not maintained to ensure safe travel, and therefore not drive truck on roadway. The crew would then walk in and access what is required and what equipment is required and have a smaller vehicle respond to transport equipment if required. Winter makes all these private roads mostly not safe for travel with snow or ice conditions as there is no confirmation that grades are acceptable and may be too steep. Each call on a private road is at the truck captain's discretion, as he is responsible for the crew on board and the fire truck.

e) Infrastructure Capital Planning

Roads

No concerns.

Transportation & Innovation Support

No concerns, as this portion of Lammi's Road south of Sandy Cove Road is considered to be a private road under private ownership.

Active Transportation

No concerns.

Roads Operations

Lammi's Road is privately owned. However, it receives seasonal maintenance (summer only) from Sandy Cove Road (also known as Sunnyside Road), southerly for approximately 230 meters.

Distribution & Collection Operations

No concerns.

Drainage

No concerns.

f) Source Water Protection

No source water protection concerns.

g) Strategic and Environmental Planning

Staff in Strategic and Environmental Planning (SEP) have reviewed the proposed development. Long Lake is considered to have phosphorus enrichment concerns and is categorized as Enhanced Management 2 per the City's Official Plan and is based on the water quality model for lakes with the City of Greater Sudbury. Phosphorus is an essential element for all life forms and is the most limited major nutrient for aquatic plant growth in freshwater lakes and streams. Increasing levels of phosphorus can lead to an increase in the incidence of nuisance aquatic vegetation, green algae, and in some cases, toxic cyanobacteria (blue-green algae) blooms. Public Health Sudbury & Districts first confirmed the presence of cyanobacterial blooms in Long Lake in 2008, with additional blooms confirmed in eight years since, most recently in 2022. Phosphorus enrichment most often occurs as a result of development pressures, particularly development reliant on private wastewater treatment, such as septic systems. Policy 7 in section 8.4.2 Lakes with Phosphorus Enrichment Concerns requires a site-specific assessment demonstrates that the development will not negatively impact water quality and outlines the circumstances under which development should occur. The requirements of a site assessment is detailed in policy 8 of the same section.

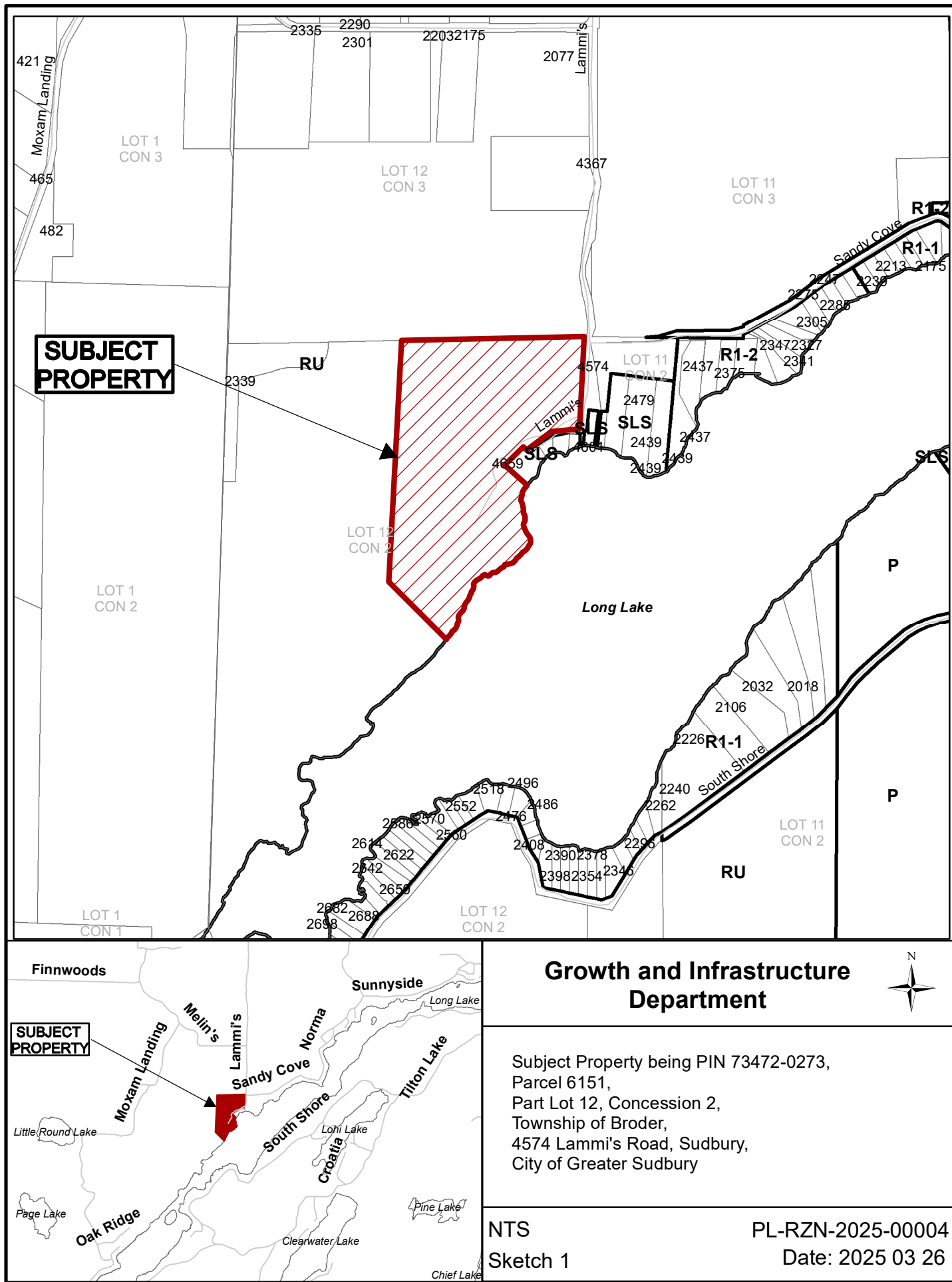
Ensuring compliance with the minimum highwater mark setback of 30 metres and retaining a naturally vegetated shoreline buffer area as required by Zoning By-law 2010-100Z are critical in helping to reduce phosphorus inputs into Long Lake and maintaining a healthy shoreline ecosystem. A naturally vegetated shoreline buffer area act as an important buffer, absorbing runoff nutrients and holding soil in place. Vegetation removal on the subject lands should be kept to a minimum during any site preparation or construction activities. The shoreline buffer area is subject to the standards setout in 4.41.3 Shoreline Buffer Areas of Zoning By-law 2010-100Z; conversion of the shoreline buffer area to lawn or other manicured landscaping is limited and discouraged due to phosphorus concerns.

It appears that both the proposed severed and retained lots would be able to comply with standards of 4.41 WATERBODIES - WATER FRONTAGE, SETBACKS AND BUFFERS as established in Zoning By-law 2010-100Z and staff note that no relief has been requested. As such, staff in SEP do not object to the proposed rezoning of the subject lands. As part of an application for consent to sever, a site assessment completed in accordance with policy 8 of section 8.4.2 Lakes with Phosphorus Enrichment Concerns should be submitted for staff review and consideration.

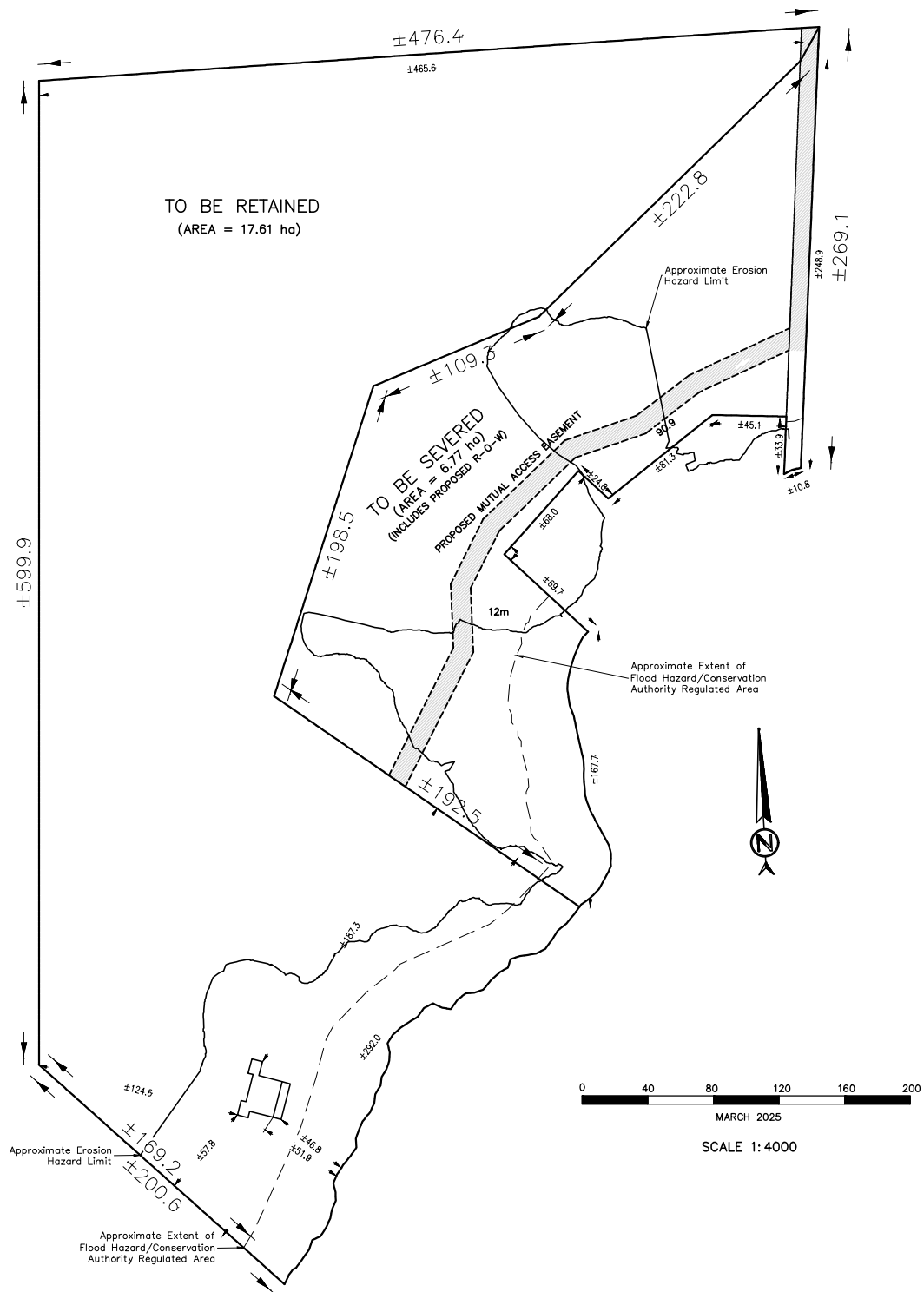
The applicant is advised that compliance with the federal Migratory Bird Convention Act, 1994, the federal Fisheries Act, 1985, the provincial Fish and Wildlife Conservation Act, 1997, and the provincial Endangered Species Act, 2007, is their sole responsibility.

h) Transit

No concerns.







