



PLANNING COMMITTEE AGENDA

Planning Committee Meeting
Monday, February 22, 2021
Tom Davies Square - Council Chamber / Electronic Participation

COUNCILLOR ROBERT KIRWAN, CHAIR

Geoff McCausland, Vice-Chair

12:15 p.m. CLOSED SESSION, COMMITTEE ROOM C-12 / ELECTRONIC PARTICIPATION
1:00 p.m. OPEN SESSION, COUNCIL CHAMBER / ELECTRONIC PARTICIPATION

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<https://agendasonline.greatersudbury.ca>.

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ROLL CALL

Resolution to meet in Closed Session to deal with two (2) Proposed or Pending Acquisition or Disposition of Land Matters:

- Sale of Closed Road - Old Trespass Road, Garson
- Sale of Lane - Romanet Lane, Sudbury

in accordance with the *Municipal Act, 2001, 239(2)(c)*.

(RESOLUTION PREPARED)

RECESS

ROLL CALL

DECLARATIONS OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

PUBLIC HEARINGS

1. Report dated February 1, 2021 from the General Manager of Growth and Infrastructure regarding 4846 Deschene Road, Hanmer. **9 - 22**
(RESOLUTION PREPARED)
 - Glen Ferguson, Senior Planner

(This report provides a recommendation regarding an application for rezoning in order to permit a secondary dwelling unit with increased separation distance from the main residential dwelling, 4846 Deschene Road, Hanmer - Julien & Janelle Gauvin.)
2. Report dated February 1, 2021 from the General Manager of Growth and Infrastructure regarding 106 Langdon Road, Whitefish. **23 - 31**
(RESOLUTION PREPARED)
 - Glen Ferguson, Senior Planner

(This report provides a recommendation regarding an application for rezoning in order to prevent a split-zoning, 106 Langdon Road, Whitefish - John Dryland & Deborah Frantila.)
3. Report dated February 1, 2021 from the General Manager of Growth and Infrastructure regarding 3557 Errington Avenue, Chelmsford. **32 - 47**
(RESOLUTION PREPARED)
 - Mauro Manzon, Senior Planner

(This report provides a recommendation regarding an application for rezoning in order to permit a veterinary clinic within the existing building, 3557 Errington Avenue, Chelmsford - 1905066 Ontario Inc.)
4. Report dated February 1, 2021 from the General Manager of Growth and Infrastructure regarding 30 Ste. Anne Road, 162 MacKenzie Street & 38 Xavier Street, Sudbury. **48 - 122**
(RESOLUTION PREPARED)
 - Mauro Manzon, Senior Planner

(This report provides a recommendation regarding an application for rezoning in order to expand permitted uses and provide parking relief, 30 Ste. Anne Road, 162 MacKenzie Street & 38 Xavier Street, Sudbury - Red Oak Villa 2014 Inc.)

-Letter(s) of concern from concerned citizen(s)

MATTERS ARISING FROM THE CLOSED SESSION

At this point in the meeting, the Chair of the closed session, will rise and report the results of the closed session. The Committee will then consider any resolutions.

CONSENT AGENDA

(For the purpose of convenience and for expediting meetings, matters of business of repetitive or routine nature are included in the Consent Agenda, and all such matters of business contained in the Consent Agenda are voted on collectively.

A particular matter of business may be singled out from the Consent Agenda for debate or for a separate vote upon the request of any Councillor. In the case of a separate vote, the excluded matter of business is severed from the Consent Agenda, and only the remaining matters of business contained in the Consent Agenda are voted on collectively.

Each and every matter of business contained in the Consent Agenda is recorded separately in the minutes of the meeting.)

ADOPTING, APPROVING OR RECEIVING ITEMS IN THE CONSENT AGENDA

(RESOLUTION PREPARED FOR ITEM C-1)

ROUTINE MANAGEMENT REPORTS

- C-1. Report dated February 10, 2021 from the General Manager of Corporate Services regarding Part of Alder Street, Sudbury - Road Closure and Declaration of Surplus Land. **123 - 130**

(RESOLUTION PREPARED)

(This report provides a recommendation regarding part of Alder Street, Sudbury, north of Willow Street and south of Victoria Street, be closed by by-law, declared surplus to the City's needs and offered for sale to the abutting owner.)

REGULAR AGENDA

MANAGERS' REPORTS

- R-1. Report dated February 1, 2021 from the General Manager of Growth and Infrastructure regarding Deschene Road, Hanmer. **131 - 137**

(RESOLUTION PREPARED)

(This report provides a recommendation regarding an application to remove the "H", Holding Designation on lands zoned "H43C2", Holding General Commercial in order to permit an 80-unit row dwelling complex, Deschene Road, Hanmer - Keystone Homes Inc.)

MEMBERS' MOTIONS

ADDENDUM

CIVIC PETITIONS

QUESTION PERIOD

ADJOURNMENT

COMITÉ DE PLANIFICATION

ORDRE DU JOUR

Réunion du Comité de planification

22 février 2021

Place Tom Davies - Salle du Conseil / participation électronique

COUNCILLOR ROBERT KIRWAN, PRÉSIDENT(E)

Geoff McCausland, Vice-président(e)

12H 15 SÉANCE À HUIS CLOS, SALLE DE RÉUNION C-12 / PARTICIPATION ÉLECTRONIQUE

13H 00 SÉANCE PUBLIQUE, SALLE DU CONSEIL / PARTICIPATION ÉLECTRONIQUE

Les réunions du Conseil de la Ville du Grand Sudbury et de ses comités sont accessibles et sont diffusés publiquement en ligne et à la télévision en temps réel et elles sont enregistrées pour que le public puisse les regarder sur le site Web de la Ville à l'adresse <https://agendasonline.greatersudbury.ca>.

Sachez que si vous faites une présentation, si vous prenez la parole ou si vous vous présentez sur les lieux d'une réunion pendant qu'elle a lieu, vous, vos commentaires ou votre présentation pourriez être enregistrés et diffusés.

En présentant des renseignements, y compris des renseignements imprimés ou électroniques, au Conseil municipal ou à un de ses comités, vous indiquez que vous avez obtenu le consentement des personnes dont les renseignements personnels sont inclus aux renseignements à communiquer au public

Vos renseignements sont recueillis aux fins de prise de décisions éclairées et de transparence du Conseil municipal en vertu de diverses lois municipales et divers règlements municipaux, et conformément à la *Loi de 2001 sur les municipalités*, à la *Loi sur l'aménagement du territoire*, à la *Loi sur l'accès à l'information municipale* et la *protection de la vie privée* et au *Règlement de procédure* de la Ville du Grand Sudbury.

Pour obtenir plus de renseignements au sujet de l'accessibilité, de la consignation de vos renseignements personnels ou de la diffusion en continu en direct, veuillez communiquer avec le Bureau de la greffière municipale en composant le 3-1-1 ou en envoyant un courriel à l'adresse clerks@grandsudbury.ca.

APPEL NOMINAL

Résolution pour tenir une réunion à huis clos afin de traiter de deux acquisitions or dispositions projetées ou en cours d'un bien-fonds:

- la vente d'une route fermée - rue Old Trespass, Garson
- la vente d'une ruelle - ruelle Romanet, Sudbury

aux termes de *Loi de 2001 sur les municipalités*, alinéa 239(2)(c).

(RÉSOLUTION PRÉPARÉE)

SUSPENSION DE LA SÉANCE

APPEL NOMINAL

DÉCLARATION D'INTÉRÊTS PÉCUNIAIRES ET LEUR NATURE GÉNÉRALES

AUDIENCES PUBLIQUES

1. Rapport directeur général, Croissance et Infrastructure, daté du 01 février 2021 portant sur 4846, rue Deschene, Hanmer. **9 - 22**
(RÉSOLUTION PRÉPARÉE)
 - Glen Ferguson, Planificateur Principal(Dans ce rapport, on formule une recommandation concernant une demande de rezonage afin de permettre un logement secondaire ayant une distance de séparation accrue du logement principal, 4846, chemin Deschene, Hanmer – Julien et Janelle Gauvin.)
2. Rapport directeur général, Croissance et Infrastructure, daté du 01 février 2021 portant sur 106, rue, Langdon, Whitefish. **23 - 31**
(RÉSOLUTION PRÉPARÉE)
 - Glen Ferguson, Planificateur Principal(Dans ce rapport, on formule une recommandation concernant une demande de rezonage afin d'éviter un zonage multiple, 106, chemin Langdon, Whitefish – John Dryland et Deborah Frantila.)
3. Rapport directeur général, Croissance et Infrastructure, daté du 01 février 2021 portant sur 3557 avenue Errington, Chelmsford. **32 - 47**
(RÉSOLUTION PRÉPARÉE)
 - Mauro Manzoni, Planificateur Principal(Dans ce rapport, on formule une recommandation concernant une demande de rezonage afin de permettre une clinique vétérinaire dans le bâtiment existant, 3557, avenue Errington, Chelmsford – 1905066 Ontario Inc.)
4. Rapport directeur général, Croissance et Infrastructure, daté du 01 février 2021 portant sur 30, rue Ste. Anne, 162, rue MacKenzie et 38, rue Xavier, Sudbury. **48 - 122**
(RÉSOLUTION PRÉPARÉE)

- Mauro Manzon, Planificateur Principal

(Dans ce rapport, on formule une recommandation concernant une demande de rezonage afin d'étendre les utilisations autorisées et fournir une dispense en matière de stationnement, 30, chemin Ste. Anne, 162, rue MacKenzie et 38, rue Xavier, Sudbury – Red Oak Villa 2014 Inc.)

