

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 m²;
- 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.