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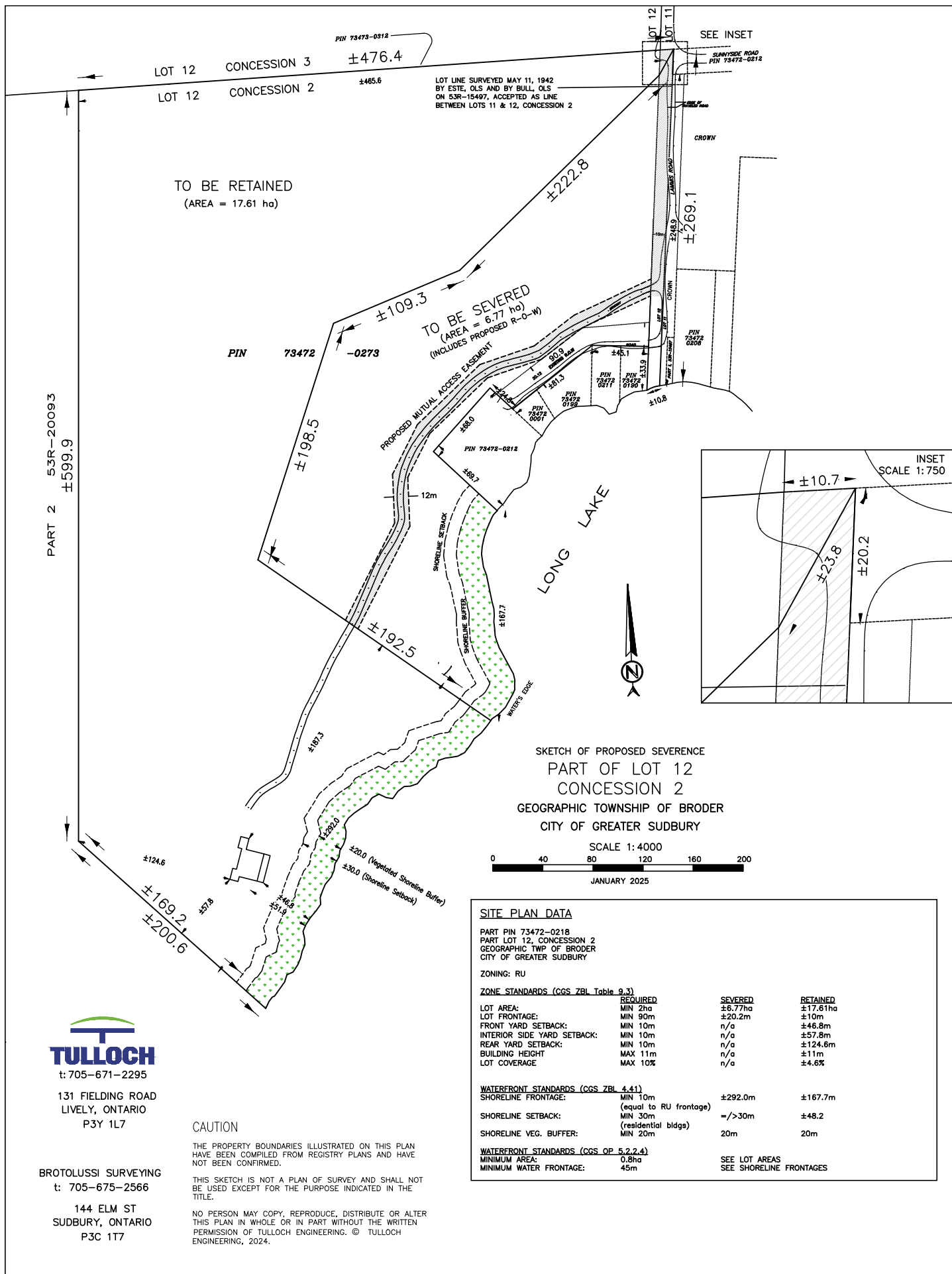
144 ELM ST  
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#### CAUTION

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# PLANNING JUSTIFICATION REPORT

4574 LAMMI'S ROAD, GREATER SUDBURY  
ZONING BY-LAW AMENDMENT

MARCH 2025

**Prepared by: TULLOCH**

131 Fielding Road, Lively, ON P3Y 1L7

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# 1.0 INTRODUCTION

TULLOCH is retained by the current owner of 4574 Lammi's Road in Greater Sudbury to prepare a Planning Justification Report as part of a complete application to amend the *City of Greater Sudbury Zoning By-law 2010-100Z*. This report provides land use planning justification for a Zoning By-law Amendment application that would facilitate the creation of one (1) new rural residential lot over the subject lands.

This report reviews the consistency and conformity of the application in the context of the applicable policies and direction found within the following documents and plans:

- *2024 Provincial Planning Statement (PPS)*
- *Growth Plan for Northern Ontario (GPNO)*
- *City of Greater Sudbury Official Plan (OP)*
- *City of Greater Sudbury Zoning By-law 2010-100Z*

Overall, the author finds that the proposed Zoning By-law Amendment conforms with the *Growth Plan for Northern Ontario*, the *City of Greater Sudbury Official Plan*, is consistent with the *2024 Provincial Planning Statement* and represents good land use planning.

This Planning Justification Report is structured as follows:

- **Section 1.0:** provides the introduction and purpose of this report.
- **Section 2.0:** provides a description of the subject lands including information on existing conditions and surrounding land use planning context.
- **Section 3.0:** describes the proposed development and provides a concept plan.
- **Section 4.0:** provides background information on previous applications that were submitted over the subject lands.
- **Section 5.0:** describes the land use planning policy context including provincial and municipal planning documents and a review of how the application conforms to or is otherwise consistent with these policies.
- **Section 6.0:** sets out a summary of the application and its land use planning justification.

# 2.0 SUBJECT SITE AND SURROUNDING CONTEXT

The subject lands are located along Lammi's Road and have water frontage on Long Lake in Greater Sudbury. Sunnyside Road and Long Lake Road are situated to the east of the lands. The lands can legally be described as follows:

PT LT 12 CON 2 BRODER AS IN EP5827 EXCEPT LT43520, LT49814, LT50136, LT50398, LT59333, LT61558, LT67436 & PTS 2, 3 & 4 53R20093 SUBJECT TO AN EASEMENT AS IN LT214069 CITY OF GREATER SUDBURY

The irregularly shaped property has a total area of  $\pm 24.4$  hectares (60.29 acres) with  $\pm 30.2$  metres (99.08 feet) of public road frontage along Lammi's Road and  $\pm 459.7$  metres (1508.20 feet) of shoreline frontage on Long Lake. Lammi's Road extends further south beyond Sunnyside Road, however, this portion of Lammi's Road is not owned by the City, and therefore it is not considered or calculated to be public road frontage.

The lands largely consist of rocky terrain with an existing dwelling located at the south-west corner and an existing private driveway providing access to such dwelling (see *Figures 1-6*). Available mapping from Conservation Sudbury indicates that flooding and erosion hazards exist at the shoreline of the lands (see *Figure 7*).

The lands are currently zoned Rural (RU) in the Zoning By-law and designated Rural in the Official Plan.

The surrounding area is comprised of rural lands and low-density housing types. The immediate surrounding area can be described as follows:

**NORTH:** Vacant rural lands, Melin's Road, rural residential lots

**EAST:** Lammi's Road, Sunnyside Road, clusters of shoreline residential lots [zoned SLS (Seasonal Limited Service) & R1-2 (Low Density Residential One)], vacant rural lands, Long Lake

**SOUTH:** Small cluster of shoreline residential lots [zoned SLS (Seasonal Limited Services)], Long Lake

**WEST:** Largely vacant rural lands with clusters of rural residential lots, Moxam Landing Road



*Figure 1: Proposed Severed & Retained Lot's Public Road Frontage along Lammi's Road (facing south)*





*Figure 2: Existing Private Driveway & Location of Proposed Mutual Access Easement (facing south-west)*



*Figure 3: Alternative view of Existing Private Driveway & Proposed Mutual Access Easement (facing west)*





*Figure 4: View along Driveway/Proposed Mutual Access Easement (facing south)*



*Figure 5: Alternative view along Driveway/Proposed Mutual Access Easement (facing south)*





*Figure 6: Proposed Retained Lot's Shoreline Frontage (facing south-west)*



## 3.0 PROPOSED DEVELOPMENT

The proposed Zoning By-law Amendment would rezone the subject lands from RU (Rural) to RU(S) (Rural Special). The rezoning would facilitate the creation of a new rural residential lot having public road frontage on the assumed and maintained portion of Lammi's Road, and shoreline frontage on Long Lake. The new lot would have a frontage of  $\pm 20.2$  metres (66.27 feet) along Lammi's Road, a total area of  $\pm 6.7$  hectares (16.56 acres) and a depth of over 190 metres (623.36 feet) from the shoreline to the rear of the lot. The lands retained from the proposed severance would have a frontage of  $\pm 10$  metres (32.81 feet) along Lammi's Road, a total area of  $\pm 17.61$  hectares (43.52 acres) and a depth of over 600 metres (1968.50 feet) from the shoreline to the rear of the lot. The proposed retained lot currently contains an existing single detached dwelling that is privately serviced. The proposed severed lot would also be serviced by private sewer and water systems. It is intended that the severed lot would house a single-detached dwelling in future. Both lots would be accessed by a mutual access easement traversing over the unopened portion of Lammi's Road and the proposed severed lot, along an existing private driveway. The following *Planning Act* applications are required to create the lot as shown in *Figure 8: Concept Plan*.

### ZONING BY-LAW AMENDMENT APPLICATION

The Zoning By-law Amendment would rezone the subject lands from RU (Rural) to RU(S) (Rural Special) with the following site-specific relief from *Zoning By-law 2010-100Z*:

- Minimum lot frontage of 10 metres (32.81 feet) for the proposed lands to be retained, whereas a minimum of 90 metres (295.28 feet) is required under *Table 9.3* of the Zoning By-law; and
- Minimum lot frontage of 20.2 metres (66.27 feet) for the proposed lands to be severed, whereas a minimum of 90 metres (295.28 feet) is required under *Table 9.3* of the Zoning By-law.

### CONSENT APPLICATION

Should the rezoning be approved, an application for consent will be required to create the proposed lot and mutual access easement. If the proposed severance is eligible for approval, the Consent Official at the City can give provisional consent, in which certain conditions will need to be satisfied before final consent (approval) can be granted. Among other standard requirements, the conditions for rural lot creation commonly include the owner(s)/applicant(s) demonstrating that the proposed severed and retained lots are capable of supporting private sewer and water systems. For new lots created on lakes with health concerns, other conditions may include that the owner(s)/applicant(s) complete certain technical studies related to maintaining and protecting good lake health.