-Lettre(s) de citoyens concernés faisant état de leurs préoccupations

QUESTIONS DÉCOULANT DE LA SÉANCE À HUIS CLOS

Le président de la séance à huis clos, se lève maintenant et en présente les résultats. Le Comité examine ensuite les résolutions.

Ordre du jour des résolutions

(Par souci de commodité et pour accélérer le déroulement des réunions, les questions d'affaires répétitives ou routinières sont incluses à l'ordre du jour des résolutions, et on vote collectivement pour toutes les questions de ce genre. À la demande d'une conseillère ou d'un conseiller, on pourra traiter isolément d'une question d'affaires de l'ordre du jour des résolutions par voie de débat ou par vote séparé. Dans le cas d'un vote séparé, la question d'affaires isolée est retirée de l'ordre du jour des résolutions ; on ne vote collectivement qu'au sujet des questions à l'ordre du jour des résolutions. Toutes les questions d'affaires à l'ordre du jour des résolutions sont inscrites séparément au procès-verbal de la réunion)

ADOPTION, APPROBATION OU RÉCEPTION D'ARTICLES DANS L'ORDRE DU JOUR DES CONSENTEMENTS

(RÉSOLUTION PRÉPARÉE POUR L'ARTICLE DE L'ORDRE DU JOUR DE RÉSOLUTION C-1)

RAPPORTS DE GESTION COURANTS

- | | |
|---|------------------|
| C-1. Rapport Directeur général des Services corporatifs, daté du 10 février 2021 portant sur Partie de la rue Alder, Sudbury – fermeture de route et déclaration de terrain excédentaire. | 123 - 130 |
|---|------------------|

(RÉSOLUTION PRÉPARÉE)

(Dans ce rapport, on formule une recommandation concernant une partie de la rue Alder à Sudbury, au nord de la rue Willow et au sud de la rue Victoria, afin qu'elle soit fermée aux termes d'un règlement municipal, déclarée excédentaire par rapport aux besoins de la municipalité et qu'on offre au propriétaire de terrain.)

Ordre du jour ordinaire

RAPPORTS DES GESTIONNAIRES

- | | |
|---|------------------|
| R-1. Rapport directeur général, Croissance et Infrastructure, daté du 01 février 2021 portant sur Rue Deschene, Hanmer. | 131 - 137 |
|---|------------------|
- (RÉSOLUTION PRÉPARÉE)**

(Dans ce rapport, on formule une recommandation concernant une demande de suppression de l'utilisation différée (« H ») sur les terrains dont le zonage est « H43C2 », zone commerciale générale avec utilisation différée, afin de permettre un complexe de maisons en rangée de 80 logements, chemin Deschene, Hanmer – Keystone Homes Inc.)

MOTIONS DES MEMBRES

ADDENDA

PÉTITIONS CIVIQUES

PÉRIODE DE QUESTIONS

LEVÉE DE LA SÉANCE

Presented To:	Planning Committee
Presented:	Monday, Feb 22, 2021
Report Date	Monday, Feb 01, 2021
Type:	Public Hearings
File Number:	751-7/20-08

Request for Decision

4846 Deschene Road, Hanmer

Resolution

THAT the City of Greater Sudbury approves the application by Julien & Janelle Gauvin to amend Zoning By-law 2010-100Z by changing the zoning classification on the subject lands from "RU", Rural to "RU(S)", Rural Special on those lands described as PIN 73504-3118, Part 2, Plan 53R-20867, Lot 4, Concession 3, Township of Hanmer, as outlined in the report entitled "4846 Deschene Road, Hanmer", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on February 22, 2021, subject to the following condition:

1. That the amending zoning by-law include the following site-specific provisions:

a) That a secondary dwelling unit be permitted having a maximum setback distance of 75 metres from the primary dwelling.

Relationship to the Strategic Plan / Health Impact Assessment

The applications to amend the City's Zoning By-law is an operational matter under the Planning Act to which the City is responding.

Report Summary

This report reviews an application Zoning By-law Amendment that would facilitate the construction of a secondary dwelling unit having an increased separation distance from the main residential dwelling on the subject lands that have frontage on Deschene Road in Sudbury. The lands are presently vacant.

The proposed rezoning is intended to change the zoning classification of the subject lands from "RU", Rural to "RU(S)", Rural Special. Staff notes that the amending zoning by-law should include a site-specific provision permitting the proposed secondary dwelling unit to maintain a maximum setback distance of 75 m

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed Feb 1, 21

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Feb 1, 21

Recommended by the Division

Alex Singbush
Manager of Development Approvals
Digitally Signed Feb 1, 21

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Feb 3, 21

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Feb 3, 21

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Feb 5, 21

(246.06 ft) from the primary residential dwelling.

Staff has also noted in the report that no new rural residential dwelling lot is being proposed at this time by the owner and would caution that any future development proposal to sever the proposed secondary dwelling unit from the primary residential dwelling would not be supported, as it would not represent good rural land use planning. Staff also notes that the lands would not have sufficient lot area or lot frontage to facilitate a rural severance under current rural lot creation policies in the City's Official Plan and under the applicable development standards of "RU" Zone. It is on this basis that staff is able to be supportive of the rezoning request to permit an increased maximum distance between the proposed secondary dwelling unit and its primary residential dwelling.

Staff is also satisfied that the development proposal conforms with the Official Plan for the City of Greater Sudbury. The development proposal is also generally consistent with the land use planning policy directions identified in the PPS. Staff also notes that the application conforms to and does not conflict with the Growth Plan for Northern Ontario.

The Planning Services Division is recommending approval of the application for Zoning By-law Amendment in accordance with the Resolution section of this report.

Financial Implications

If the rezoning is approved, staff estimates approximately \$3,400 in taxation revenue, based on the assumption of a secondary residential unit at an estimated assessed value of \$275,000 per dwelling unit at the 2020 property tax rates. This will vary based on the assessment value determined by MPAC.

In addition, this development would not result in any development charges as it does not apply to a secondary dwelling unit when created in accordance with the Zoning By-law.

Staff Report

Proposal:

The application for Zoning By-law Amendment would facilitate the construction of a secondary dwelling unit having an increased maximum separation distance from the main residential dwelling on the subject lands that have frontage on Deschene Road in Hanmer.

The proposed rezoning is intended to change the zoning classification of the subject lands from “RU”, Rural to “RU(S)”, Rural Special. The rezoning of the lands is proposed to include site-specific relief with respect to increasing the maximum distance between a primary residential dwelling and a secondary dwelling unit from 30 m (98.43 ft) to 75 m (246.06 ft).

The owners previously submitted an application for minor variance (File # A0098/2020) that was circulated to agencies and departments for comments. It was on this basis that the owners were not specifically required to submit an application for pre-consultation; however, in an abundance of caution the owners did opt to submit a pre-consultation application that was considered by the Sudbury Planning Application Review Team (SPART) on December 9, 2020 (File # PC2020-102). The owners met with staff following the SPART Meeting and signed their Pre-Consultation Understanding Agreement (PCUA) on January 21, 2021 and the owners have subsequently now submitted a Zoning By-law Amendment application to the City for consideration.

The above noted applications were submitted to the City on December 22, 2020, and deemed to be complete on January 8, 2021. The application included a Concept Plan in support of the rezoning that is being requested. Details with respect to the owner’s public consultation strategy ahead of a public hearing at the Planning Committee was also provided.

Existing Zoning: “RU”, Rural

The “RU” Zone permits a single-detached dwelling, mobile home dwelling, bed and breakfast establishment within a single-detached dwelling and having a maximum of two guest rooms, a group home type 1 within a single-detached dwelling and having a maximum of ten beds, seasonal dwelling on a legal existing waterfront lot, private cabin accessory to a seasonal dwelling and a private home daycare. Permitted non-residential uses include an agricultural use, animal shelter, forestry use, hunting or fishing camp, garden nursery, kennel having a minimum buffer of 300 m (984.25 ft) from the nearest residential building or residential zone, public utility and a veterinary clinic. Secondary dwelling units are permitted in the subject to Section 4.2.10 of the City’s Zoning By-law.

Requested Zoning: “RU(S)”, Rural Special

The proposed rezoning to “RU(S)” is intended to facilitate the construction of a secondary dwelling unit having an increased separation distance from the main residential dwelling on the subject lands. Those development standards related to secondary dwelling units and within the “RU” Zone would otherwise be applicable to the development proposal.

Location and Site Description:

The subject lands are located on the east side of Deschene Road and to the north of Municipal Road #80 in the community of Hanmer. The lands have a total lot area of approximately 2.06 ha (5.10 acres) with approximately 106 m (347.77 ft) of public road frontage on Deschene Road. The lands are well vegetated and presently vacant.

Title: Julien & Janelle Gauvin

Date: January 25, 2021

Surrounding Land Uses:

North: Rural residential land uses and several vacant rural lots.

East: Several larger lots containing rural residential land uses having frontage on Gravel Drive further to the north.

South: Vacant rural lots and general commercial land uses at the intersection of Deschene Road and Municipal Road #80.

West: Rural residential land uses along Deschene Road and several larger tracts of vacant rural land.

