

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 m². 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.