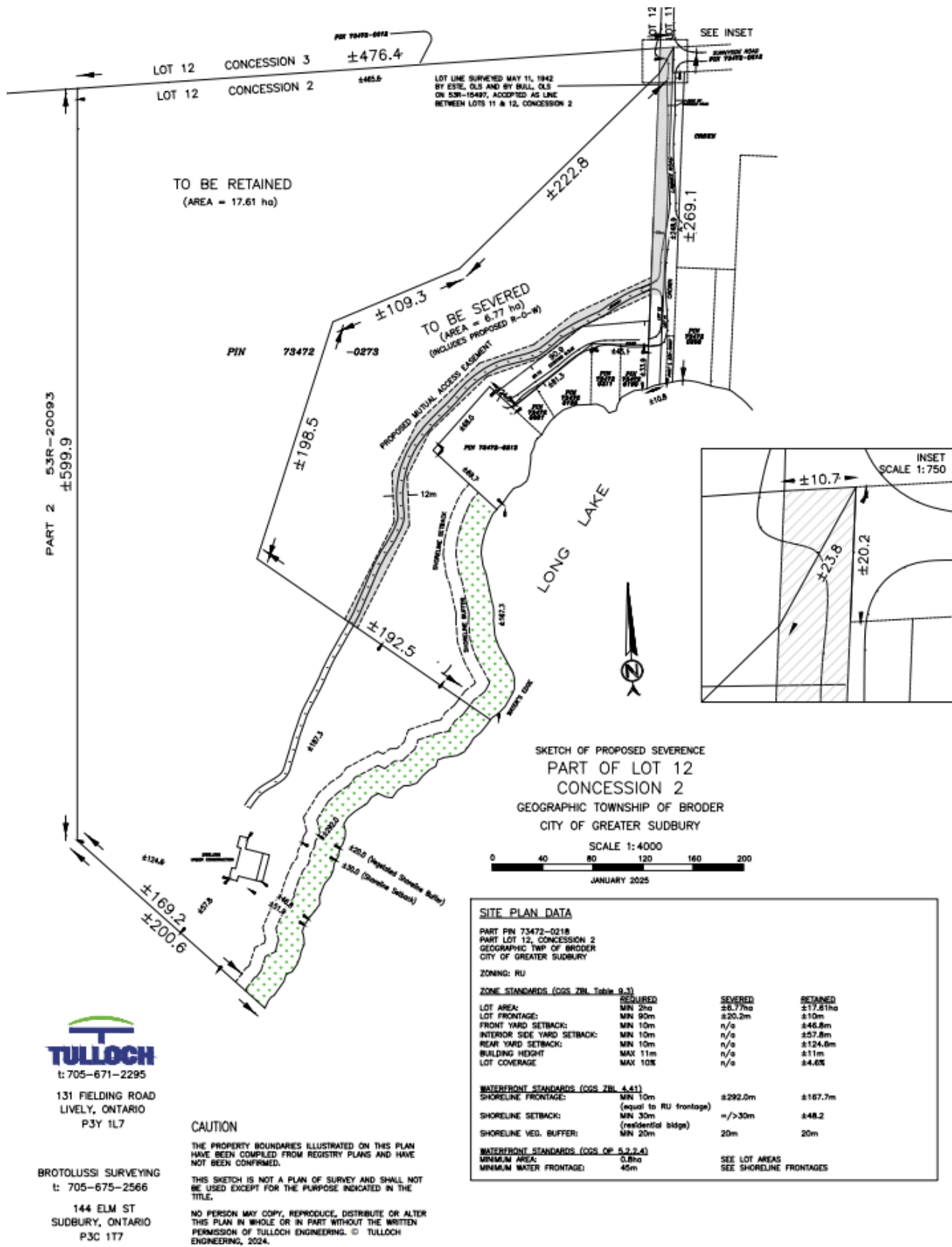


Figure 8: Concept Plan

## 4.0 BACKGROUND

The subject lands have been the subject of previous consent applications B0123/2014, B0124/2014 and B0125/2014, which contemplated the creation of 3 new (+1 retained) lots with each having between 45-90 metres (147.64-295.28 feet) of frontage along the unopened portion of Lammi's Road. These applications were conditionally approved in March 2015. These previous consent decisions included comments from the City's Development Approvals Section indicating that the creation of rural lots in this location are permitted in the rural land use designation under the OP, provided that the severed and retained lots have a minimum area of 0.8 hectares (1.98 acres) and a minimum shoreline frontage of 45 metres (147.64 feet). The comments from the Development Approvals Section further indicated that if the lots had frontage on a public and year-round maintained road, the resulting lots could be used for permanent residential uses, otherwise only seasonal residential uses are to be permitted provided that adequate off-street parking and boat docking facilities are available. Considering that the proposed lots did not have frontage on a public road, the applications were provided with provisional consent on the basis that the lots would accommodate seasonal residential uses. In addition, a minor variance to *Special Provision 3* in *Table 9.1* (Permitted Residential Uses) in the Zoning By-law was required in order to permit seasonal dwellings on the new lots as they would have not been considered legal existing lots under the Zoning By-law. The conditions of provisional consent were not satisfied and the decisions lapsed in March 2016.

Similar consent applications along with a concurrent minor variance application (A0134/2023) were submitted, and comments on the minor variance component were received by TULLOCH in January 2024. The consent and minor variance applications together contemplated the creation of 2 new (+1 retained) lots with similar configurations as what was proposed in the 2014/2015 consent applications. However, the comments on the minor variance application indicated that the proposed minor variance for a reduced frontage on one of the proposed lots was premature given that the proposed severed lots would not meet the OP criteria requiring frontage on a public road that is maintained year-round. Moreover, these comments recommended that the minor variance application be deferred to afford the applicant an opportunity to address the City's concerns. The application for minor variance was deferred and later expired in December 2024.

## 5.0 POLICY OVERVIEW AND ANALYSIS

The following section sets out the relevant planning policy framework to assess the appropriateness of the proposed Zoning By-law Amendment application within the context of applicable provincial and municipal policies and regulations. Each sub-section will outline relevant policies and provide a land use planning analysis with respect to how the proposed development conforms to the OP, and is consistent with or conforms to other applicable policies and regulations.

### 5.1 | PROVINCIAL PLANNING STATEMENT, 2024 (PPS)

The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land in Ontario and is intended to help achieve the provincial goal of meeting the needs of a fast-growing province, while enhancing the quality of life for all Ontarians. The PPS also helps planning authorities make decisions on applications under the *Ontario Planning Act*. All development proposals must demonstrate consistency with the PPS. The policies applicable to the proposed Zoning By-Law Amendment are discussed below.

Per the PPS, Rural Areas are defined as lands within municipalities that may include Rural Settlement Areas, Rural Lands, Prime Agricultural Areas, Natural Heritage Features and Areas, and resource areas. **Section 2.5** provides general policies for Rural Areas, and states, in part, that Rural Areas should be supported by:

- 2.5.1**            *a) building upon rural character, and leveraging rural amenities and assets; and,*  
...  
*d) using rural infrastructure and public service facilities efficiently.*

**Section 2.6** of the PPS outlines Rural Lands policies, and states, in part:

- 2.6.1**            *On Rural Lands located in municipalities, permitted uses are:*  
*c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services;*
- 2.6.2**            *Development that can be sustained by rural service levels should be promoted.*
- 2.6.3**            *Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure.*
- 2.6.5**            *New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.*



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## PLANNING ANALYSIS

Clusters of shoreline residential lots exist to the south of the subject lands along the unopened portion of Lammi's Road, and to the east along Sunnyside Road. The application would support **Section 2.5 a)** by building upon this existing rural character in a manner that conforms with (and well exceeds) minimum lot area standards for rural lands (see Section 5.4 of this report). The application would not hinder **Section 2.5 d)** by maintaining frontage for the proposed severed and retained lots along the assumed and maintained portion of Lammi's Road, thereby maintaining the opportunity to utilize the existing rural infrastructure that the lands benefit from.

The above noted policies under **Section 2.6** are supportive of the proposed development in this location under the following circumstances:

1. Where site conditions are suitable for the provision of appropriate sewage and water services ( <b>Section 2.6.1 c)</b> )	<b>Analysis:</b> The City of Greater Sudbury's 2004 <i>Waterfront and Rural Background Policy Paper</i> acknowledges that new rural lots typically require approval for a private sewage system and proof of a potable water supply, necessitating larger lot areas (compared to urban lots that are serviced with municipal infrastructure). The proposed severed and retained lots well exceed minimum lot area standards and would be further evaluated through the consent process to ensure suitable conditions exist for sewage and water services.
2. Where such can be sustained by rural service levels and is appropriate to the infrastructure which is planned or available ( <b>Section 2.6.2 &amp; 2.6.3</b> )	<b>Analysis:</b> Municipal sewer and water services do not exist in proximity to the subject lands or the clusters of nearby shoreline rural residential lots. The proposed severed lot would be privately serviced, and the appropriateness of such services would be further confirmed through the application for consent.
3. Where such complies with the minimum distance separation formulae (MDS) ( <b>Section 2.6.5</b> )	<b>Analysis:</b> No existing livestock facilities exist in proximity to the subject lands; therefore, the application would not generate any MDS concerns.

---

**Section 3.6** outlines sewage, water, and stormwater policies and states, in part:

**3.6.4**        *Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.*

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## PLANNING ANALYSIS

Outlined in **Section 3.6** of the PPS is a hierarchy of service levels. Given the rural nature of the subject lands, municipal services are not available or planned, and the proposed development is not a multi unit/lot-style development, therefore, private communal services are not contemplated. Individual on-site sewage and water services are most suitable for the proposed severed and retained lots. Considering these lots well exceed minimum lot area standards for rural lands, they are considered per applicable local policy and provisions in the OP and Zoning By-law to be of an appropriate size to accommodate individual services and no negative servicing impacts are anticipated on either the severed or retained lot. As noted above, this would be further examined and confirmed through the consent process.

---

**Section 5.2** speaks to policies related to natural hazards, and states, in part:

**5.2.2**            *Development shall generally be directed to areas outside of:*

*b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards;*

**5.2.3**            *Development and site alteration shall not be permitted within:*

*c) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard;*

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## PLANNING ANALYSIS

Per Conservation Sudbury mapping, flooding and erosion hazards exist at the shoreline of the lands. However, given the area and depth of the proposed severed and retained lots, it appears that sufficient developable land exists outside of such hazards (see *Figure 7*), with respect to **Section 5.2.2 b)**. As shown on *Figure 7*, the limit of the erosion hazard extends over the proposed mutual access easement and existing dwelling. The previous minor variance application (A0134/2023) contained comments highlighting this hazard, and stated that:

*‘Conservation Sudbury requires the application depict the future development restrictions by including the limits of the standard erosion hazard on the proposed severance sketch or demonstrate that the presence of consolidated bedrock to negate the erosion hazard.’*

TULLOCH attended the site and provided a series of photos demonstrating the presence of, what appeared to be, bedrock along the existing private driveway and dwelling. Conservation Sudbury reviewed the site photos and provided revised comments stating that:



*'Conservation Sudbury has no objection to Minor Variance Application A0134/2024. Photographs provided by the proponent show extensive bedrock features on the subject property which would negate the erosion hazard.'*

Together with available mapping showing the extent of the flooding hazard associated with the site, and a site visit/field investigations negating the erosion hazard, it is the author's opinion that the application is consistent with **Section 5.2.3 c)**.

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## 5.2 | GROWTH PLAN FOR NORTHERN ONTARIO (GPNO)

The GPNO is a 25-year plan that provides guidance in aligning provincial decisions and investment in Northern Ontario. It contains policies to guide decision-making surrounding growth that promotes economic prosperity, sound environmental stewardship, and strong, sustainable communities that offer northerners a high quality of life. It also recognizes that a holistic approach is needed to plan for growth in Northern Ontario.

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### PLANNING ANALYSIS

The proposed development does not conflict with any policies within the GPNO.

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## 5.3 | CITY OF GREATER SUDBURY OFFICIAL PLAN (OP)

The OP is the principal land use planning policy document for Greater Sudbury. The OP establishes objectives and policies that help guide decision-making for both public and private development.

**Section 5.1** outlines general objectives for the Rural Areas designation, and states, in part:

- 5.1**            *It is the objective of the Rural Areas policies to:*
- a. provide an efficient and orderly pattern of land use in Rural Areas, reducing land use conflicts and requiring minimal municipal services;*
  - b. ensure that all development is adequately serviced and does not negatively impact the environment;*
  - c. encourage a strong rural economy with a range of rural uses and activities;*
  - d. recognize the importance of agriculture, silviculture and other rural land uses to the economy; and,*
  - e. preserve the cultural and historical attributes of rural areas.*

Permitted uses and general policies, including policies related to lot creation for the Rural Areas designation are outlined in **Section 5.2** of the OP, and state, in part:

- 5.2.1** *The following uses are permitted within the Rural Areas designation:*
- a. residential uses;*
- 5.2.2** *Waterfront development in Rural Areas must also comply with the policies of Section 8.4.*
- 5.2.1.1** *Rural residential development compatible with the character of surrounding existing uses is permitted, provided no additional public services, including the extension of existing or creation of new partial services would be required.*
- 5.2.2.4** *For new lots located on a waterbody or watercourse, the following lot creation policies apply:*
- a. Excluding those waterbodies or watercourses covered by Chapter 20.0, Special Policy Areas, new lots on waterbodies or watercourses in Rural Areas will be a minimum 0.8 hectares (2 acres) in size and have a minimum water frontage of 45 metres (148 feet), unless detailed waterbody studies indicate a change in the standard. The appropriate regulations will be set out in the Zoning By-law.*
- b. New lots for permanent waterfront residential use must front onto a public road that is maintained year-round.*
- 5.2.2.5** *Where applicable, all rural residential severances must also comply with the Minimum Distance Separation (MDS) formulae established by the Province in order to minimize conflicts between residential development and adjacent livestock facilities.*

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## PLANNING ANALYSIS

The application aligns with the objectives of the Rural Areas policies outlined in **Section 5.1** given the following:

- The proposed severed and retained lots build upon the existing rural character of the area and the lots would exceed minimum lot area standards for rural lands, providing an efficient and orderly pattern of land use in this area, maintaining land use compatibility and requiring no municipal services [**Section 5.1 a) & e)**];
- The appropriateness of private servicing for the lots on the surrounding area and environment would be confirmed through the application for consent, as is typical procedure for the creation of rural lots in Greater Sudbury, and consistent with provincial policy direction for residential development on rural lands [**Section 5.1 b)**];

- The additional lot created through this application would result in additional property taxes collected by the City [**Section 5.1 c**]; and
- No existing livestock facilities exist in proximity to the subject lands; therefore, the application would not result in any areas of non-compliance with MDS, nor would it hinder any agricultural operations from contributing to the economy [**Section 5.1 d**].