The existing zoning and location map are attached to this report and together indicate the location of the lands subject to the Zoning By-law Amendment request, as well as the applicable zoning on other parcels of land in the immediate area. Aerial photography of the subject lands is also attached to this report for reference purposes.

Public Consultation:

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 January 8, 2021. The statutory Notice of Public Hearing dated February 4, 2021 was provided to the public by newspaper and to nearby landowners and tenants located within 244 m (800 ft) of the subject lands.

The owners were also advised of the City's policy recommending that applicants consult with their neighbours, ward councilor and key stakeholders to inform area residents of the applications prior to the public hearing. Staff understand from the owner's that they have contacted immediate neighbours to discuss the development proposal and have advised that no concerns were expressed with respect to the proposed secondary dwelling unit having an increased maximum distance from the primary dwelling.

At the time of writing this report, the Planning Services Division has not received any phone calls, emails or letter submissions with respect to the development proposal.

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.

Planning Act

The Planning Act under Section 16.3(b) requires that a municipality's Official Plan contain policies that authorize the establishment of additional residential dwelling units by authorizing said additional residential dwelling unit to be established within a residential unit in a building (e.g. single-detached dwelling) or within a structure ancillary to a detached house, semi-detached house or row-house.

2020 Provincial Policy 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 2020 PPS. The following PPS policies are applicable to the application for Zoning By-law Amendment:

1. With respect to Rural Areas policies, Section 1.1.4.1 outlines that healthy, integrated and viable rural areas should be supported by:
 - a) Building upon rural character, and leveraging rural amenities and assets;
 - b) Promoting regeneration, including the redevelopment of brownfield sites;
 - c) Accommodating an appropriate range and mix of housing in rural settlement areas;
 - d) Encouraging the conservation and redevelopment of existing rural housing stock on rural lands;
 - e) Using rural infrastructure and public service facilities efficiently;
 - f) Promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
 - g) Providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
 - h) Conserving biodiversity and considering the ecological benefits provided by nature; and,
 - i) Providing opportunities for economic activities in prime agricultural areas, in accordance with applicable policies in the PPS 2020.
2. Section 1.1.5.2 outlines among other land uses that on rural lands permitted uses include residential development that is locally appropriate;
3. Section 1.1.5.4 outlines that rural development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted;
4. Section 1.1.5.5 outlines that rural development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure;
5. With respect to Housing Policies, Section 1.4.3 outlines that municipalities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area. This can be accomplished by permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities, as well as all types of residential intensification, including additional residential units, and redevelopment.

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 are satisfied that the application for Zoning By-law Amendment conforms to and does not conflict with the Growth Plan for Northern Ontario.

Official Plan for the City of Greater Sudbury:

The subject lands are designated Rural in the Official Plan for the City of Greater Sudbury. Rural Areas contain a variety of land uses, such as farms, woodlots and forests, small industry, and clusters of rural residential development. Permitted uses within the Rural designation include residential uses, agricultural uses, conservation, open space and natural resource management activities, mineral exploration, rural industrial/commercial uses, resort and shoreline commercial uses, and public uses including hydroelectric generation and associated facilities.

Section 5.2.1.1 of the City's Official Plan 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 5.2.1.2 of the Official Plan outlines that one single detached dwelling is permitted on any existing lot, provided that said lot fronts onto a public road that is maintained year-round. The lot must also have the capability to provide a private on-site sewage disposal system and private water supply with both quantity and quality suitable for domestic uses.

Section 5.2.1.9 of the Official Plan notes that a secondary dwelling unit is allowed in accordance with Section 2.3.6. Despite these policies, a Second Suite may be served by its own individual on-site sewage and water services, where appropriate. In the Rural land use designation, a mobile home may be used as a secondary dwelling unit if it is built on its own foundation and constructed in accordance with the Ontario Building Code. Section 5.2.1.9 also states that none of the Official Plan's secondary dwelling unit policies are intended to result in the creation of new residential lots within the Rural land use designation.

Section 2.3.6 of the City's Official Plan contains policies related to secondary dwelling units. Specifically, it notes that secondary dwelling units can provide an effective form of intensification and increase the availability of affordable housing choices for residents. Further to this, the following policies are applicable to the development of secondary dwelling units:

1. Secondary dwelling units are defined as a separate dwelling unit, which is ancillary to the primary residential dwelling and may be contained within the primary residential dwelling or in an ancillary building;
2. Secondary dwelling units are permitted in single-detached, semi-detached, street townhouse and row dwellings as well as in accessory structures;
3. Mobile homes are not permitted as secondary dwelling units in the Living Area designations;
4. No more than one secondary dwelling unit will be permitted in association with each primary residential dwelling on the same lot;
5. Adequate servicing must be available to service the secondary dwelling unit through either the municipal system or through individual, privately owned systems. Secondary dwelling units will be connected to the service lines of the primary residential dwelling to City specifications;

6. Secondary dwelling unit are not permitted on or adjacent to any hazards identified in Section 10.0 of the City's Official Plan;
7. Secondary dwelling units will not cause alterations to the main building exterior that would change the character of an existing neighbourhood or streetscape;
8. Secondary dwelling units must satisfy all applicable requirements of the Ontario Building Code, Ontario Fire Code as well as the City's Zoning By-law and Property Standards By-law;
9. Secondary dwelling unit are not to be considered in the calculation of density requirements outlined in Section 3.2.1 of the City's Official Plan;
10. Additional regulations for secondary dwelling units will be established in the City's Zoning By-law; and,
11. Existing Garden Suites may be considered as secondary dwelling units provided they conform with these policies and the City's Zoning By-law.

Section 17.2 of the Official Plan generally encourages diversity in housing types and forms. Specifically, Section 17.2.1 more specifically encourages a greater mix of housing types and tenure through the following applicable housing policies:

- a. To encourage a wide range of housing types and forms suitable to meet the housing needs of all current and future residents;
- b. To encourage production of smaller (ie. one and two bedroom) units to accommodate the growing number of smaller households;
- c. To promote a range of housing types suitable to the needs of senior citizens;
- d. Discourage downzoning to support increased diversity of housing options; and,
- e. Support new development that is planned, designated, zoned and designed in a manner that contributes to creating complete communities designed to have a mix of land uses, supportive of transit development, the provision of a full range of housing including affordable housing, inclusive of all ages and abilities, and meet the daily and lifetime needs of all residents.

Zoning By-law 2010-100Z:

The owner is requesting that the subject lands be rezoned to "RU(S)", Rural Special in order to facilitate the construction of a secondary dwelling unit having an increased separation distance from the primary residential dwelling on the subject lands that have frontage on Deschene Road in Sudbury. As noted previously in this report, the rezoning of the lands is also proposed to include site-specific relief with respect to permitting a maximum distance of 75 m (246.06 ft) between a primary residential dwelling and a secondary dwelling unit whereas 30 m (98.43 ft) is permitted under Section 4.2.10.3 c) ii) of the City's Zoning By-law.

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 formulate appropriate development standards in an amending zoning by-law should the application be approved.

During the review of the proposal, comments provided by circulated agencies and departments included the following:

Active Transportation, the City's Drainage Section, Fire Services, Leisure Services, Operations, Roads, Traffic and Innovation, and Transit Services have each advised that they have no concerns from their respective areas of interest.

Building Services notes that the secondary dwelling unit (and detached garage) as depicted on the Concept Plan will require building permit applications to the satisfaction of the Chief Building Official. Building Services also notes and advises the owners that the net floor area of the proposed secondary dwelling unit may not exceed 45% of the gross floor area of the primary dwelling.

Development Engineering has no concerns with the application to amend the City's Zoning By-law. The lands are not serviced with municipal water and sanitary sewer infrastructure.

Planning Analysis:

The Planning Act, 2020 PPS, the 2011 Growth Plan, and the City of Greater Sudbury Official Plan, and other relevant policies and supporting guidelines were reviewed in their entirety. The following section provides a planning analysis of the applications with respect to the applicable policies, including issues raised through agency and department circulation.

The proposed rezoning is consistent with the PPS for the following reasons:

1. Regarding Rural Areas policies in the PPS, staff is satisfied that the development proposal would positively contribute to the rural character that is emerging around the provision of secondary dwelling units that are capable of leveraging rural amenities and assets;
2. Staff understands from the owners that the proposed secondary dwelling unit will utilize and share the rural infrastructure (e.g. private sanitary sewer and water systems, driveway access, etc.) that is required for the primary residential dwelling that is to be constructed and fronting Deschene Road;
3. With respect to Rural Lands policies in the PPS, staff has the following comments:
 - a) Staff has reviewed the site and area context of the development proposal and are of the opinion that in general the addition of a secondary dwelling unit having an increased maximum distance from a primary residential dwelling is locally appropriate;
 - b) Staff is satisfied that the development proposal being that of a secondary dwelling unit with an increased maximum distance from the primary residential dwelling represents appropriate rural development that is compatible with the rural landscape along Deschene Road and would benefit from existing rural service levels in this part of Hanmer;
 - c) Staff is satisfied that the proposed rural development in the form of a secondary dwelling unit with an increased maximum distance from the primary residential dwelling is appropriate to the infrastructure available along Deschene Road and it would avoid the need for the unjustified and/or uneconomical expansion of this infrastructure; and,
4. With reference to Housing Policies in the PPS, staff is generally of the opinion that the development proposal, being that of a secondary dwelling unit at an increased maximum distance from a primary residential dwelling, would increase and contribute positively to ensuring that an appropriate range and mix of housing options and densities are available to meet projected requirements for current and future residents living in the community of Hanmer. The development proposal is also responsive to the social, health, economic and well-being needs of current and future residents, including special needs requirements and needs arising from potential demographic changes and employment opportunities.

