

Matagamasi Lake

Presented To:	Planning Committee
Meeting Date:	June 14, 2021
Type:	Public Hearing
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-9/21-1

Report Summary

This report provides a recommendation regarding housekeeping amendments to By-law 2010-100Z in order to correct mapping errors that impact a total of seven (7) privately owned parcels in Matagamasi Lake.

This report is presented by Senior Planner, Wendy Kaufman.

Resolution

THAT the City of Greater Sudbury approves the amendments to Zoning By-law 2010-100Z as outlined in the report entitled “Matagamasi Lake”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 14, 2021.

Relationship to the Strategic Plan, Health Impact Assessment and Community Energy & Emissions Plan (CEEP)

The proposed housekeeping amendments to the Zoning By-law are operational matters under the Planning Act.

Financial Implications

There are no financial implications associated with this report.

Staff Report

Proposal:

On September 29, 2010 Council enacted By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury. By-law 2010-100Z replaced the eight (8) Zoning By-laws from the former Municipalities and Townships that were amalgamated into the City in 2001. No appeals to the By-law were filed at the end of the appeal period. In accordance with the Planning Act the By-law was deemed to have come into force on the day it was enacted on September 29, 2010.

Since the enactment of Zoning By-law 2010-100Z, matters have been identified that require the need for “housekeeping” amendments respecting typographical, punctuation, mapping errors, along with changes which assist in the interpretation and application of the By-law. Ten (10) housekeeping amendments have been enacted since 2010 and this report addresses further housekeeping amendments to the By-law.

This report identifies the By-law Section and the issue which requires addressing, along with the suggested amendments. The draft amendments are set out in detail on Attachment 1 to the report. Changes to the zone maps are proposed which are shown on the attached maps.

Proposed Amendments: Schedule A – Zone Maps, is proposed to be amended by rezoning the following lands from “P”, Park, to “RU”, Rural:

1. PIN 73519-0141, Pcl 24296, Island SB 11, Lot 6, Con 6, Township of Rathbun
2. PIN 73519-0175, Pcl 30481, SR LOC JDD 604, Lot 4, Con 5, Township of Rathbun
3. PIN 73519-0209, Pcl. 5079, Lot 4, Con 5, Township of Rathbun
4. PIN 73519-0117, Pcl 11705, Lot 4, Con 5, Township of Rathbun
5. PIN 73519-0217, Pcl 4951 SR LOC WS 107, Lot 4, Con 4, Township of Rathbun
6. PIN 73519-0216, Pcl 4927, ISLD GOOLSCAP, Lot 5, Con 4, Township of Rathbun
7. PIN 73519-0215, Pcl. 4829, SR LOC WD 2701, N Pt of ILSD 8, Lot 5, Cons 3 & 4, Township of Rathbun

This housekeeping amendment was identified through an inquiry by a property owner about constructing a seasonal dwelling on their private property. An error occurred in transferring the zoning from the paper zone maps in Zoning By-law 2001-25Z to the digital Zone mapping in By-law 2010-100Z on the seven (7) privately-owned parcels located in the northerly section of Matagamasi Lake. This resulted in the “P”, Park zone, which is applied to Crown lands in the area, being extended in error to also include the privately-owned parcels. It recommended that the mapping error which rezoned these privately-owned lands “P”, Park, be corrected by rezoning the lands to “RU”.

The subject lands are designated ‘Rural Area’ in the Official Plan, whereas Crown lands in the area are designated Parks & Open Space.

Existing Zoning: “P”, Park

The subject lands are zoned “P”, Park. This zone permits a range of non-residential uses including a cemetery, library, museum, parking lot, park, recreation and community centre. A refreshment pavilion and restaurant are permitted accessory to a park.

Proposed Zoning: “RU”, Rural

The Rural zone permits a range of residential and rural uses, including a seasonal dwelling on a legal existing waterfront lot. Development is subject to the standards for the Rural zone (e.g. lot area, frontage, lot coverage, and height) as well as the general provisions. The general provisions for waterbodies require a 12 m development setback and vegetative buffer, except for some limited clearing and accessory shoreline structures (e.g. sauna, gazebo, boathouse), in order to protect water quality and shoreline habitat. General provisions also require development to be on the basis of an assumed road, except in limited circumstances such as for seasonal dwellings that are accessible via private road or by water access. Water access is a defined term, and includes that boat docking facilities must be available which are permanently provided and available to the public.

Location and Site Description:

The subject lands consist of seven (7) parcels located in the northerly section of Matagamasi Lake. The

parcels range in size from 0.5 to 5.3 ha. Four of the seven parcels consist of islands or part of an island, and three of the properties are on the eastern shore of Matagamasi Lake. Based on the review of aerial imagery, all the seven properties excepting one appear to contain existing structures. These existing structures are presumed to be used for seasonal dwellings given the remote nature of the area.

Surrounding Land Uses:

The existing zoning & location map indicates the location of the subject lands to be rezoned and the zoning in the immediate area. Aerial photography is also included.

The majority of lands in this area are Crown lands, excepting the seven (7) privately owned parcels subject to this proposed amendment. The furthest parcel to the north is within the area identified as the Chiniguchi Waterway Provincial Park. Private lands are not subject to Crown land use policies, and are subject to the City's planning framework. The lands are outside the jurisdiction of the Nickel District Conservation Authority. There is no maintained/recognized Parks Services boat launch or associated parking on Matagamasi Lake.

Public Consultation:

The statutory notice of public hearing was provided by newspaper. At the time of writing this report, no comments had been received from the public.

Conclusion:

The housekeeping amendments to By-law 2010-100Z as proposed in this report are to correct mapping errors. The draft amendments to the By-law are set out in Attachment 1 to the report along with the proposed change to the zone maps. Should the Planning Committee concur with the housekeeping amendments as proposed, then the resolution included in this report should be adopted.

Attachment 1

Proposed Amendment to Zoning By-law 2010-100Z

Amendments to Zone Maps

Rathbun Township Map 1 and 2, rezone the following lands from “P”, Park, to “RU”, Rural:

1. PIN 73519-0141, Pcl 24296, Island SB 11, Lot 6, Con 6, Township of Rathbun
2. PIN 73519-0175, Pcl 30481, SR LOC JDD 604, Lot 4, Con 5, Township of Rathbun
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