Per **Section 5.2.1 a**) & **5.2.1.1**, residential uses that are compatible with the surrounding character of existing uses are permitted within the Rural Areas designation. The proposed severed and retained lots would not be out of character within the context of the surrounding rural area, which includes a cluster of smaller rural residential lots along Sunnyside Road and the unopened portion of Lammi's Road. The resulting lot fabric is also similar to other larger rural parcels in the area. The lot creation would not generate any compatibility concerns with respect to existing rural development in the immediate surrounding area.

With respect to **Section 5.2.1.1**, the proposed development does not necessitate the provision of additional public services, including the extension of existing or creation of new partial services as the proposal would contain private services, and it is the author's opinion that the marginal increase in density that this application introduces to the area would not require the provision of additional public services. Waterfront development must also comply with the policies of **Section 8.4** - an analysis of this section is provided later in this report.

**Section 5.2.2** outlines local policy for rural and waterfront lot creation, and the policies relevant to this application are outlined above - the application conforms to these policies given the following:

- As outlined in Section 3.0 of this report, the proposed severed and retained lots would exceed the minimum lot area [0.8 hectares (2 acres)] and minimum water frontage [45 metres (147.64 feet)] requirements in the OP for rural lot creation on lands having water frontage. Regulations are also set out in the Zoning By-law, and such are analyzed in Section 5.4 of this report [**Section 5.2.2.4 a**)];
- The severed and retained lots are proposed to accommodate permanent rural waterfront residential uses and would front onto the assumed and maintained portion of Lammi's Road. Access to the public portion of Lammi's Road is not necessary as the existing private driveway can provide functional access to both lots. However, maintaining frontage for both the lots along the public portion of Lammi's Road would maintain the opportunity to utilize the existing rural infrastructure the property benefits from. This is in-line with both local policy, and provincial direction discussed in Section 5.1 of this report [**Section 5.2.2.4 b**)]; and
- No existing livestock facilities exist in proximity to the subject lands; therefore, the application would not result in any areas of non-compliance with respect to the MDS formulae (**Section 5.2.2.5**).

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General policies for lakes, rivers, and streams are outlined in **Section 8.4.1**, and state, in part:

- 8.4.1.2** *A minimum 30-metre setback from the normal high water mark of a lake, river or stream will be required for leaching beds, unless otherwise defined in the Official Plan.*
- 8.4.1.3** *A minimum 30-metre setback from the normal high water mark of a lake or river, or a minimum 12-metre setback from the normal high water mark of a permanently flowing stream, will be required for all new development, excluding shoreline structures. A lesser setback may be considered by way of a change to the zoning by-law in the following circumstances:*
- a. sufficient lot depth is not available;*
  - b. terrain or soil conditions exist which make other locations on the lot less suitable;*

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## PLANNING ANALYSIS

Both the severed and retained lots are proposed to be appropriately-sized to provide the required 30 metre (98.43 feet) setback from the normal high water mark to accommodate any future development on the proposed severed and retained lots and ensure that Long Lake is not negatively impacted or threatened, meeting the intent of **Section 8.4.1**. In addition, a lesser setback is not being requested as part of this application, considering that sufficient lot area and depth would be available, and terrain and soil conditions are suitable beyond the 30 metre (98.43 feet) setback for both lots, with respect to **Section 8.4.1.3**.

---

**Section 8.4.2** speaks to policies for Lakes with Phosphorus Enrichment concerns. Long Lake is categorized as Enhanced Management 2 under *Appendix B* of the OP. As such, the following policies apply:

- 8.4.2.7** *For lakes listed in Appendix B, lot creation or land use changes that result in a more intensive use may only proceed on shoreline lots where a site-specific assessment demonstrates that the development will not negatively impact water quality and outlines the circumstances under which development should occur. Specific development requirements identified through the assessment will be implemented through site plan control.*
- 8.4.2.8** *Where required for lakes categorized as Enhanced Management 2, a site-specific assessment will be prepared by a qualified professional in accordance with terms of reference approved by the City. Site-specific assessments will consist of the following elements at a minimum:*
- a. Identification of recommended building and septic system (where appropriate) envelope and mitigation measures based on the site-specific soil and topographic conditions, including but not limited to, detailed construction*

*mitigation plans, enhanced shoreline setbacks and buffers if necessary, measures for protecting natural vegetation, and stormwater management.*

*b. Monitoring to confirm that the vegetative buffer and stormwater mitigation measures are in place until such a time as construction is complete and an occupancy permit is issued and on an annual basis until such time as the lake is no longer listed on Appendix B; and*

*c. The assessment must be completed to the satisfaction of the Director of Planning Services and the recommendations of such an assessment will be implemented through a site plan control and/or other agreements registered on title.*

**Section 8.4.5** speaks to how vegetative buffers are essential to maintaining and improving water quality. It outlines policies that seek to maximize the amount of natural vegetation within the shoreline buffer area, and states, in part:

**8.4.5.2** *It is the intent of this Plan to maximize the amount of natural vegetation within the shoreline buffer area. As such, the City may implement controls on the removal of vegetation by establishing limits on clearing, changes to the grade, and the placement of impervious surfaces along shorelines and stream banks. These regulations will be based on achieving the following targets:*

*a. maintain a shoreline buffer area in a natural state to a depth of 20.0 metres from the normal high water mark of a lake or river; and,*

*...*

*Requirements for vegetative buffers will be implemented through the Zoning By-law and site plan control, where authorized.*

---

## **PLANNING ANALYSIS**

At this time, the proposed Zoning By-law Amendment would allow for the principle of use to be established over the subject lands. Regarding the need for a site-specific assessment per **Sections 8.2.4.7 & 8.4.2.8**, this has been historically required during the application for consent process (through City of Greater Sudbury applications for consent B0123/2014, B0124/2014 and B0125/2014). That being said, conformity with the above noted policies would be further addressed through the consent process, should the application be approved.

In the absence of the above site-specific study, the standard setback and buffer requirements of **Section 8.4.1 & 8.4.5.2** (above) can be achieved, and the resulting area and depth of the proposed severed and retained lots would allow for the flexibility to provide enhanced setbacks and buffers, should it be recommended through any site-specific study. As outlined in **Section 8.4.5.2**, standard requirements for vegetation buffers would be implemented through the Zoning By-law. The Zoning By-law contains other

provisions that assist in maintaining and improving water quality – the applications conformity with these provisions are discussed in Section 5.4 of this report.

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**Section 10.2** speaks to policies regarding flooding and erosion hazards for development in Greater Sudbury. As such, the following policy applies:

**10.2.1** *Because flooding and erosion hazards may cause loss of life and may result in damage to property, development on lands adjacent to the shoreline of a watercourse or waterbody affected by flooding or erosion hazards are generally restricted and may be approved by Conservation Sudbury or MNRF. In addition, development on adjacent lands is also generally restricted and may be approved by Conservation Sudbury or MNRF.*

---

## PLANNING ANALYSIS

The subject lands have floodplain and erosion hazard features along the shoreline of the lands. However, given the area and depth of the proposed severed and retained lots, sufficient developable land exists outside of such hazards. Erosion hazard concerns were addressed at the time of the previous minor variance application, and Conservation Sudbury have stated that they had no objections to the proposal based on site photos showing extensive bedrock features on the lands which would negate the erosion hazard extending over the existing private driveway and dwelling (see *Figure 7*), per **Section 10.2.1**.

---

## 5.4 | CITY OF GREATER SUDBURY ZONING BY-LAW 2010-100Z

The subject lands are zoned RU (Rural) under the *City of Greater Sudbury Zoning By-Law 2010-100Z*. As outlined in *Part 9* of the Zoning By-law, the rural zone permits a range of residential uses, including a single detached dwelling, mobile home dwelling, bed and breakfast establishment, group home type 1, seasonal dwelling, private cabin and a private home daycare. A zoning matrix table is provided in **Table 1** to review the proposed severed and retained lots against the City's rural zoning standards in the Zoning By-law.

**Table 1 - Zoning Matrix Table**

	REQUIRED	PROPOSED SEVERED LOT	PROPOSED RETAINED LOT
Min. Lot Area	2ha	±6.77ha	±17.61ha
Min. Frontage	90m	±20.2m	±10.7m
Min. Front Yard Setback	10m	n/a	±740m
Min. Rear Yard Setback	10m	n/a	±51.9m

<b>Min. Interior Yard Setback</b>	10m	n/a	±57.8m
<b>Max. Building Height</b>	11m	n/a	±11m
<b>Max. Lot Coverage</b>	10%	n/a	±4.6%

Part 4 of the Zoning By-law contains general provisions that shall apply to all lands within the City unless otherwise specified. The following general provisions are relevant to the application:

#### **4.9.2 Flood Plain Overlay (FP)**

*Notwithstanding any other provision of this By-law to the contrary, within the areas shown Schedule "A" of this By-law as Flood Plain Overlay (FP), the following shall apply:*

*b) no new buildings or structures shall be erected or used except for flood or erosion control or for providing access and only in accordance with any regulations of, and subject to the approval of the Nickel District Conservation Authority and, where applicable, pursuant to The Lakes and Rivers Improvement Act, R.S.O. 1990, Chapter L.3, The Fisheries Act, R.S.C. 1985, Chapter F-14, or The Public Lands Act, R.S.O. 1990, Chapter P.43, of the Ontario Ministry of Natural Resources.*

#### **4.9.3 Natural Hazards**

*Notwithstanding any other provision of this By-law to the contrary, for any lands under the jurisdiction of the Nickel District Conservation Authority pursuant to the Conservation Authorities Act, R.S.O 1990 c. C.27, as amended, the following shall apply:*

*i) buildings or structures shall be erected or used in accordance with any regulations of, and subject to the approval of, the Nickel District Conservation Authority. Approval of the authority must be obtained prior to the addition or removal of material (e.g. fill, soil, etc), whether originating on the site or elsewhere*

#### **4.41.2 Setback Requirements for Residential Buildings and Accessory Structures**

*Notwithstanding any other provision of this By-law to the contrary, except for gazebos, boathouses, docks, decks, stairs, water pumps and saunas and Section 4.41.4:*

*a) No person shall erect any residential building or other accessory building or structure closer than 30.0 metres to the high water mark of a lake or river;*

*...*

*c) No person shall construct a leaching bed closer than 30.0 metres from the high water mark of a lake, river or stream.*

#### **4.41.3 Shoreline Buffer Areas**

*Notwithstanding any other provision of this By-law to the contrary, a shoreline buffer area is to remain in a natural vegetated state to a depth of:*

a) 20.0 metres from the high water mark of a lake or river;

---

## PLANNING ANALYSIS

Relief from the above general provisions is not required to facilitate the proposed severance or to enable rural residential development over the proposed severed lot.

The proposed Zoning By-law Amendment is required to facilitate the proposed severance through a site-specific exception to certain development standards under the RU zone. The existing Rural zoning is to be maintained; however, the following site-specific relief is proposed:

- Minimum lot frontage of 10 metres (32.81 feet) for the proposed lands to be retained, whereas a minimum of 90 metres (295.28 feet) is permitted under *Table 9.3* of the Zoning By-law; and
- Minimum lot frontage of 20.2 metres (66.27 feet) for the proposed lands to be severed, whereas a minimum of 90 metres (295.28 feet) is permitted under *Table 9.3* of the Zoning By-law.