Date: January 25, 2021

With respect to the City's Official Plan, staff in general is supportive of the request to amend the City's Zoning By-law. Those policies relevant to the development proposal that would facilitate the construction of a secondary dwelling unit having an increased separation distance from the main residential dwelling on the on the subject lands are discussed below.

With respect to the general Rural Areas policies under Section 5.2.1 of the Official Plan, staff notes that rural residential land uses are permitted. Rural residential land uses are also permitted to have accessory buildings and structures.

With respect to Section 5.2.1.1 of the Official Plan, staff is satisfied that the proposed secondary dwelling unit, having an increased maximum distance from the primary residential dwelling, is compatible with and would not detract from the rural character that exists along this portion of Deschene Road in Hanmer. It is noted that immediate surrounding development is largely rural residential in nature with several rural properties already having accessory buildings and structures. There is also an existing garden suite on the west side of Deschene Road and to the north of the subject lands that denoted by a "T57" symbol in the City's Zoning By-law. Staff notes that the garden suite on the above referenced lands is to the south of the primary residential dwelling and is visible from Deschene Road. Staff also notes no additional public services, including the extension of existing or creation of new partial services would be required, as both the primary residential dwelling and the proposed secondary dwelling unit would rely upon private sanitary sewer and water infrastructure.

With regard to Section 5.2.1.2 of the Official Plan, staff notes that Deschene Road is a publicly maintained road year-round and as such, single-detached dwelling and accessory uses such as a secondary dwelling unit are considered to be permitted uses. Staff notes that the lands appear to be capable of accommodating a private sanitary sewer system (i.e. septic system) but cautions the owner that approvals from the Sudbury District Health Unit (SDHU) will be required.

In regards to Section 5.2.1.9 of the Official Plan, staff would note the following:

1. Secondary dwelling units are permitted accessory uses on lands designated Rural;
2. Should the owner choose, the proposed secondary dwelling unit may be serviced by its own private sanitary sewer and water infrastructure;
3. While the proposed secondary dwelling unit does not appear to be a mobile home dwelling, staff notes that a secondary dwelling unit is permitted in the Rural land use designation to take the built-form of a mobile home dwelling; and,
4. Staff notes that no new rural residential dwelling lot is being proposed at this time by the owner and would caution that any future development proposal to sever the proposed secondary dwelling unit from the primary residential dwelling would not be supported, as it would not represent good rural land use planning. Staff also further note that the lands have an existing lot area of approximately 2.06 ha (5.10 acres) with approximately 106 m (347.77 ft) of public road frontage on Deschene Road whereas the minimum "RU" Zone requirements are 2 ha (5 acres) and 90 m (295.28 ft) respectively. Staff advise therefore that the lands would not meet minimum lot area and lot frontage requirements in order to facilitate a rural severance as of right.

With respect to Section 2.3.6 of the Official Plan, staff notes that the proposed secondary dwelling unit represents a good opportunity to facilitate and appropriate amount of intensification within the Rural land use designation and would certainly provide for an additional and affordable housing choice for residents living in Hanmer. More specifically, staff has the following comments:

1. The proposed built-form for the secondary dwelling unit being that of an accessory building that is detached from the primary residential dwelling is permitted;

2. At this time, the owners are proposing one secondary dwelling unit on the lands that would be accessory to a single-detached dwelling that is also to be constructed on the lands;
3. The proposed secondary dwelling unit would not take the form of a mobile home dwelling;
4. Development Engineering has noted that the lands are not serviced with municipal sanitary sewer and water infrastructure and the owner is again cautioned that the provision of private sanitary sewer infrastructure on the lands will require the approval of the SDHU. Staff also note that within the Rural land use designation that a secondary dwelling unit may have its own separate private sanitary sewer system, but it should otherwise share and connect to the service lines of the primary residential dwelling. Staff understands from the owner that the secondary dwelling unit will utilize the same driveway access to Deschene Road as the primary residential dwelling, along with sharing all services including a private sanitary sewer system;
5. Staff notes that in the review of the rezoning application that no issues with respect to flooding, erosion, unstable soils, mine hazards, pits or quarries, contaminated lands, waste disposal, noise, vibration or odour, or risks associated with land fires as described under Section 10.0 were identified;
6. Staff notes that the proposed secondary dwelling unit would take the form of an accessory building and therefore there are no land use planning concerns with respect to any alterations to the primary residential dwelling exterior that would change the character of an existing neighbourhood or streetscape;
7. Building Services has noted in their comments and the owner is therefore advised that the proposed secondary dwelling unit must satisfy all applicable requirements of the Ontario Building Code, Ontario Fire Code as well as the City's Zoning By-law and Property Standards By-law;
8. Staff notes that the lands are not designated Living Area 1 and therefore the calculation of density requirements as outlined in Section 3.2.1 of the City's Official Plan is not relevant to this particular development proposal;
9. Staff advises that later in this report those applicable provisions and development standards relating to secondary dwelling units within the City's Zoning By-law will be discussed in further; and,
10. Staff notes that the lands are vacant and the proposed secondary dwelling unit would not involve the conversion of an existing garden suite to a secondary dwelling unit.

With reference to housing policies set out under Section 17.2 of the Official Plan, staff notes that the proposed secondary dwelling unit, regardless of the maximum distance it would maintain from the primary residential dwelling, in general represents an opportunity to provide for a greater mix of housing types and tenure in the community of Hanmer. Specifically, staff has the following comments:

1. Staff advises that the addition of a secondary dwelling unit in this location along Deschene Road would contribute positively to achieving a widened range of housing types and forms suitable to meet the housing needs of all current and future residents living in Hanmer;
2. Staff understands from the owner that the proposed secondary dwelling unit would have two bedrooms or less, and as such it can be reasonably expected to provide for an attractive housing option for those with smaller household sizes living in Hanmer;
3. Staff is satisfied that in general the proposed built-form being that of secondary dwelling unit as an accessory building to the primary residential dwelling will contribute positively to ensuring that a range of suitable housing types are available to meet the needs of senior citizens living in Hanmer. Staff also notes that the owner has advised that the secondary dwelling unit would be a one-storey and slab-on-grade building;

4. Staff advises that the development proposal does not represent a down-zoning of the residential permissions that exist presently on the lands. The proposed rezoning would in fact have the opposite effect as it would allow for an additional residential dwelling unit on the lands and would certainly increase the diversity of housing options available in Hanmer; and,
5. Staff is satisfied that the proposed secondary dwelling unit would contribute positively to the mix of rural land uses along Deschene Road and to the range of housing including affordable housing that is available within the community of Hanmer. Staff also notes that the development proposal would cater to, be inclusive of all ages and abilities, and help meet the daily and lifetime needs of residents living in Hanmer.

Based on the above analysis of the City's Official Plan, staff is of the opinion that the proposed rezoning that would facilitate the construction of a secondary dwelling unit having an increased separation distance from the main residential dwelling conforms to the Official Plan for the City of Greater Sudbury.

With respect to the City's Zoning By-law, staff in general have no concerns with the requested zone category and have the following comments:

1. The owner is requesting that the lands be rezoned to "RU(S)", Rural Special in order to facilitate the construction of a secondary dwelling unit having an increased separation distance from the main residential dwelling on the subject lands that have frontage on Deschene Road in Sudbury;
2. In order to provide for the above noted development, staff can advise that the amending zoning by-law should include a site-specific development standard that a secondary dwelling unit be permitted having a maximum setback distance of 75 metres from the primary residential dwelling; and,
3. Staff noted that a registered survey plan is not required in order to prepare the amending zoning by-law as the portion of the lands subject to the rezoning are already described legally as PIN 73504-3118, Part 2, Plan 53R-20867, Lot 4, Concession 3, Township of Hanmer.

