

101 C Johnson Road, Worthington

Presented To:	Planning Committee
Meeting Date:	July 8, 2024
Type:	Public Hearing
Prepared by:	Stephanie Poirier Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-8/24-01

Report Summary

This report provides a recommendation regarding an application to formally recognize an existing private club on the subject lands, being the Sudbury & District Kennel Club Inc. and Nickel District Skeet & Trap Club.

This report is presented by Stephanie Poirier, Senior Planner.

Resolution

THAT the City of Greater Sudbury approves the application by Sudbury District Kennel Club Inc. and Nickel District Skeet & Trap Club to amend By law 2010 100Z being the Zoning By-law for the City of Greater Sudbury by changing the zoning on the subject lands from “RU”, Rural to “RU(S)”, Rural Special on those lands described as PINs 73383-0107 & 73383-0081, Parcels 4892 & 5940, Lot 1, Concession 1, Township of Drury, as outlined in the report entitled “101 C Johnson Road, Worthington” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of July 8, 2024, subject to the following condition:

1. That the amending zoning by-law include the following site-specific provision:
 - a. In addition to the uses permitted in a RU Zone, a private club shall also be permitted.

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

The application to amend the City’s Zoning By-law is an operational matter under the Planning Act to which the City is responding. The rezoning application does not directly align with or negatively impact any of strategic goals and objectives that are identified within the City’s Strategic Plan. The rezoning application does not directly align with or negatively impact any of the stated goals and recommendations that are contained within the CEEP.

Financial Implications

There are no financial implications associated with this report.

Report Overview:

The purpose and effect of the application is to rezone the subject lands from the “RU”, Rural to “RU(S)”, Rural Special in order to add ‘private club’ as a permitted use.

Staff recommends approval of the application as described in the resolution section on the basis that it 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.

Staff Report

Proposal:

The purpose and effect of the application is to rezone the subject lands from the “RU” Rural Zone to the “RU(S)” Rural Special Zone in order to add ‘private club’ as a permitted use. The Sudbury & District Kennel Club Inc. and Nickel District Skeet & Trap Club have been in operation at this location since 1996. The formal recognition of the use within the zoning by-law would allow the club to obtain necessary building permit(s) and would satisfy licensing requirements for the shooting range.

The subject lands are located on the east side of C Johnson Road, south of Fairbank Lake Road, and are known municipally as 101 C Johnson Road, Worthington.

The subject lands contain two skeet towers, a trap pit, a trap shed, a storage building, and a privy. The lands do not contain a water or sanitary service and have an existing access from C Johnson Road.

The subject lands are designated “Rural” within the City’s Official Plan, contain “Mining Mineral Reserve”, and are zoned “RU” Rural within By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury.

Surrounding land uses are mining industrial and rural in nature.

A Location Map is attached to this report.

Policy and Regulatory Framework:

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

- [2020 Provincial Policy Statement \(PPS\)](#);
- [2011 Growth Plan for Northern Ontario](#);
- [Official Plan for the City of Greater Sudbury](#); and,
- [Zoning By-law 2010-100Z](#).

The PPS and the Growth Plan for Northern Ontario, along with the City’s Official Plan, provide a policy framework for land use planning and development in the City of Greater Sudbury. This framework is implemented through a range of land use planning controls such as, but not limited to, zoning by-laws, plans of subdivision and site plans.

2020 Provincial Policy Statement (PPS):

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 2020. Section 1.1.5 of the PPS speaks to

rural lands in Municipalities and states that recreational, tourism, and other economic opportunities should be promoted that is compatible with the rural landscape and can be sustained by rural service levels. Section 2.4 speaks to minerals and petroleum and states that mineral mining operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

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. Staff has reviewed the planning matters contained within the Growth Plan for Northern Ontario and is satisfied that the application for Zoning By-law Amendment does not conflict with the Growth Plan for Northern Ontario.

Official Plan for the City of Greater Sudbury:

The subject lands are designated 'Rural' and contain 'Mining and Mineral Reserve' in the Official Plan for the City of Greater Sudbury.

Section 5.2 states that 'Rural Areas' contain a variety of land uses, such as farms, woodlots and forests, small industry, and clusters of rural residential development. These areas also provide for outdoor recreation opportunities such as snowmobiling, skiing, hiking, canoeing, and other activities in natural areas.