A reduced lot frontage for the severed and retained lots is appropriate as it would not hinder consistency with the PPS, and conformity with the OP and the relevant general provisions outlined in *Part 4* of the Zoning By-law. In particular:

- The proposed severed and retained lots maintain frontage along the assumed and maintained portion of Lammi's Road for potential future use. These frontages are of sufficient width for a driveway that meets the minimum requirements of *Section 5.4.3.1 a)* of the Zoning By-law (minimum of 3 metres);
- The reduced lot frontage does not limit the lots from functioning as rural, privately serviced residential lots. It is anticipated that both lots would each be able to accommodate the provision of appropriate sewage and water services due to the amount of area and depth they contain. The reduced lot frontage would also not constrain the lots from providing sufficient developable land outside of the environmental hazards discussed in *Section 5.1 & 5.3* of this report; and
- The lots well exceed the lot area and frontage requirements in the OP for the creation of new rural lots located on a waterbody for permanent waterfront residential uses.

---

## 6.0 CONCLUSION

The application proposes to amend the *City of Greater Sudbury Zoning By-law 2010-100Z* on a site-specific basis to facilitate the creation of one (1) new rural residential lot over the subject lands. It is the author's professional opinion that the creation of a new lot in this location is appropriate as this report found that the application conforms with the *Growth Plan for Northern Ontario*, the *City of Greater Sudbury Official Plan*, is consistent with the *2024 Provincial Planning Statement* and represents good land use planning. A summary of the application and key points regarding its land use planning justification is outlined below:



- The proposed severed and retained lots align with the rural character of the area, well exceeding minimum lot area standards for rural waterfront lot creation in the OP, ensuring an efficient and orderly land use pattern, and ensuring that land use compatibility is maintained;
- The lots maintain frontage along the assumed and maintained portion of Lammi's Road, providing the opportunity to utilize the existing infrastructure that the lands benefit from in the future;
- As the lots well exceed minimum lot area standards for rural waterfront lands, they are of an appropriate size to accommodate individual services. As discussed throughout this report, an application for consent will be required to create the proposed lots and mutual access easement, and the owner(s)/applicants would need to demonstrate that the lots are capable of supporting private sewer and water systems;
- Available mapping from Conservation Sudbury indicates that flooding and erosion hazards exist over the lands, however together with said mapping, early consultation with Conservation Sudbury and a site visit/field investigations, it was found that extensive bedrock features over the subject lands would negate the erosion hazard. With respect to the flooding hazard, it appears that sufficient developable land exists beyond this hazard given the area and depth of the lots;
- Long Lake is categorized as Enhanced Management 2 under *Appendix B* of the OP, however, no policy exception or site-specific relief is requested from any of the standard requirements in the OP or Zoning By-law that assist in maintaining and improving water quality. A site-specific assessment per **Sections 8.2.4.7 & 8.4.2.8** of the OP has been historically required during the application for consent process. Given the resulting area and depth of the lots, flexibility is provided, should said study recommend enhanced setbacks and buffers; and
- Finally, a reduced lot frontage for the lots would not hinder consistency with the PPS, and conformity with the OP and the relevant general provisions in the Zoning By-law. This is because the application does not require relief from any relevant general provisions; the lots maintain frontage along Lammi's Road, sufficient for a driveway that meets the width requirements in the Zoning By-law for new driveways; it does not limit the lots from functioning as rural, privately serviced lots, as they can accommodate individual services due to the amount of area and depth they contain; and the lots would exceed the lot area and frontage requirements in the OP for new lots on a waterbody for permanent waterfront residential uses.

Respectfully submitted,

**Prepared By:**



**Aaron Ariganello, BURP  
Land Use Planner**

**Reviewed By:**



**Vanessa Smith, M.Pl., RPP  
Senior Planner | Project Manager**



Photo 1: Private portion of Lammi's Road, south of Sandy Cove Road. File PL-RZN-2025-00004  
Photography: July 8, 2025





Photo 2: 4547 Lammi's Road Lot frontage along public portion of Lammi's Road. File PL-RZN-2025-00004 Photography: July 8, 2025

**Archived:** Friday, July 4, 2025 8:24:46 AM  
**From:** Cheryl Cecchetto  
**Sent:** Thu, 3 Jul 2025 23:39:09 +0000ARC  
**To:** Alex Singbush  
**Subject:** RE: File #PL-RZN-2025-00004  
**Sensitivity:** Normal  
**Attachments:**  
[File PL-RZN-2025-00004.pdf](#)

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You don't often get email from [REDACTED]. [Learn why this is important](#)

Re: File #PL-RZN-2025-00004  
"Application under Section 34 of The Planning Act, R.S.O. 1990, Chapter p.13." (attached)

Dear Mr. Singbush,

I am an owner and seasonal resident on Long Lake. My family has owned modest, lakefront property on Long Lake for over 70 years (2439 A Sandy Cove Road). I am also fortunate to have purchased a pre-existing cottage at 2439 B Sandy Cove Road.

I am reaching out to strongly protest amending the Bi-law 2010-100Z for the purpose of the proposed construction on the shores of Long Lake (your file #PL-RZN-2025-00004), or any new-build construction on Long Lake.

The very purpose of the Bi-law is to protect the lake, its residents and visitors from irreparable harm due to runaway construction and over-use. An application to circumvent the Bi-law is invariably an attempt to violate the very safeguards that the Bi-law is designed to protect and rather push through overdevelopment that is detrimental to the lake and to the greater good.

Long Lake must be granted a resolute and legal moratorium on "new builds."

To wit:

Water Quality/Pollution:

Long Lake's water quality has been deteriorating over the past few decades, primarily due increased levels of excess nutrients and pollution from more fertilized lawns, new roads and added septic systems, as well as increased boating pollution.

In recent years we have been battling algae and milfoil outbreaks on my lakefront that were not an issue 15 years ago.

Our grave concern is that the water quality is demonstrably deteriorating, and that the lake will soon be un-swimmable.

Noise/Road Traffic/Boating Traffic:

Adding dwellings to the lake increases the number of powered boats, which create additional noise and traffic, exacerbating our current pollution challenges and increasing the likelihood of accidents.

Landscape Defacement:

The creation of driveways, manicured lawns and oversized "McMansions" built close to the water defaces and urbanizes the landscape, diminishing the natural beauty and peace that the lake offers in the first place, reducing our quality of life and our property values. The addition of seawalls and bulkheads additionally leads to loss of natural habitat and wetlands (the breeding grounds of much floral and fauna) and exacerbates erosion because boat wake is deflected back into the lake rather than absorbed by a natural coastline.

Specific to the above application, this is not the first time we have been confronted by people with unlimited resources and powerful lawyers who want to build their waterfront castles with no sensitivity to the residents of the lake or challenges that overdevelopment creates for the lake itself.

Invasive Species:

Manicured lawns and garden's bring increased levels of invasive plants which are threat to the indigenous vegetation on our lake. Meanwhile, increased boating adds to the threat of invasive water species from other locations.

Summary:

The Bi-law is in place to protect the lake and its current residents, as the lake has long since reached maximum capacity. In the interest of sustainability, new builds should be relegated to less populated lakes that would not be negatively impacted by additional, controlled growth. The Bi-law needs to be protected and upheld in support of:

- protecting the quality of life, safety, and property values for current residents whose population has reached a maximum that the lake can effectively sustain.

- maintaining and restoring natural shorelines
- reducing pollution, restoring water quality, and overcoming invasive species such as milfoil and algae.
- preserving wetland habitats and protecting biodiversity.

Please add me to any list regarding updates on this prospective development and/or any meetings or announcements regarding the welfare of Long Lake and the interests of its residents.

Thank you!

Cheryl Cecchetto

[Redacted]

Seasonal Address:

2439B Sandy Cove Road  
Sudbury, ON  
Canada P3G-1H4

[Redacted]

Mailing Address:

5425 S. Corning Ave.  
Los Angeles, CA  
USA 90056

[Redacted]

[image012.jpg](#)

**Cheryl Cecchetto**

Founder/CEO  
3000 S. Robertson Blvd. Suite 270  
Los Angeles, CA, 90034

[Redacted]

## 120 Radisson Avenue, Chelmsford Extension 2025

Presented To:	Planning Committee
Meeting Date:	August 11, 2025
Type:	Routine Management Reports
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Planning and Growth
File Number:	751-5/16-01

## Report Summary

This report provides a recommendation regarding an application for an extension to the conditional zoning approval for the subject lands (File #751-5/16-01) in the community of Chelmsford for a period of one year until June 14, 2026.

## Resolution

THAT the City of Greater Sudbury approves the application by Ronald Belanger to extend the conditional approval of rezoning application File # 751-5/16-01 on lands described as PINs 73347-0509, 73347-0774, 73347-0776, 73347-0911, 73347-1631, Lots 6 to 9, Plan M-956, Parts 1, 2, 5, & 6, Plan 53R-19705, Lot 11, Concession 3, Township of Rayside, for a period of one (1) year to June 14, 2026, as outlined in the report entitled “120 Radisson Avenue, Chelmsford Extension 2025”, from the General Manager of Planning & Growth, presented at the Planning Committee meeting on August 11, 2025, and be amended as follows:

a) By deleting Condition (b) (i), which reads:

That prior to the enactment of the amending by-law the owner shall (i) Complete the outstanding works in conformity with Schedule “A” of the July 28, 2004 site plan control agreement to the satisfaction of the Director of Planning Services.

## Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding. The application does not conflict with the 2019-2027 City of Greater Sudbury Strategic Plan or Community Energy and Emissions Plan (CEEP).

## Financial Implications

There are no financial implications associated with this report.



## **STAFF REPORT**

### **Applicant:**

Ronald Belanger

### **Location:**

PINs 73347-0509, 73347-0774, 73347-0776, 73347-0911, 73347-1631, Lots 6 to 9, Plan M-956, Parts 1, 2, 5, & 6, Plan 53R-19705, Lot 11, Concession 3, Township of Rayside, 120 Radisson Avenue, Chelmsford

### **Application:**

Request to extend conditional zoning approval of 751-5/16-01, 120 Radisson Avenue, Chelmsford for a period of one (1) year to June 14, 2026.

### **Proposal:**

The applicant is requesting a one-year extension to enter into an amended Site Plan Control Agreement for the expanded site. Once the conditions of approval have been addressed, these lands will be rezoned to "M2(S)", Light Industrial Special.

### **Background:**

An application for rezoning was submitted in February 2016 in order to permit a contractor's yard. The application was conditionally approved by Planning Committee on May 30, 2016 (Recommendation #2016-98) and ratified by Council on June 14, 2016, to change the zoning classification from M1", Mixed Light Industrial/Business Commercial to "M2(S)", Light Industrial Special. This is the fifth request for extension of conditional approval.

Revisions to the conditions were approved in [2022](#), specifically relief to by-law standards for corner side yard setback, building separation, and extent of opaque fencing required to screen outdoor storage.

The applicant has requested additional time to obtain site plan approval for the subject lands. Most of the land is subject to a site plan agreement from August 10, 2004, with some site works remaining uncompleted. Condition (b)(i) requires these works to be completed before the rezoning is passed. However, staff is recommending that Condition (b)(i) be deleted because a new site plan for entire site with updated features is being prepared, and the site should be developed in accordance with the new site plan.

In terms of the status of the new site plan, the applicant advises that, in the past year, both the required geotechnical report and sight line analysis have been completed, and revised site plans have been submitted.

The conditions, if updated, will read as follows:

- a) That the amending by-law for the M2(S), Light Industrial Special zoning include the following site-specific provisions:
  - i. To permit a corner side yard setback of 3.75 metres where 9.0 metres is required for the existing storage building having a maximum gross floor area of 468 square metres;
  - ii. To permit a building separation of 2.25 metres where 3.0 metres is required;

iii. Notwithstanding Section 4.28(b) of the By-law respecting the screening of outdoor storage, opaque fencing with a minimum height of 2.2 m shall be required within 3.0 to 9.0 m of the entire easterly lot line, within 3.0 to 9.0 m of the southerly lot line from the westerly lot line extending to the east to the southeast corner of Part 1, Plan 53R19705, within 3.0 to 9.0 m of the westerly lot line from a point 45 metres south of the northerly lot line extending to the south to the southerly lot line, and excepting the sight triangle at the intersection of Municipal Road 15 and Radisson Avenue, where an opaque fence surrounding all outdoor storage is required; and

iv. That the southerly lot line be deemed to be the front lot line.

b) That prior to the enactment of the amending by-law the owner shall:

ii) Enter into an amended Site Plan Control Agreement with the City, which amongst other matters, shall include the following:

1. The addition of the lands comprising Parts 1, 2, 5 & 6, Plan 53R-19705 abutting Municipal Road 15;
2. The removal of the existing driveway onto Municipal Road 15;
3. The screening of outdoor storage areas; and.
4. The provision of required landscaping abutting public roadways.