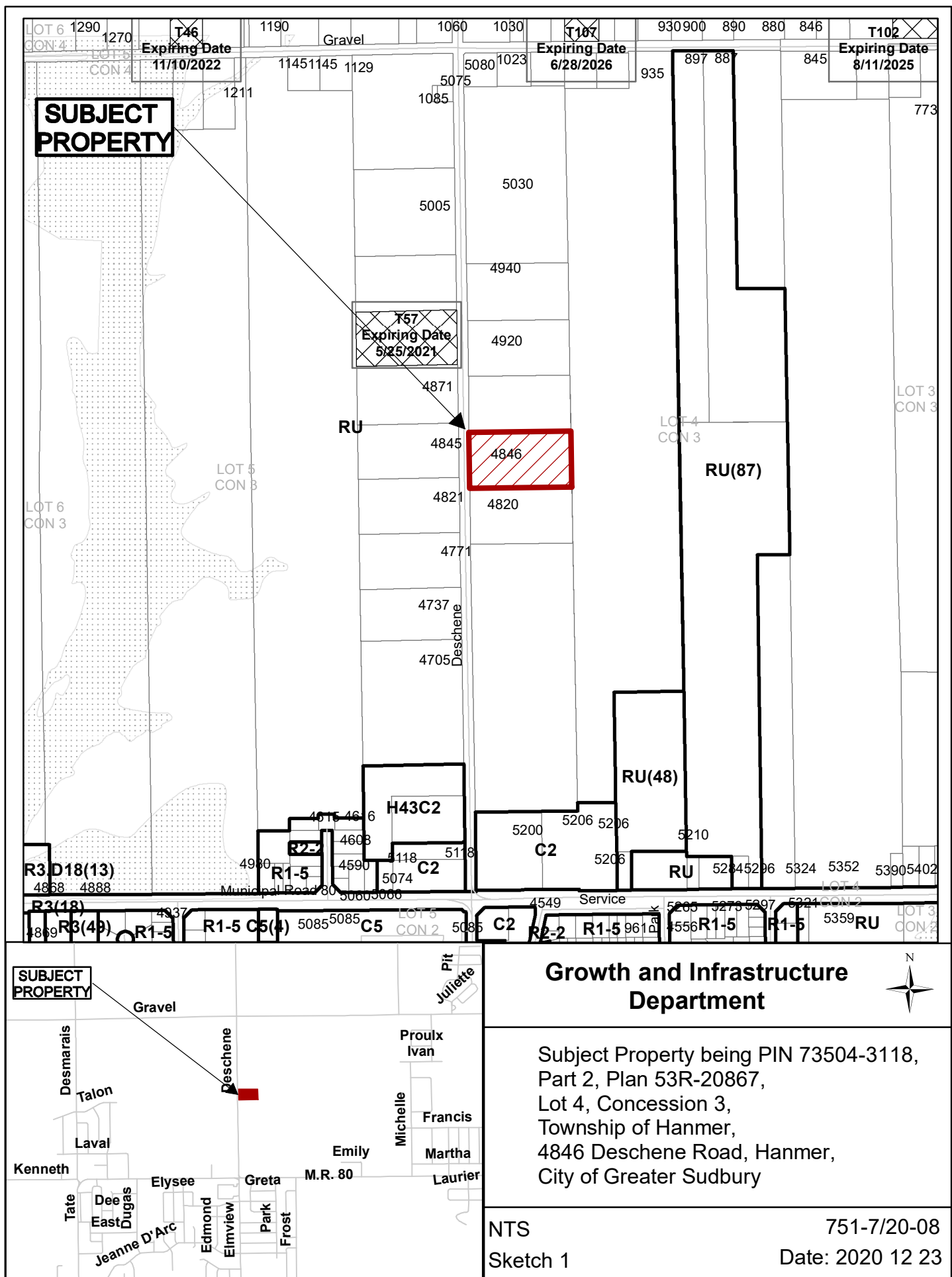
Conclusion:

Staff has reviewed the development proposal and is satisfied that it conforms with the Official Plan for the City of Greater Sudbury. The development proposal is also generally consistent with the land use planning policy directions identified in the PPS. Staff also notes that the application conforms to and does not conflict with the Growth Plan for Northern Ontario.

Staff has noted in the report that no new rural residential dwelling lot is being proposed at this time by the owner and would caution that any future development proposal to sever the proposed secondary dwelling unit from the primary residential dwelling would not be supported as it would not represent good rural land use planning. Staff also notes that the lands would not have sufficient lot area or lot frontage to facilitate a rural severance under current rural lot creation policies in the City's Official Plan and under the applicable development standards of "RU" Zone. It is on this basis that staff is able to be supportive of the rezoning request to permit an increased maximum distance between the proposed secondary dwelling unit and its primary residential dwelling.

Staff is recommending that the amending zoning by-law include a site-specific provision permitting the proposed secondary dwelling unit to maintain a maximum setback distance of 75 m (246.06 ft) from the primary residential dwelling. Staff would advise that beyond the above noted site-specific provision that all development standards under the standard "RU" Zone, as well as the general provisions and parking provisions contained within the City's Zoning By-law would be applicable to the development of the subject lands.

The Planning Services Division is therefore recommending approval of the application for Zoning By-law Amendment in accordance with the Resolution section of this report.



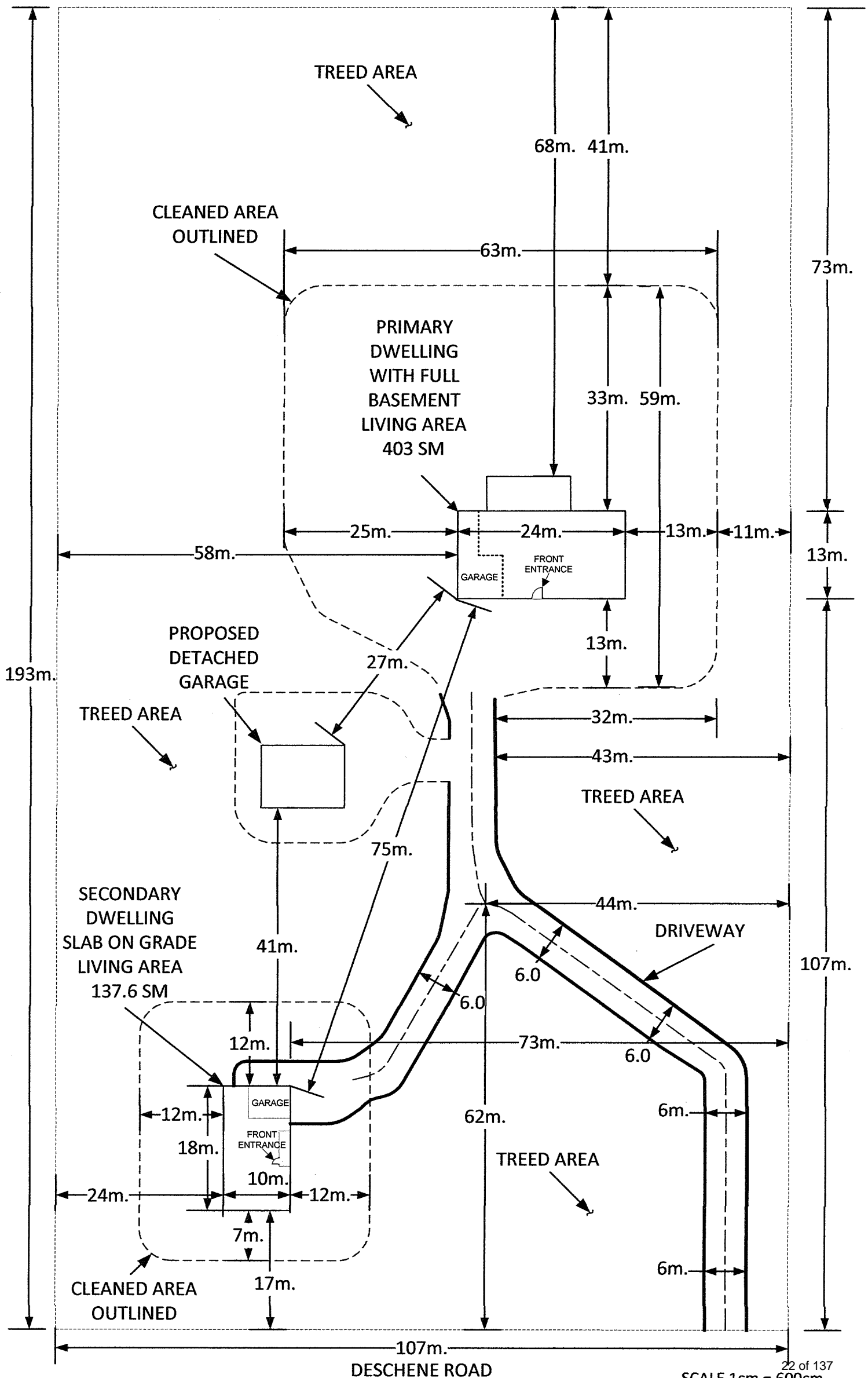
File: 751-7/20-8
4846 Deschene Road,
Hanmer
2016 COOP Orthophotography



Subject Property

Deschene Road





Request for Decision

106 Langdon Road, Whitefish

Presented To:	Planning Committee
Presented:	Monday, Feb 22, 2021
Report Date	Monday, Feb 01, 2021
Type:	Public Hearings
File Number:	751-8/20-03

Resolution

THAT the City of Greater Sudbury approves the application by John Dryland & Deborah Frantila to amend Zoning By-law 2010-100Z by changing the zoning classification on a portion of the subject lands from "RU", Rural to "SLS(4)", Seasonal Limited Service Special on those lands described as PIN 73366-0027, Parcel 13054, Lot 8, Concession 1, Township of Fairbank, as outlined in the report entitled "106 Langdon Road, Whitefish", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on February 22, 2021, subject to the following conditions:

1. That prior to the passing of an amending zoning by-law the owner shall submit a registered survey plan describing the lands to be rezoned to the satisfaction of the Director of Planning Services; and,
2. That conditional approval shall lapse on March 9, 2023 unless Condition #1 above has been met or an extension has been granted by Council.

Relationship to the Strategic Plan / Health Impact Assessment

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding.

