

# 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

**Contents**

**1.0 INTRODUCTION .....1**

**2.0 SUBJECT SITE AND SURROUNDING CONTEXT .....1**

**3.0 PROPOSED DEVELOPMENT .....7**

**4.0 BACKGROUND .....9**

**5.0 POLICY OVERVIEW AND ANALYSIS .....10**

    5.1 | PROVINCIAL PLANNING STATEMENT, 2024 (PPS) .....10

    5.2 | GROWTH PLAN FOR NORTHERN ONTARIO (GPNO) .....13

    5.3 | CITY OF GREATER SUDBURY OFFICIAL PLAN (OP) .....13

    5.4 | CITY OF GREATER SUDBURY ZONING BY-LAW 2010-100Z .....18

**6.0 CONCLUSION .....20**

# 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.

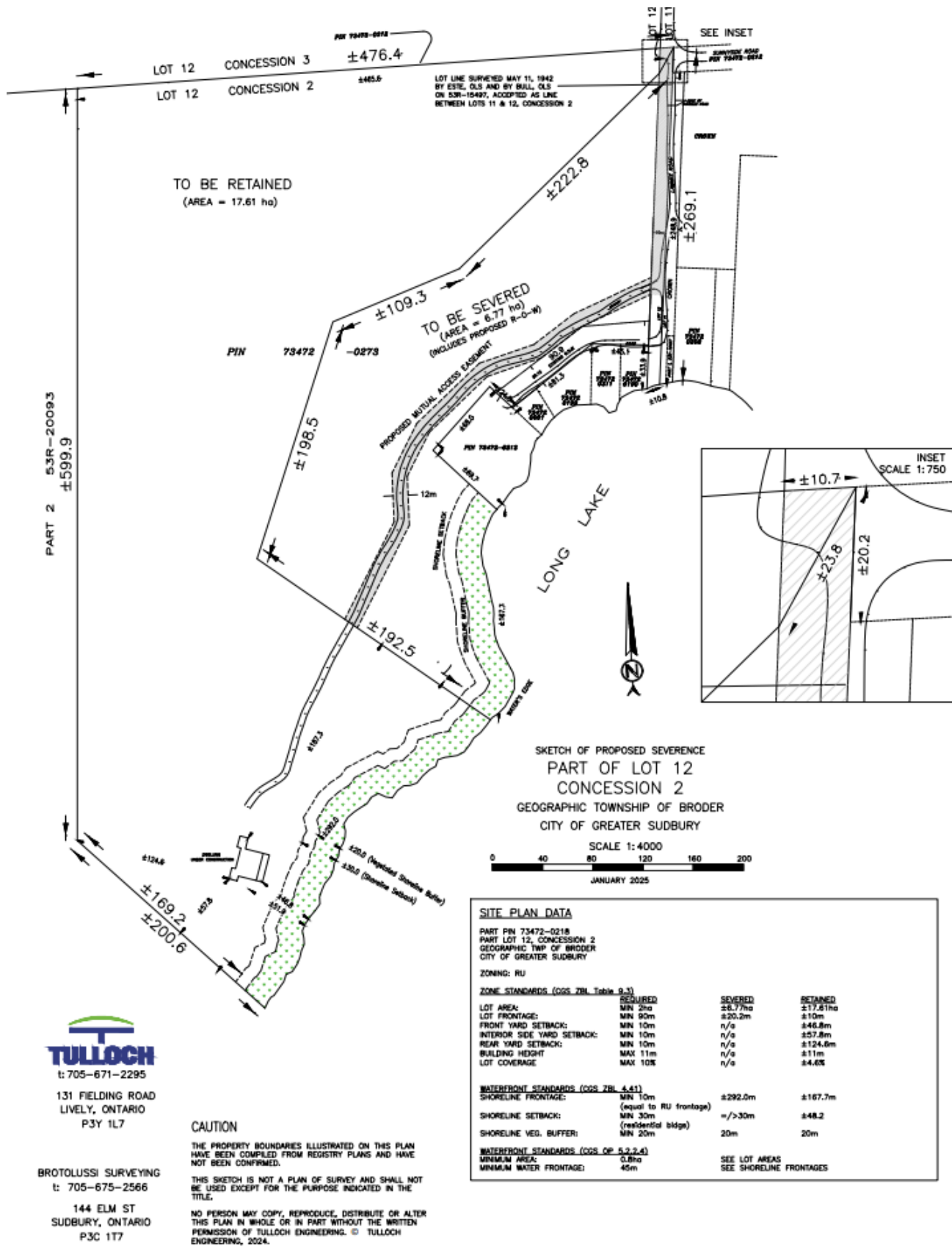


Figure 8: Concept Plan

## 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.*

---

## 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.*

---

## 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;*

---

## 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)**.

---

## 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.

---

### PLANNING ANALYSIS

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

---

## 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.*

---

## 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**).

---

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;*

---

## **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.

---

**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**