Planning staff circulated the application to Development Engineering, Infrastructure Capital Planning and Building Services, who have advised that they have no concerns with respect to the application.

Building Services has provided the following comments for the applicant's information:

- Demolition Permits are required for the removal of any existing structures.
- Building Permits to the satisfaction of the Chief Building Official are required for several of the existing buildings constructed without benefit of Permit, and for the proposed new structures.
- There are several Building Permits in open and issued status that have not been rectified and/or completed.
- With respect to additional considerations related to this development, Building Services reserves further comment until comprehensive review of Building Permits and Site Plan Agreement. It should be noted that the requested building separation of 2.25m as well as the proximity of several other buildings will be subject to Ontario Building Code spatial separation requirements that will require upgraded fire protection requirements or may not be able to be brought into compliance and will need to be removed.

Planning staff recommends that it would be appropriate to grant a one-year extension.

### **Summary:**

The application for a one-year extension is the fifth request since initial approval was granted in June 2016. Planning Services Division recommends that the request for a one-year extension to June 14, 2026 be granted. In accordance with Sections 34(17) of the Planning Act no further notice of change to this application is required.

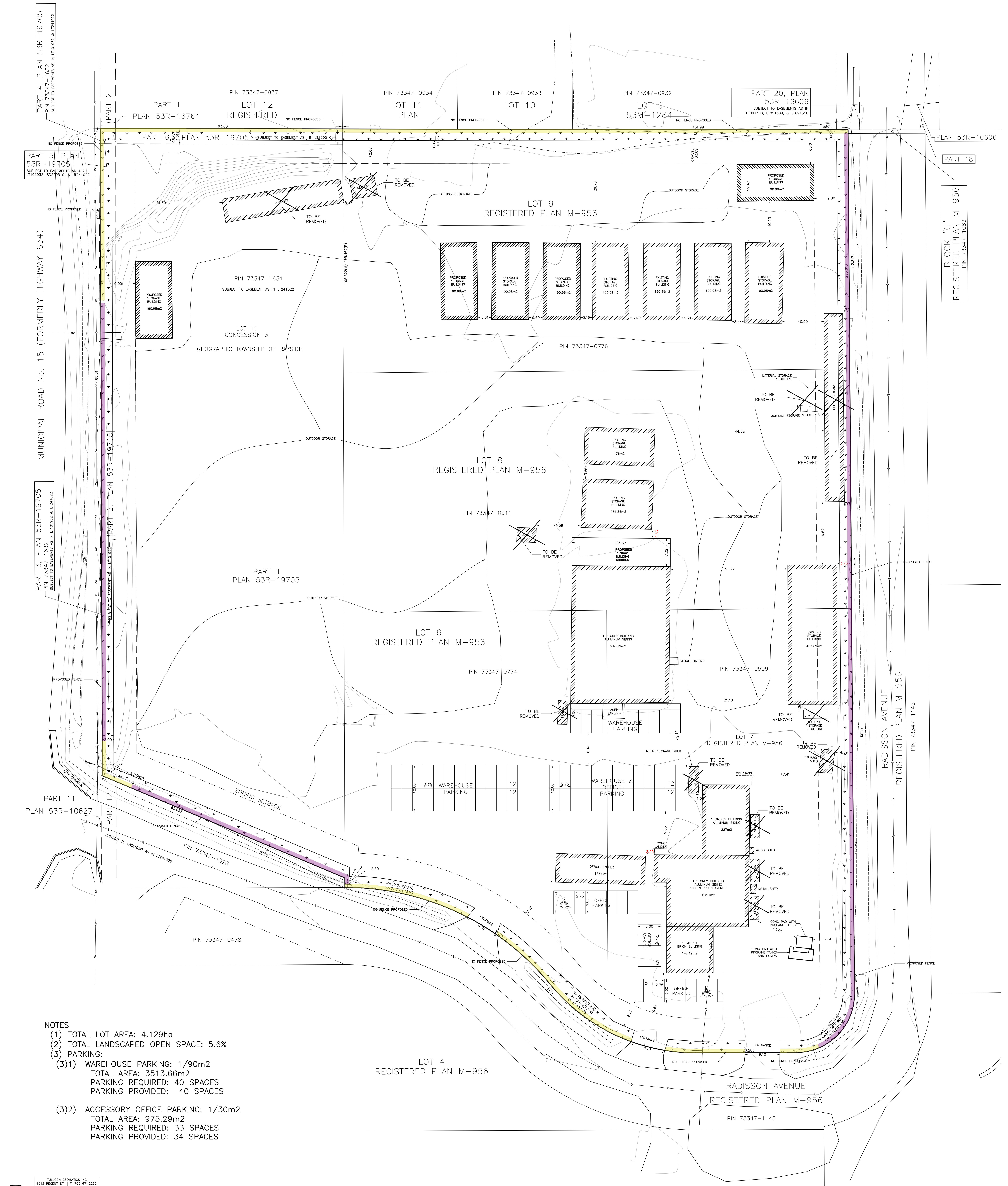




CONCEPTUAL SITE PLAN SKETCH

LOTS 6, 7, 8, AND 9, REGISTERED PLAN M-956  
AND PART OF LOT 11, CONCESSION 3  
GEOGRAPHIC TOWNSHIP OF RAYSIDE  
CITY OF GREATER SUDBURY  
DISTRICT OF SUDBURY

SCALE 1:300  
0 5 10 15 20 METRES  
TULLOCH ENGINEERING, 2022



- NOTES
- (1) TOTAL LOT AREA: 4.129ha
  - (2) TOTAL LANDSCAPED OPEN SPACE: 5.6%
  - (3) PARKING:
    - (3.1) WAREHOUSE PARKING: 1/90m2  
TOTAL AREA: 3513.66m2  
PARKING REQUIRED: 40 SPACES  
PARKING PROVIDED: 40 SPACES
    - (3.2) ACCESSORY OFFICE PARKING: 1/30m2  
TOTAL AREA: 975.29m2  
PARKING REQUIRED: 33 SPACES  
PARKING PROVIDED: 34 SPACES



## Whitson Lake Subdivision, Val Caron Extension

Presented To:	Planning Committee
Meeting Date:	August 11, 2025
Type:	Routine Management Reports
Prepared by:	Stephanie Poirier Planning Services
Recommended by:	General Manager of Planning and Growth
File Number:	780-7/98002

## Report Summary

This report provides a recommendation regarding an application for an extension to the Whitson Lake draft plan of subdivision (File #780-7/98-002) located in the rural area of Val Caron for a period of one year until June 16, 2026.

## Resolution

THAT the City of Greater Sudbury’s delegated official be directed to amend the conditions of draft approval for a plan of subdivision on those lands described as Part of Parcels 2433 & 9436, Parts 1 to 3, Plan 53R-15429 and Parts 1 & 3, Plan 53R-16637, Lot 3, Concession 5, Township of Blezard, File # 780-7/98-002, in the report entitled “Whitson Lake Subdivision, Val Caron Extension” from the General Manager of Planning & Growth, presented at the Planning Committee meeting of August 11, 2025, as follows:

1. By deleting Condition #21 and replacing it with the following:

“21. That this draft approval shall lapse on June 16, 2026.”

## Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

The application to extend this draft plan of subdivision approval is an operational matter under the Planning Act to which the City is responding. The application contributes to the 2019-2027 City of Greater Sudbury Strategic Plan goals related to housing by adding to the housing available in this area. The application aligns with the Community Energy and Emissions Plan (CEEP) by supporting the strategy of compact, complete communities.

## **Financial Implications**

If approved, staff estimates approximately \$112,800 in taxation revenue in the supplemental tax year only, based on the assumption of 19 single detached dwelling units, at assessed value of \$375,000 each, at the 2025 property tax rates.

This additional taxation revenue will only occur in the supplemental tax year. Any taxation revenue generated from new development is part of the supplemental taxation in its first year. Therefore, the City does not receive additional taxation revenue in future years from new development, as the tax levy amount to be collected as determined from the budget process, is spread out over all properties within the City.

In addition, this development would result in total development charges of approximately \$421,000 based on 19 single family dwelling units.

Once development has occurred and the subdivision infrastructure has been transferred to the City, there will be additional on-going costs for future annual maintenance and capital replacement of the related infrastructure (ie. roads, water/wastewater linear pipes, etc).

## **Report Overview**

The owner has requested an extension to the draft plan of subdivision (File #780-7-98-002) located in the rural area of Val Caron for a period of one year until June 16, 2026. Planning Services Division is recommending approval of the extension request.

Planning Services Division has reviewed the request to extend the draft approval and has no objections to the requested extension for a period of one year. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approval.

Amendments to the conditions of draft approval where necessary have been identified and are included in the Resolution and Planning Analysis sections of the report.



# STAFF REPORT

## Applicant:

R F Walker Holdings Inc.

## Location:

Part of Parcels 2433 & 9436, Parts 1 to 3, Plan 53R-15429 and Parts 1 & 3, Plan 53R-16637, Lot 3, Concession 5, Township of Blezard

## Application:

To extend the draft approval conditions for the Whitson Lake plan of subdivision which were approved initially by Council on June 16, 2000 and most recently extended in 2024 for a period of one year.

## Proposal:

The owner is requesting that the draft approval conditions for the above noted lands be extended for a period of one year until June 16, 2026.

## Background:

The City received a letter from the agent on June 9, 2025, requesting to extend the draft approval on the plan of subdivision for a period of one year on those lands described as Part of Parcels 2433 & 9436, Parts 1 to 3, Plan 53R-15429 and Parts 1 & 3, Plan 53R-16637, Lot 3, Concession 5, Township of Blezard.

The plan includes 32 rural estate single detached lots, 13 of which have been registered to date. 19 lots remain in draft plan status. The lots are to be accessed from Whitson Lake Drive which provides access to Sandy Beach Road. The draft plan is attached for reference.

The lands within the plan of subdivision are designated 'Rural' in the Official Plan, are zoned Low Density Residential One Special, 'R1-1(8)' within the City's Zoning By-law, and are regulated by the Nickel District Conservation Authority (NDCA).

Surrounding uses are residential and rural in nature.

A location map is attached for reference.

## Policy & Regulatory Framework:

The extension request is subject to the following applicable policy and regulatory framework:

- [Planning Act](#);
- [2024 Provincial Planning Statement](#); and,
- [Official Plan for the City of Greater Sudbury](#).

The Planning Act, Provincial Planning Statements, and municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

### **Planning Act:**

Section 51 of the Planning Act has established two land use planning principles with respect to the initial approval of a draft plan of subdivision and how extensions to an existing draft approved plan of subdivision are to be addressed.

First, Section 51(32) allows for a municipality to provide a lapsing date on a draft approved plan of subdivision of not less than three years and the draft approval is considered to have lapsed at the end of the specified time period. Section 51(33) allows for a municipality to extend draft approval beyond the initial period for a time specified by the municipality.

In practice, where a draft plan of subdivision has lapsed, a landowner may request the subdivision be deemed not to have lapsed if the criteria listed in Section 51(33.1) can be met. Additionally, there is nothing preventing a landowner from filing another draft plan of subdivision application for consideration. The re-application is treated as a new application and all requirements under Section 51 are applicable (e.g., a public hearing would be required).

Lapsing conditions are imposed by a municipality to ensure that development once approved will proceed in an expeditious manner. The municipality is most typically concerned that development takes place within the current policy and regulatory framework and especially where scarce services or capacity to service development have been committed to the draft approved plan of subdivision. Three years is generally considered to be sufficient time to clear conditions of draft approval and proceed to registering a plan of subdivision. Section 51(33) allows for some flexibility whereby some additional time can be afforded to a landowner where they are actively pursuing the clearing of draft approval conditions.