Report Summary

This report reviews an application for Zoning By-law Amendment intended to prevent a split-zoning that would result from an approved consent application (File # B0088/2020) that is intended to consolidate a northerly portion of the subject lands with abutting lands to the north known municipally as 232 Langdon Road. The benefitting lands presently have water frontage only on Little Fairbank Lake in the community of Whitefish. The benefitting lands are also accessible from Langdon Road via an easement across lands

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed Feb 1, 21

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Feb 1, 21

Recommended by the Division

Alex Singbush
Manager of Development Approvals
Digitally Signed Feb 1, 21

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Feb 3, 21

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Feb 7, 21

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Feb 8, 21

situated to the immediate west of 232 Langdon Road. The portion of the subject lands to be severed and consolidated are presently zoned "RU", Rural under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. The benefitting lands are zoned "SLS(4)", Seasonal Limited Service Special. The benefitting lands at present also form a legally existing undersized waterfront lot in terms of minimum lot area requirements and minimum water frontage and the proposed consolidation would bring the benefitting lands into closer compliance with minimum lot area requirements for a rural waterfront lot. The Planning Services Division is recommending that the application for a Zoning By-law Amendment be approved as outlined and noted in the Resolution section of this report.

Financial Implications

There are no financial implications associated with this report.

Staff Report

Proposal:

The application for Zoning By-law Amendment seeks to amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury by changing the zoning classification on a portion of the subject lands from "RU", Rural to "SLS(4)", Seasonal Limited Service Special in order to prevent a split-zoning, which would result from a conditionally approved consent application (File # B0088/2020) that is intended to facilitate a lot addition to an existing rural waterfront lot having water frontage on Little Fairbank Lake in Whitefish. If approved, the rezoning of the lands to be severed and consolidated with the benefitting lands would fulfil a condition related to the provisional consent decision that was issued by the City's Consent Official on January 25, 2021.

The owner's agent has submitted a Concept Plan along with supporting property information from Geowarehouse in support of the proposed rezoning that would facilitate the above noted lot consolidation that amounts to a lot boundary re-alignment between two abutting properties.

Existing Zoning: "RU", Rural

The "RU" Zone permits a single-detached dwelling, mobile home dwelling, bed and breakfast establishment within a single-detached dwelling and having a maximum of two guest rooms, a group home type 1 within a single-detached dwelling and having a maximum of ten beds, seasonal dwelling on a legal existing waterfront lot, private cabin accessory to a seasonal dwelling and a private home daycare. Permitted non-residential uses include an agricultural use, animal shelter, forestry use having a minimum buffer of 300 m (984.25 ft) from the nearest residential building or residential zone, hunting or fishing camp provided it is a legal existing use, garden nursery, kennel having a minimum buffer of 300 m (984.25 ft) from the nearest residential building or residential zone, public utility and a veterinary clinic.

Requested Zoning: "SLS(4)", Seasonal Limited Service Special

The proposed rezoning seeks to prevent a split-zoning, which would result from a conditionally approved consent application that is intended to facilitate a lot addition to an existing rural waterfront lot having water frontage on Little Fairbank Lake in Whitefish. The "SLS(4)" Zone permits only a maximum of one seasonal dwelling and a private cabin that is accessory to a seasonal dwelling, while the "RU" Zone permits a wider range of residential uses as noted above. The "SLS(4)" does not permit any non-residential uses. The "SLS(4)" Zone also permits smaller minimum lot areas and lot frontages along with reduced interior side yard setback in comparison to the "RU" Zone. Those development standards applicable to the "SLS(4)" Zone are intended to facilitate appropriate and seasonal residential development on smaller, typically waterfront-only rural lots.

Location and Site Description:

The subject lands are located on the east and west side of Langdon Road and to the north of Fairbank East Road in the community of Whitefish. Little Fairbank Lake is situated to the north and to the northeast of the lands. The lands have a total approximate lot area of 27 ha (68.85 acres) with approximately 845 m (2,772.31 ft) of lot frontage on Langdon Road. The rezoning that is proposed on the northerly portion of the lands presently contain an encroaching shed belonging to the benefitting lands. The benefitting lands to the north are known municipally as 232 Langdon Road and are accessed both by water and via an easement across lands situated to the immediate west that provide access out to Langdon Road. The lands to be retained contain an existing residential dwelling along with several accessory buildings and structures. The retained lands also have water frontage on Little Fairbank Lake.

Surrounding Land Uses:

North:	Small cluster of rural residential uses having water access to Little Fairbank Lake.
East:	Small cluster of rural residential uses having water access to Little Fairbank Lake and several large tracts of vacant rural lands.
South:	Several large tracts of vacant rural lands and Fairbank East Road.
West:	Several large tracts of vacant rural lands, Sucker Lake and further to the west there is a small cluster of rural residential uses having water access to Fairbank Lake.

The existing zoning and location map attached to this report indicates the location of the subject lands to be rezoned, as well as the applicable zoning in the immediate area. Aerial photography of the subject lands is also included as an attachment in this report for reference purposes.

Public Consultation:

The statutory Notice of Application was provided to the public by newspaper and to nearby landowners and tenants located within 120 m (400 ft) of the subject lands on December 17, 2020. The statutory Notice of Public Hearing dated February 4, 2021 was provided to the public by newspaper and to nearby landowners and tenants located within 244 m (800 ft) of the subject lands.

The owners and agent were also advised of the City's policy recommending that applicants consult with their neighbours, ward councilor and key stakeholders to inform area residents of the applications prior to the public hearing. The owner indicated on their application form that they would conducting some degree of public consultation ahead of a statutory public meeting in the form of a public notice of their own ahead of the statutory public meeting at the City's Planning Committee.

At the time of writing this report, the Planning Services Division has not received any telephone calls, emails or letter submissions regarding the proposed rezoning application.

Policy and Regulatory Framework:

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

- [2014 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:

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 Policy Statement 2020 (PPS). Staff has reviewed the PPS 2020 and is satisfied that no matters of provincial interest are impacted should the rezoning be approved.

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 are satisfied that the application to rezone the lands conforms to and does not conflict with the Growth Plan for Northern Ontario.

Official Plan for the City of Greater Sudbury:

The subject lands are designated Rural in the Official Plan for the City of Greater Sudbury. Rural Areas contain a variety of land uses, such as farms, woodlots and forests, small industry, and clusters of rural residential development. Permitted uses within the Rural designation include residential uses, agricultural uses, conservation, open space and natural resource management activities, mineral exploration, rural industrial/commercial uses, resort and shoreline commercial uses, and public uses including hydroelectric generation and associated facilities.

Staff in general has no concerns with respect to the proposed rezoning conforming to the applicable Rural Area policies in the Official Plan for the City of Greater Sudbury. Staff recognizes that the proposed rezoning is largely technical in nature, which is intended to prevent a split-zoning from occurring.

Staff is therefore of the opinion that the proposed rezoning conforms to the Official Plan for the City of Greater Sudbury.

Zoning By-law 2010-100Z:

The lands are presently zoned "RU", Rural in the City's Zoning By-law. The owner is requesting that the subject lands be rezoned to "SLS(4)", Seasonal Limited Service Special in order to prevent a split-zoning, which would result from a conditionally approved consent application that is intended to facilitate a lot addition to an existing rural waterfront lot having water frontage on Little Fairbank Lake. The benefitting lands to the north are situated within an existing "SLS(4)" Zone. No further site-specific relief from any general or parking provisions or from the development standards of the "SLS(4)" Zone is being requested by the owner.

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 formulate appropriate development standards in an amending zoning by-law should the application be approved.

Active Transportation, Building Services, the City's Drainage Section, Fire Services, Operations, Roads, Traffic and Transportation, Transit Services have each advised that they no concerns from their respective areas of interest.

During the review of the proposal, comments provided by circulated agencies and departments included the following:

Conservation Sudbury advises that the portions of the subject lands are situated within a floodplain regulated by [Ontario Regulation 156/06](#). The owner is advised that any development occurring within a regulated floodplain will require a permit under Section 28 of the [Conservation Authorities Act](#).

Date: January 25, 2021

Development Engineering advises that the lands are not currently serviced with municipal water and sanitary sewer.

Planning Analysis:

The 2014 PPS, the 2011 Growth Plan, and the City of Greater Sudbury Official Plan, and other relevant policies and supporting guidelines were reviewed in their entirety. The following section provides a planning analysis of the application in respect of the applicable policies, including issues raised through agency and department circulation.

As noted previously in this report, the owner is requesting that the subject lands be rezoned from “RU”, Rural to “SLS(4)”, Seasonal Limited Service Special. Staff has no concerns with the requested zone category and would note that the portion of the lands to be rezoned would act to prevent a split-zoning from occurring as a result of the proposed lot boundary re-alignment. Staff notes that Section 4.23 – Multiple Zones on One Lot of the City’s Zoning By-law outlines that where a lot is divided into more than one zone, the lot area and lot frontage requirements of the most restrictive zone on the lot shall be applied to the entirety of the lot. The “RU” Zone applicable to the lands being severed is more restrictive from a minimum lot area and minimum lot frontage perspective than the “SLS(4)” Zone that is applicable to the benefitting lands. Staff notes that the lands to be severed are therefore required to be rezoned in order to avoid the creation of a non-complying rural waterfront lot. Staff would further note that the benefitting lands at present also form a legally existing undersized waterfront lot in terms of minimum lot area and water frontage requirements and the proposed lot addition would bring the benefitting lands into closer compliance with minimum lot area requirements for a rural waterfront lot.

Staff has also reviewed the location of existing buildings and structures on the benefitting lands and note that the lot boundary re-alignment would appear to resolve an encroachment of an existing shed as well as bring several other accessory buildings and structures into compliance with yard setback requirements.