Section 5.2.4 states that 'Rural Areas' can accommodate a number of uses that are compatible with the natural setting and extensive open space areas, as well as existing uses such as farming. Activities related to outdoor recreation, agriculture, and natural resource management are considered appropriate within a rural setting.

Section 5.2.4.1 states that 'Rural Areas' may be used for recreational purposes that are primarily outdoor oriented. Silviculture, reforestation and those activities related to the conservation or management of the natural environment are permitted.

Section 4.6.1.4 states that uses such as forestry and other resource-related compatible uses, recreation, parks and open space, and wildlife management may be permitted provided they do not preclude future extraction of minerals.

Zoning By-law 2010-100Z:

The subject lands are zoned "RU", Rural within the City's Zoning By-law. The "RU" Zone permits a range of residential and non-residential uses.

The development standards for the "RU", Rural 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
- Maximum lot coverage 10%
- Maximum height of non-residential uses 21 m

Consultation:

Public Comments:

The statutory Notice of Application was provided to the public by newspaper and to nearby landowners and tenants located within 244 m (800 ft) of the subject lands on May 3rd, 2024. The statutory Notice of Public

Hearing dated June 13th, 2024 was provided to the public by newspaper and to nearby landowners and tenants located within 244 m (800 ft) of the subject lands.

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.

Comments received from agencies and departments did not contain any concerns with the application. Building Services advised that a permit is required for the storage building on the subject lands. Detailed comments can be found in Appendix 1 to this report.

Planning Analysis:

The Provincial Policy Statement and City's Official Plan permit recreational uses in rural land use areas subject to compatibility with the rural area and appropriate service levels. The Sudbury & District Kennel Club Inc. and Nickel District Skeet & Trap Club is outdoor oriented and recreational in nature. Staff is of the opinion that the proposed use conforms to the PPS and Official Plan and is an appropriate use of the lands given the outdoor nature of the private club, the rural location, and surrounding land uses. Municipal services are not available in this area.

Recreational and tourism uses are encouraged as an economic opportunity within the policy documents. The agent has advised that the Sudbury & District Kennel Club hosts dog shows, obedience trials, rally trails, scent detection, spaniel field trials, and dog training classes. The agent has advised that the club services the Sudbury area and draws in people from North America for the spaniel field trials. Additionally, the agent advised that the Nickel District Skeet & Trap Club hosts shooting tournaments and fundraisers. Staff is of the opinion that permitting private club as a listed permitted use on the subject lands will allow for the continuation of the outdoor recreational use, which supports tourism and the economy as per the policy direction.

The Provincial Policy Statement and City's Official Plan contain policies on the protection of mining/mineral resources. Recreational uses that would not preclude continued or future extraction are permitted. The subject lands are approximately 63 ha (156 ac) in size and contains two skeet towers, a trap pit, a trap shed, a storage building, and a privy. The driveway, buildings, and structures are located in a cluster at the northwest portion of the subject lands. The remainder of the lands are in a state of natural vegetation and the lands do not contain any servicing. Staff is of the opinion that the outdoor recreational use would not prevent future extraction of the lands as the buildings and structures could be removed should the use be changed for extraction purposes. Additionally, staff does not anticipate negative impacts to the existing mining/mineral reserve deposits as a result of the existing use.

Conclusion:

Staff recommends approval of the application as described in the resolution section on the basis that it 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.

Appendix 1:

Departmental & Agency Comments

a) Building Services

No objection with the request. A Building Permit to the satisfaction of the Chief Building Official will be required for the storage building and any further construction proposed for the site.

b) Development Engineering

This location is not presently serviced with municipal water or sanitary sewer. No objection to the zone change.

c) Fire

Fire services has no comments.

d) Infrastructure and Capital Planning

No concerns.

e) Conservation Sudbury

No comment on the application. Subject property is located outside of the jurisdictional boundary of the Conservation Authority. Conservation Sudbury defers to the agency who is responsible for enforcing section 3.1 of the Provincial Policy Statement regarding the natural hazards that might be present on the property.

f) Strategic and Environmental Planning

Strategic and Environmental Planning do not have concerns with this application.

g) Transit

No comments or concerns on this application.