Second, Section 51(44) on the other hand allows for a municipality to withdraw draft approval of a plan of subdivision at its discretion or to change the conditions of a draft approval at any time before the registration of a plan of subdivision.

Appeal rights in both cases noted above are found under Section 51 of the Planning Act should a landowner wish to appeal a refusal to extend a lapsing date, a change of conditions or the complete withdrawal entirely of a draft approval by a municipality.

### **2024 Provincial Planning Statement:**

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters are consistent with the PPS. Settlement areas, employment areas, housing and housing supply, provision of public spaces, sewage and water capacities, transportation, natural heritage areas, natural hazards and human-made hazards are some examples of areas of provincial interest that a draft approved plan of subdivision may impact and should be considered when an initial approval is granted as well as when an extension to an existing draft approval is granted. The PPS is updated from time-to-time by the Province, and any draft approval extension should be considered within the context of the in-force PPS at the time an extension request is made.

### **Official Plan:**

Section 19.4.2 of the Official Plan for the City of Greater Sudbury addressing draft plan of subdivision approvals outlines that Council will not extend or recommend the extension of a draft plan approval, beyond the statutory limitation of three years, unless the owner has demonstrated to the satisfaction of Council that they are making a reasonable effort to proceed in meeting the conditions of draft approval. At the time of an extension request, Council is to review the draft plan conditions and may make appropriate modifications.

### **Departmental & Agency Circulation:**

The extension request including relevant accompanying materials has been circulated to all appropriate agencies and departments. Responses received from agencies and departments have been used to assist in evaluating the extension request and to inform and identify appropriate revisions to the draft plan conditions should the extension request be approved. Comments received from departments generally had no concerns with the extension request, and no modifications to the draft plan conditions were requested.

Detailed comments can be found in Appendix 1 to this report.

### **Planning Analysis:**

As part of the extension request the applicant advised that they submitted their first submission materials to address the draft plan conditions and have received back comments in May of this year. They have advised that they are working to address comments for their second submission, working towards final approval.

The Planning Services Division has reviewed the request to extend the subject draft approved plan of subdivision and has no objections to the requested extension for a period of one year. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approved plan of subdivision and no request to amend conditions were received.

### **Draft Approval Conditions**

Condition #21 should be deleted entirely and replaced with a sentence referring to June 16, 2026, as the revised date on which the subject draft plan of subdivision approval shall lapse.

No other changes to the draft approval documents have been requested either by the owner or by circulated agencies and departments.

The existing draft approval conditions are attached to this report for reference purposes.

Owners are advised to contact the Planning Services Division a minimum of four months prior to the lapsing date in order to facilitate the processing time associated with draft plan of subdivision approval extension requests. Applicants must reapply for subdivision approval if a draft plan approval has lapsed as there is no other avenue for relief.

The Planning Services Division recommends that the application to extend the draft approval for the Whitson Lake Subdivision for a period of one year until June 16, 2026, be approved as outlined in the Resolution section of this report

## **Appendix 1:**

### **Departmental & Agency Comments**

#### **a) Building Services**

We have no objection to the request for extension.

#### **b) Conservation Sudbury (NDCA)**

Has no amendments to existing conditions and does not object the draft plan extension.

#### **c) Development Engineering**

The most recent phase of the subdivision was registered in August 2000. A new submission of drawings for an additional phase was received in April 2025, with review comments being issued back to the owner May 20, 2025. A revised submission has not since been received. The existing Council draft plan of subdivision conditions appears to satisfy our concerns. We have no objection to the one-year draft approval extension.

#### **d) Infrastructure Capital Planning**

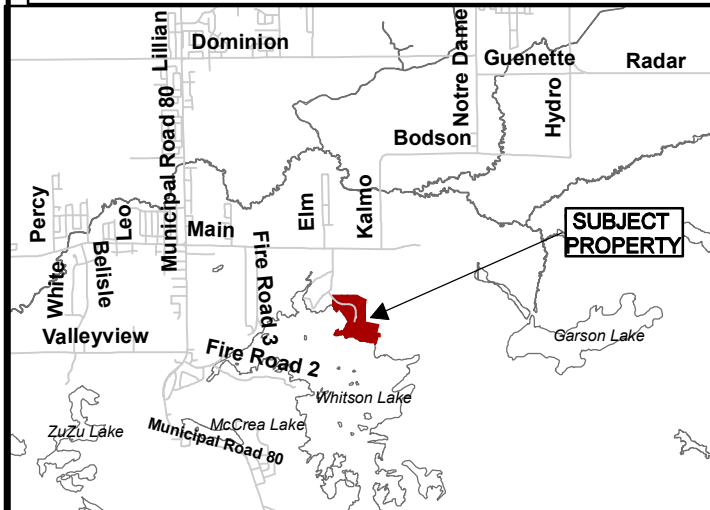
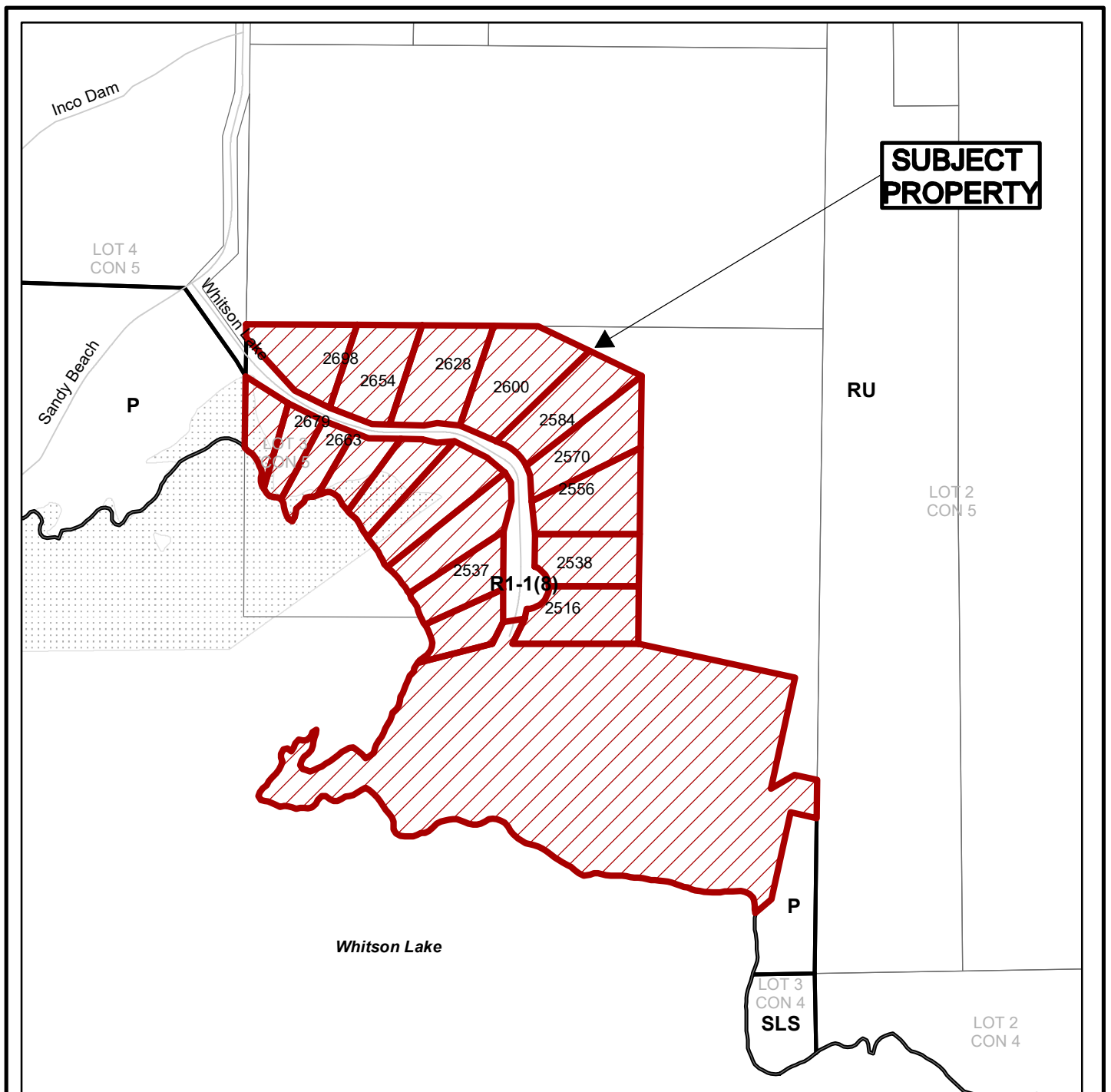
No concerns.

#### **e) Strategic & Environmental Planning**

No comments.

#### **f) Transit Services**

No comments.



## Growth and Infrastructure Department



Subject Property being Part of Parcels 2433 & 9436,  
Parts 1-3, Plan 53R-15429 & Parts 1 & 3, Plan 53R-16637,  
Lot 3, Concession 5, Township of Blezard,  
Whitson Lake Subdivision,  
City of Greater Sudbury

NTS  
Sketch 1

780-7/98-002  
Date: 2024 04 22



SCALE 1 : 2400 ( IN METRES )

PLANNING AND DEVELOPMENT  
DEPARTMENT

1141573 ONTARIO INC., BEING THE REGISTERED OWNER OF THE SUBJECT LANDS HEREBY AUTHORIZE D.S. DORLAND LTD. TO PREPARE THIS DRAFT PLAN OF SUBDIVISION FOR APPROVAL.

Judith Walker  
JUDY WALKER, PRESIDENT  
1141573 ONTARIO INC.

ADDITIONAL INFORMATION REQUIRED UNDER  
SECTION 50(2) OF THE PLANNING ACT.

- SURVEYOR'S CERTIFICATE

J. S. Dordani

D.S. DORLAND  
ONTARIO LAND SURVEYOR

SIB	DENOTES STANDARD IRON BAR
SSIB	DENOTES SHORT STANDARD IRON BAR
IB	DENOTES IRON BAR
RIIB	DENOTES ROUND IRON BAR
RB	DENOTES ROCK BAR
■	DENOTES MONUMENT FOUND
□	DENOTES MONUMENT PLANTED
WIT	DENOTES WITNESS MONUMENT
OU	DENOTES ORIGIN UNKNOWN
S.E.S.	DENOTES SUDBURY EAST SECTION
M	DENOTES MEASURED
S	DENOTES SET
P	DENOTES PLAN SR-3113

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.



\*\*\*PRODUIT DSD CADD PRODUCT\*\*\*



**COUNCIL'S CONDITIONS APPLYING TO THE APPROVAL OF THE FINAL PLAN  
FOR REGISTRATION OF THE SUBJECT SUBDIVISION ARE AS FOLLOWS:**

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1. That this approval applies to the draft plan of subdivision of Part of Parcels 2433 & 9436, Lot 3, Concession 5, Township of Blezard, as shown on a plan prepared by D.S. Dorland, O.L.S., and dated May 28<sup>th</sup>, 1999.
2. That the street(s) be named to the satisfaction of the Municipality.
3. That any dead-ends or open sides of road allowances created by this plan of subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the Municipality and held in trust by the Municipality until required for future road allowances or the development of adjacent land.
4. That prior to the signing of the final plan, the Planning Services Division shall be advised by the Ontario Land Surveyor responsible for preparation of the final plan, that the lot areas, frontages and depths appearing on the final plan do not violate the requirements of the Restricted Area By-laws of the Municipality in effect at the time such plan is presented for approval.
5. That the subdivision agreement be registered by the Municipality against the land to which it applies, prior to any encumbrances.
6. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
7. That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Greater Sudbury, concerning the provision of roads, walkways, street lighting, sanitary sewers, watermains, storm sewers and surface drainage facilities.
8. That the subdivision agreement contain provisions whereby the owner agrees that all the requirements of the subdivision agreement including installation of required services be completed within 2 years after registration.
9. That 5% of the land included in the plan of subdivision be deeded or provided to the City for parks purposes in accordance with Section 51.1 of the Planning Act to the satisfaction of the Director of Leisure Services and the City Solicitor.
10. That the subdivision agreement contain a provision requiring that the cul-de-sac be designed to contain a paved surface radius of 13.5 metres in order to accommodate a school bus turning radius.