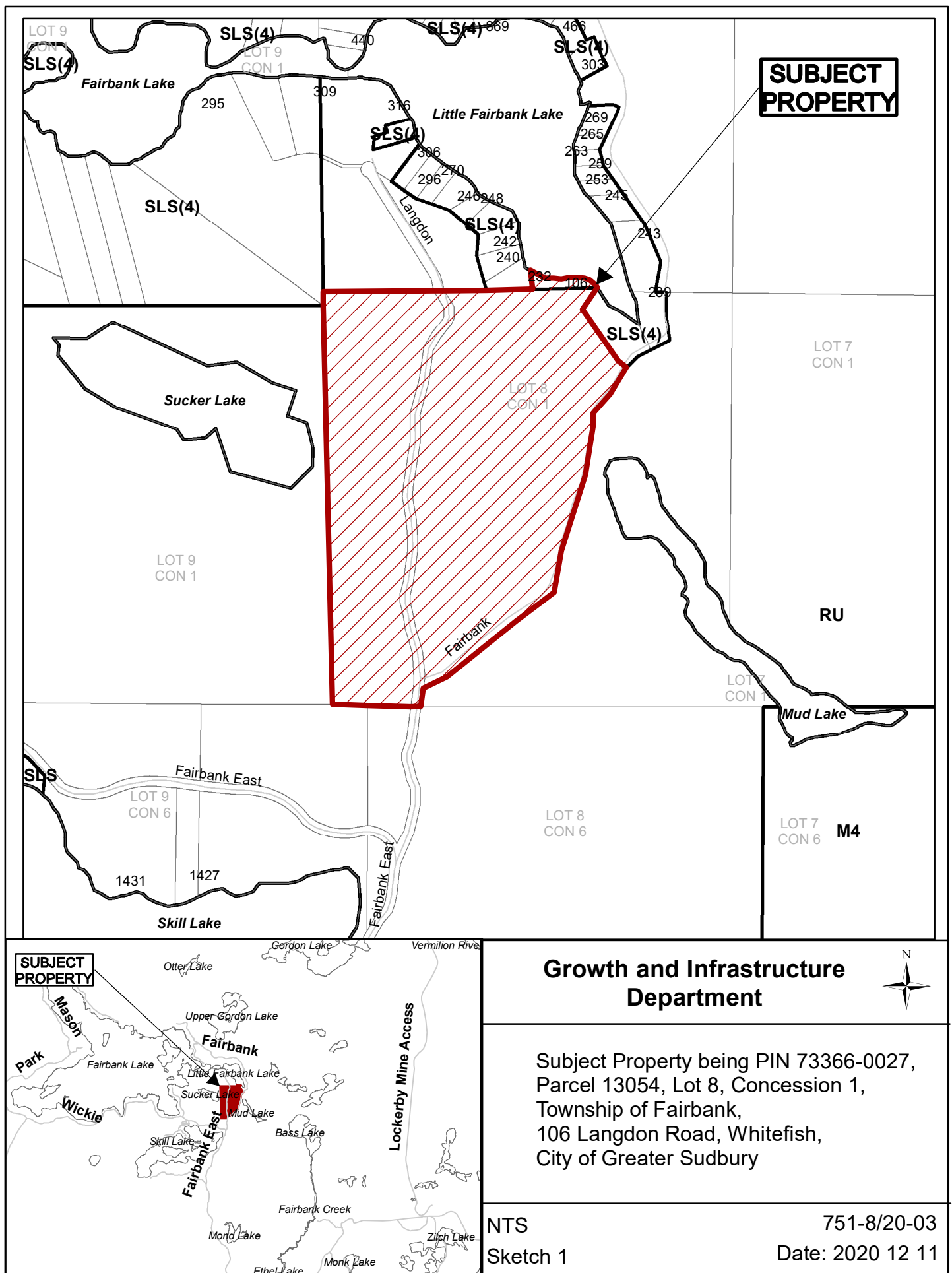
It is on this basis that staff has no concerns with the requested zone category, but would note that a registered survey delineating the lands to be rezoned should be required as a condition of the rezoning being approved.

Conclusion:

Staff has reviewed the development proposal and is satisfied that it conforms with the Official Plan for the City of Greater Sudbury. The development proposal is also generally consistent with the land use planning policy directions identified in PPS and further there would be no matters of provincial interest impacted should the rezoning be approved. Staff also notes that the application conforms to and does not conflict with the Growth Plan for Northern Ontario.

The amending zoning by-law would prevent a split-zoning, which would result from a conditionally approved consent application (File # B0088/2020) that is intended to facilitate a lot addition to an existing rural waterfront lot having water frontage on Little Fairbank Lake in Whitefish. If approved, the rezoning of the lands to be severed and consolidated with the benefitting lands would fulfil a condition related to the provisional consent decision that was issued by the City’s Consent Official on January 25, 2021.

The Planning Services Division is recommending that the application for a Zoning By-law Amendment be approved in accordance with the Resolution section of this report.



File: 751-8/20-3
106 Langdon Road,
Whitefish
2016 COOP Orthophotography



Langdon Road

Fairbank Road North

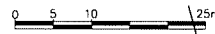
Subject Property

Fairbank East Road



CONCEPTUAL PLAN

LANGDON DRIVE
SUDBURY
CITY OF GREATER SUDBURY
TULLOCH ENGINEERING INC.
SCALE 1:300



LOT 8
CONCESSION 1
GEOGRAPHIC TOWNSHIP OF FAIRBANK

PART 2
PLAN SR--1249
PIN 73366--0121

PART 3
PLAN SR--1249

PIN 73366--0118
APPROX. 0.35ha


PART 1
PLAN SR--5498

SEVERED LANDS TO BE REZONED
AND ADDED TO PIN 73366--0118
1435m²

PIN 73366--0027

RETAINED LANDS
APPROX. 37.75Hha

LOT 8 CONCESSION 1



TULLOCH

TULLOCH ENGINEERING INC.
1942 REGENT ST. UNIT L
SUDBURY, ON P3E 5V5
sudbury@tulloch.co

T. 705 671.2295
F. 705 671.9477
800 810.1937

DRAWN BY: VS
FILE: 19-2907

Presented To:	Planning Committee
Presented:	Monday, Feb 22, 2021
Report Date	Monday, Feb 01, 2021
Type:	Public Hearings
File Number:	751-5/20-05

Request for Decision

3557 Errington Avenue, Chelmsford

Resolution

THAT the City of Greater Sudbury approves the application by 1905066 Ontario Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification from “C6(1)”, Downtown Commercial Special to a revised “C6 -Special”, Downtown Commercial Special on lands described as PINs 73349-0576 & 73349-1719, Parcels 815 & 22322 S.W.S., Part 1, Plan 53R-4440 in Lot 2, Concession 3, Township of Balfour, as outlined in the report entitled “3557 Errington Avenue, Chelmsford,” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on February 22, 2021, subject to the following conditions:

- a) In addition to the uses permitted in the C6(1) zone, a veterinary clinic shall also be permitted;
- b) That prior to the adoption of the amending by-law, the owner shall install a Precast Test Maintenance Hole (GSSD-1001.030) or Maintenance Access Chamber (GSSD-1001.040) on the sanitary sewer service on the private property side of the property line to the satisfaction of the Director or Planning Services; and,
- c) Conditional approval shall lapse on March 9, 2023 unless Condition b) above has been met or an extension has been granted by Council.

Relationship to the Strategic Plan / Health Impact Assessment

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding. The proposal aligns with the Strategic Plan by supporting business retention and growth within the municipality.

Report Summary

Signed By

Report Prepared By

Mauro Manzon
Senior Planner
Digitally Signed Feb 1, 21

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Feb 1, 21

Recommended by the Division

Alex Singbush
Manager of Development Approvals
Digitally Signed Feb 1, 21

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Feb 3, 21

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Feb 3, 21

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Feb 5, 21

An application for rezoning has been submitted in order to permit a veterinary clinic within the existing building on the property municipally known as 3557 Errington Avenue, Chelmsford. The subject land is zoned "C6(1)", Downtown Commercial Special and is located in the Town Centre of Chelmsford. Staff support the application as the proposed use forms a good fit with the mixed-use character of the Town Centre and demonstrates conformity with the Official Plan, Provincial Policy Statement, and the Growth Plan for Northern Ontario. The installation of a test manhole is recommended as a condition of approval.

Financial Implications

There are no financial implications associated with this report.

Title: 3557 Errington Avenue, Chelmsford

Date: January 25, 2021

Staff Report

Proposal:

Site-specific application for rezoning in order to permit a veterinary clinic within the existing building located at 3557 Errington Avenue, Chelmsford.

Existing Zoning: “C6(1)”, Downtown Commercial Special

The C6(1) special zoning is applied to the Town Centre designations identified in the Official Plan, including the subject lands, which are located in the Town Centre of Chelmsford. A broad range of commercial and residential use is permitted. There are no parking requirements for non-residential uses.

Requested Zoning: Revised “C6 Special”, Downtown Commercial Special

The owner is seeking to add a veterinary clinic to the uses permitted under the existing C6(1) zone.

Location and Site Description:

PINs 73349-0576 & 73349-1719, Parcels 815 & 22322 S.W.S., Part 1, Plan 53R-4440 in Lot 2, Concession 3, Township of Balfour (3557 Errington Avenue, Chelmsford)

The subject properties form interior lots located on Errington Avenue in Chelmsford. The area is fully serviced by municipal water and sanitary sewer. Errington Avenue is designated as a Collector Road and is constructed to an urban standard at this location. The closest public transit stop is located on the west side of Errington Avenue, just south of the subject lands (Route 104).