11. That a Notice of Agreement shall be placed on title to all lots whereby the owner shall agree that:
  - a) Given water chemistry results obtained during the preparation of the Hydrogeological Investigation, water supplies will require treatment systems or disinfection systems to ensure potable water for domestic purposes. A Drinking Water Treatment System must be designed by a mechanical engineer to Ontario Building Code Division B, Part 7, 7.2.10.17(1); CAN/CSA-B483.1 and a Potable Water Agreement registered on title to the satisfaction of the Chief Building Official.”
  - b) Any sewage system proposal made at the time of application for a building permit shall be designed by a professional engineer.
  - c) A natural vegetation buffer be maintained along the water's edge, to be measured horizontally 15 metres back from the normal high watermark. The existing vegetation and natural soil mantle within this buffer strip will be maintained in a natural state, except where traversed by access paths or walkways.
  - d) The owner understands and agrees that no municipal sewer or water services are available nor shall the owner make any demands upon the municipality to provide such municipal services.
  - e) Lots 1 to 15, 30, 31 and 32 shall contain a notice whereby the owner agrees that since these lots are partially located within a designated flood plain, approval of the Nickel District Conservation Authority is required prior to any development taking place.
  - f) Lots containing wetland features must comply with Conservation Sudbury’s wetland guidelines and approval by the Nickel District Conservation Authority is required prior to any development taking place.
12. That all lots shown on the final plan shall contain a minimum area of one hectare.
13. The owner shall provide to the City, as part of the submission of servicing plans an erosion and sediment control plan detailing the location and types of sediment and erosion control measures to be implemented during the construction of each phase of the project. Said plan shall be to the satisfaction of the General Manager of Growth and Infrastructure and the Nickel District Conservation Authority. The siltation control shall remain in place until all disturbed areas have been stabilized. All sediment and erosion control measures shall be inspected daily to ensure that they are functioning properly and are maintained and/or updated as required. If the sediment and erosion control measures are not functioning properly, no further work shall occur until the sediment and/or erosion problem is addressed.

14. That the developer prepare a lot grading/drainage plan addressing storm water runoff from this developed subdivision to the adjacent Whitson Lake to the satisfaction of the Nickel District Conservation Authority and the City of Greater Sudbury. The detailed lot grading plan is to be prepared by a professional civil engineer with a valid certificate of authorization for the proposed lots as part of the submission of servicing plans. This plan must show finished grades around new houses, retaining walls, side yards, swales, slopes and lot corners. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties as per the City's Lot Grading Policy. A lot grading agreement shall be registered on title, if required, to the satisfaction of the Director of Planning Services and City Solicitor. The owner/applicant shall be responsible for the legal costs of preparing and registering the associated lot grading agreement.
15. The final plan shall be integrated with the City of Greater Sudbury Control Network to the satisfaction of the Coordinator of the Surveying and Mapping Services. The survey shall be referenced to NAD83(CSRS) with grid coordinates expressed in UTM Zone 17 projection and connected to two (2) nearby City of Greater Sudbury Control Network monuments. The survey plan must be submitted in an AutoCAD compatible digital format. The submission shall be the final plan in content, form and format and properly geo-referenced.
16. A storm-water management report and associated plans must be submitted by the owner's consulting engineer for approval by the City. The report must address the following requirements:
  - a) The underground storm sewer system within the plan of subdivision must be designed to accommodate and/or convey the minor storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 2 year design storm. The permissible minor storm discharge from the subject development must be limited to the existing pre-development site runoff resulting from a 2 year design storm;
  - b) The reduction of the permissible minor storm to pre-development levels may be alleviated by providing a drainage route via City owned blocks within the proposed subdivision out-letting into the lake;
  - c) Any resulting post development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision unless directed via City owned blocks within the proposed subdivision to the lake body;
  - d) The overland flow system within the plan of subdivision must be designed to accommodate and/or convey the major storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 100 year design storm or Regional storm event, whichever is greater, without causing damage to proposed and adjacent public and private properties. The permissible major storm discharge from the subject development must be limited to the existing pre-development runoff resulting from a 100 year design storm or Regional storm event, whichever is greater;

- e) The reduction of the permissible major storm to pre-development levels may be alleviated by providing a drainage route via City owned blocks within the proposed subdivision out-letting into the lake;
  - f) “Enhanced” level must be used for the design of storm-water quality controls as defined by the Ministry of the Environment, Conservation and Parks;
  - g) Storm-water management must follow the recommendations of the Whitson River Sub-watershed Study;
  - h) The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any storm-water management plan;
  - i) The final grading of the lands shall be such that the surface water originating on or tributary to the said lands, including roof water from buildings and surface water from paved areas, will be discharged in a manner satisfactory to the General Manager of Growth and Infrastructure;
  - j) Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties;
  - k) Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted; and,
  - l) The owner shall be responsible for the design and construction of any required storm-water management works to the satisfaction of the General Manager of Growth and Infrastructure as part of the servicing plans for the subdivision and the owner shall dedicate the lands for storm-water management works as a condition of this development.
17. Deleted.
18. That prior to the signing of the final plan, the applicant shall provide the Planning Services Division with a report by a qualified engineer, advising as to how any abandoned mine shafts located on the property, have been or will be rehabilitated in accordance with the “Mine Rehabilitation Code of Ontario”. If remedial action is proposed to take place after registration of the plan, the subdivision agreement shall contain suitable provisions to ensure completion of this work and a Record of Site Condition is to be provided prior to any building permits being issued.
19. That prior to the signing of the final plan, the Planning Services Division shall be advised by the General Manager of Growth and Infrastructure that Condition 15 has been complied with to his satisfaction.
20. That prior to the signing of the final plan, the Planning Services Division is to be advised by the City Solicitor that Conditions 5, 6, 7, 8, 9, 10, 11 and 18 have been complied with to his satisfaction.

21. That this draft approval shall lapse on June 16, 2025.
22. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Greater Sudbury Hydro Utilities or Hydro One, Bell Canada, Union Gas, East Link Cable and Canada Post. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.
23. That the detailed road design between lots 4 and 5 be completed to meet the road design standards for the City of Greater Sudbury, to the satisfaction of the General Manager of Growth and Infrastructure.
24. The developer will be required to provide a geotechnical report on how the work related to blasting shall be undertaken safely to protect adjoining structures and other infrastructure. The geotechnical report shall be undertaken by a blasting consultant defined as a professional engineer licensed in the Province of Ontario with a minimum of five (5) years experience related to blasting.”
25. The blasting consultant shall be retained by the developer and shall be independent of the contractor and any subcontractor doing blasting work. The blasting consultant shall be required to complete specified monitoring recommended in his report of vibration levels and provide a report detailing those recorded vibration levels. Copies of the recorded ground vibration documents shall be provided to the contractor and contract administration weekly or upon request for this specific project.
26. The geotechnical report will provide recommendations and specifications on the following activity as a minimum but not limited to:
  - i. Pre-blast survey of surface structures and infrastructure within affected area;
  - ii. Trial blast activities;
  - iii. Procedures during blasting;
  - iv. Procedures for addressing blasting damage complaints;
  - v. Blast notification mechanism to adjoining residences; and,
  - vi. Structural stability of exposed rock faces.
27. The geotechnical report in Conditions 24 and 26 shall be submitted for review to the satisfaction of the Chief Building Official prior to the commencement of any removal of rock by blasting.

28. Should the developer's schedule require to commence blasting and rock removal prior to the subdivision agreement having been signed, a site alteration permit shall be required under the City of Greater Sudbury's By-law #2009-170 and shall require a similar geotechnical report as a minimum prior to its issuance.
29. That prior to any vegetation removal or other site alteration on the subject lands, the owner shall demonstrate to the satisfaction of the Director of Planning Services that all requirements set out by the Ministry of the Environment, Conservation and Parks under the Endangered Species Act have been satisfied.
30. Deleted.
31. Prior to the submission of servicing plans, the owner/applicant shall, to the satisfaction of the Director of Planning Services and the Nickel District Conservation Authority, provide an updated Geotechnical Report prepared, signed, sealed, and dated by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommend construction procedures for any proposed storm and sanitary sewers, stormwater management facilities, watermain, roads to a 20 year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services. Included in this report must be details regarding removal of substandard soils (if any) and placement of engineered fill (if required) for the construction of new homes. A soils caution agreement, if required, shall be registered on title to the satisfaction of the Chief Building Official and the City Solicitor.
32. As part of the submission of servicing plans, the owner shall have rear yard slope treatments designed by a geotechnical engineer licensed in the Province of Ontario, incorporated into the plans at locations required by the General Manager of Growth and Infrastructure. Suitable provisions shall be incorporated in the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the General Manager of Growth and Infrastructure.
33. The owner will be required to provide permanent silt and erosion control drainage works to the subdivision's storm water outlet to the satisfaction of the General Manager of Growth and Infrastructure.
34. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.



35. Final approval for registration may be issued in phases to the satisfaction of the Director of Planning Services, provided that:
- i) Phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure and other essential services; and,
  - ii) All agencies agree to registration by phases and provide clearances, as required, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
36. That the owner/applicant shall have completed all major outstanding infrastructure deficiencies that are critical to the overall function of the subdivision in previous phases of the plan that have been registered, or have made arrangements for their completion, prior to registering a new phase of the plan, to the satisfaction of the General Manager of Growth and Infrastructure.
37. That the draft plan be amended in order to delete the bulb located at Lots 4 and 5 and that a 20 metre right-of-way be provided in this location to the satisfaction of the General Manager of Growth and Infrastructure.
38. The owner will provide an updated geotechnical report prepared, signed, sealed and dated by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommend construction procedures for footings and building foundations. Included in this report must be details regarding the removal of substandard soils (if any) and placement of engineered fill (if required) for the construction of homes. Also, the report must include an analysis illustrating how the groundwater table will be lowered to a level that will not cause problems to adjacent boundary housing and will, in conjunction with the subdivision grading plan, show that basements of new homes will not require extensive foundation drainage pumping. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official. Also, a Soils Caution Agreement, if required shall be registered on title to the satisfaction of the Chief Building Official. That the geotechnical engineer will be required to address On-site and Excess Soil Management in accordance with O. Reg. 406/19.
39. That in accordance with Section 59(4) of the Development Charges Act, a notice of agreement shall be registered on title to ensure that persons who first purchase the subdivided land after registration of the plan of subdivision are informed, at the time the land is transferred, of all development charges related to development.

40. That the owner shall provide an environmental impact study (EIS) to the City that determines whether the proposed development will have negative impacts on the water quality and aquatic ecology of Whitson Lake. The EIS will identify whether the negative impacts can be mitigated and, if so, will recommend measures that should be followed to achieve the desired impact mitigation. The EIS must include, but not be limited to, a lakeshore capacity assessment following provincial guidance. The EIS must be to the satisfaction of the Director of Planning Services and must be prepared by a qualified professional.
41. That the applicant/owner prepare a development plan that includes the limit of the regulatory flood elevation of 292 metres above sea level and the mapped wetland boundaries and is consistent with the required lot grading/drainage plan. Development (as defined by the Conservation Authorities Act) must occur outside of the regulatory floodplain and the mapped wetlands. This includes placement or removal of fill, lot grading, and the erection of buildings or structures.
42. That wetland(s) must be mapped by a qualified professional (OWES-certified with experience in wetland mapping) to the satisfaction of the Conservation Authority. The wetlands must be mapped within the location of the proposed subdivision and within 30 m of the proposed subdivision. All mapping must include the wetland boundary and area of potential interference shown at 12 m and 30 m from the wetland boundary. Development must comply with Conservation Sudbury's wetland guidelines. included that requires the owner to prepare and submit a development plan that includes the limit of the regulatory flood elevation of 292 m (958.01 ft) and is consistent with the required lot grading/drainage plan.