Total site area is 0.26 ha, with 47.7 metres of road frontage. The southerly lot is occupied by a one-storey, 1,076 m² commercial building with almost full lot coverage. The northerly lot comprises a parking area that can accommodate 30 vehicles based on the rezoning sketch. There are two driveway entrances to accommodate access.

An office building and single detached dwellings on William Street abut the southerly limit of the subject land. A single detached dwelling and commercial properties that front onto Main Street are located to the north. The remainder of the area comprises a mixed-use district with residential and commercial uses typical of a Town Centre location.

Surrounding Land Uses:

The area surrounding the site includes:

North: single detached dwelling (3569 Errington Ave), retail use (12 Main St East) and vacant lot (18 Main St East)

East: commercial strip mall (24 Main St East)

South: office building (3449 Errington Ave); single detached dwellings (9 & 11 William St)

West: tavern (3560 Errington Ave)

Title: 3557 Errington Avenue, Chelmsford

Date: January 25, 2021

Public Consultation:

The statutory notice of the public hearing was provided by newspaper along with a courtesy mail-out to property owners and tenants within a minimum of 120 metres of the property.

The applicant was advised of the City's policy recommending that applicants consult with their neighbours, ward councillor and key stakeholders to inform area residents on the application prior to the public hearing.

No additional neighbourhood consultation was proposed beyond the statutory notice requirements for the public hearing.

As of the date of this report, one (1) phone call seeking additional information has been received.

Policy & Regulatory Framework:

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

- [2020 Provincial Policy Statement](#)
- [2011 Growth Plan for Northern Ontario](#)
- [Official Plan for the City of Greater Sudbury, 2006](#)
- [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 Policy 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 Policy Statement. The following Provincial policy areas are directly applicable to this file:

- Section 1.1.1, Land Use Patterns: municipalities shall accommodate an appropriate range and mix of employment uses to meet long-term needs, including transit-supportive development;
- Section 1.1.3.6, Settlement Areas: new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities; and,
- Section 1.3, Employment Uses: Planning authorities shall promote economic development and competitiveness by providing for an appropriate mix and range of employment uses and provide opportunities for a diversified economic base.

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.

Date: January 25, 2021

Under the GPNO, Greater Sudbury is designated as an Economic and Service Hub, where a diverse mix and range of land uses are promoted. More specifically, strategic core areas shall be identified in the Official Plan in support of the City's role as a regional centre. Strategic core areas are defined as delineated medium-to-high density areas within identified municipalities that are priority areas for long-term revitalization, intensification and investment. These areas may consist of downtown areas, and other key nodes and significant corridors.

Municipalities that contain strategic core areas are encouraged to plan for these areas to function as vibrant, walkable, mixed-use districts that can:

- a) attract employment uses and clusters, including office and retail;
- b) accommodate higher densities; and,
- c) provide a broad range of amenities accessible to residents and visitors including vibrant streetscapes, shopping, entertainment, transportation connections, lodging, and educational, health, social and cultural services.

Strategic core areas with a revitalization strategy in place and incorporated into an official plan should be the preferred location for major capital investments in:

- a) postsecondary education and training;
- b) regional hospitals and/or specialized health care;
- c) major redevelopment projects;
- d) research and innovation centres;
- e) major cultural institutions and entertainment facilities; and,
- f) integrated public transportation systems.

Official Plan for the City of Greater Sudbury:

Strategic Core Areas include the Downtown, Town Centres, Regional Centres, and the major public institutions listed in Section 4.4 of the Official Plan. Policies related to strategic core areas are outlined in their respective sections.

In this case, the lands are designated as Town Centre and are subject to the following policies under Section 4.2.3:

1. Town Centres will be planned to include a diverse mix of land uses, an appropriate range of housing types, high quality public spaces and the provision of easy access to stores, services and recreational opportunities. Town centres will be planned as high quality areas that support active transportation and transit as outlined in Sections 11.3.2 and 11.8, and Chapter 14.0, Urban Design.
2. Permitted uses in Town Centres may include retail, offices, institutional and other related community services and activities, with the exception of the Valley East Town Centre which is addressed in Section 21.3.2.
3. Medium density residential uses up to a maximum of 30 units per building may be permitted, provided that the net residential density does not exceed 60 units per hectare subject to servicing capacity.
4. When considering rezoning applications for new or expanded uses in Town Centres, the City will ensure that the proposed use preserves the character of the area and is harmonious with adjacent uses and their buildings. The City will also have regard to parking requirements if applicable, traffic impacts and road access. Sewer and water services must be adequate for the site.

Title: 3557 Errington Avenue, Chelmsford

Date: January 25, 2021

5. Town Centres may also be appropriate locations for light industrial uses. Outside storage for the display and sale of goods is permitted. Proper landscaping and buffering must also be established for light industrial uses.
6. Parking requirements for new development in Town Centres may be reduced where off-street municipal or privately owned communal parking facilities already exist and can accommodate additional automobiles.

Zoning By-law 2010-100Z:

Site-specific relief is not required to accommodate the proposed use.

Site Plan Control:

The property is subject to a Site Plan Control Agreement dated September 2, 1975. An amendment is not required at this time due to the nature of the proposal, which mainly involves interior renovations of an existing building.

Department/Agency Review:

Development Engineering advised that a test manhole is required as a condition of approval.

Building Services indicated that a building permit is required for any construction related to renovation of the building. The installation of x-ray equipment will require approval from the Ministry of Labour, Training and Skills Development.

Planning Analysis:

Land use compatibility

There are sensitive land uses that abut the subject land in the form of single detached dwellings on Errington Avenue and William Street. However, there are no concerns related to land use compatibility, as the proposed use will be limited to the indoors of the existing building and no major redevelopment of the site is proposed. The owner is advised that a kennel is not permitted under the C6(1) zoning, nor is it permitted as an accessory use to a veterinary clinic.

No conflicts are envisioned with remaining adjacent uses, including offices, retail uses and a tavern located opposite the subject land. The proposed vet clinic generally forms a good fit with the mixed-use character of the Town Centre.

Site suitability

Although non-residential uses in the C6(1) zone do not require parking, there may be a practical need to provide some on-site parking, as identified by the applicant on the rezoning sketch. The adjacent parking area provides up to 30 parking spaces for clients and employees, which is sufficient based on the location in a Town Centre. The close proximity to residential areas will likely generate walk-in traffic, mitigating the need for additional on-site parking.

From a servicing perspective, sewer and water services are adequate for the site. However, in order to control potential hazardous discharges into the sanitary sewer system, the installation of a test manhole is recommended as a condition of approval. This requirement will bring the property into compliance with the City's Sewer Use By-law 2010-188.

Title: 3557 Errington Avenue, Chelmsford

Date: January 25, 2021

Official Plan conformity

The application presents conformity with the Official Plan. The proposed use will contribute to the diverse mix of land uses that are desirable in a Town Centre setting, including office uses. Notwithstanding the need for a test manhole, services are adequate and there is no significant traffic impact on the local road network. There are no negative impacts on the physical character of the area, as no major redevelopment is proposed. The proposal is also viewed as transit-supportive given the location on a Collector Road with public transit service.

2020 Provincial Policy Statement

The application addresses the major policy components of the PPS. The subject property is located in a fully serviced settlement area in a centralized location providing an array of services. The proposal utilizes existing infrastructure and is viewed as being transit-supportive. The proposed use will also strengthen the employment base in the Chelmsford Town Centre. The application is consistent with the 2020 Provincial Policy Statement.

2011 Growth Plan for Northern Ontario

The proposal aligns with policies applied to Strategic Core Areas under the GPNO, which encourages an agglomeration of commercial uses in strategic core areas such as Town Centres.

Conclusion:

Planning Services recommends that the application for rezoning be approved subject to the conditions outlined in the Resolution section of this report.

Appendix 1

Departmental & Agency Comments

File: 751-5/20-05

RE: Application for Rezoning – 1905066 Ontario Inc. – PINs 73349-0576 & 73349-1719, Parcels 815 & 22322 S.W.S., Part 1, Plan 53R-4440 in Lot 2, Concession 3, Township of Balfour (3557 Errington Avenue, Chelmsford)

Development Engineering

This site is presently serviced with municipal water and sanitary sewer.

Pursuant to the City's Sewer Use By-law, the owner is required to install a Precast Test Maintenance Hole (GSSD-1001.030) or Maintenance Access Chamber (GSSD-1001.040) on the private property side of the property line.

We have no objection amending the Zoning By-law from "C6(1)", Downtown Commercial Special to a revised "C6(1)", Downtown Commercial Special in order to permit a veterinary clinic within the existing building provided that the test maintenance hole is installed.

Infrastructure Capital Planning Services

No concerns.

Building Services

Building Services can advise that we have no objections to this application other than the following comments:

- 1) Owner to be advised that any construction taking place will require a building permit to the satisfaction of the Chief Building Official.
- 2) Owner to be advised that the installation and use of x-ray equipment is regulated in part, by Regulation 861 – X-ray Safety under the Occupational Health and Safety Act. Before installing and using, all x-ray equipment must be registered and approved by the Radiation Protection Service (RPS) via the Ministry of Labour.

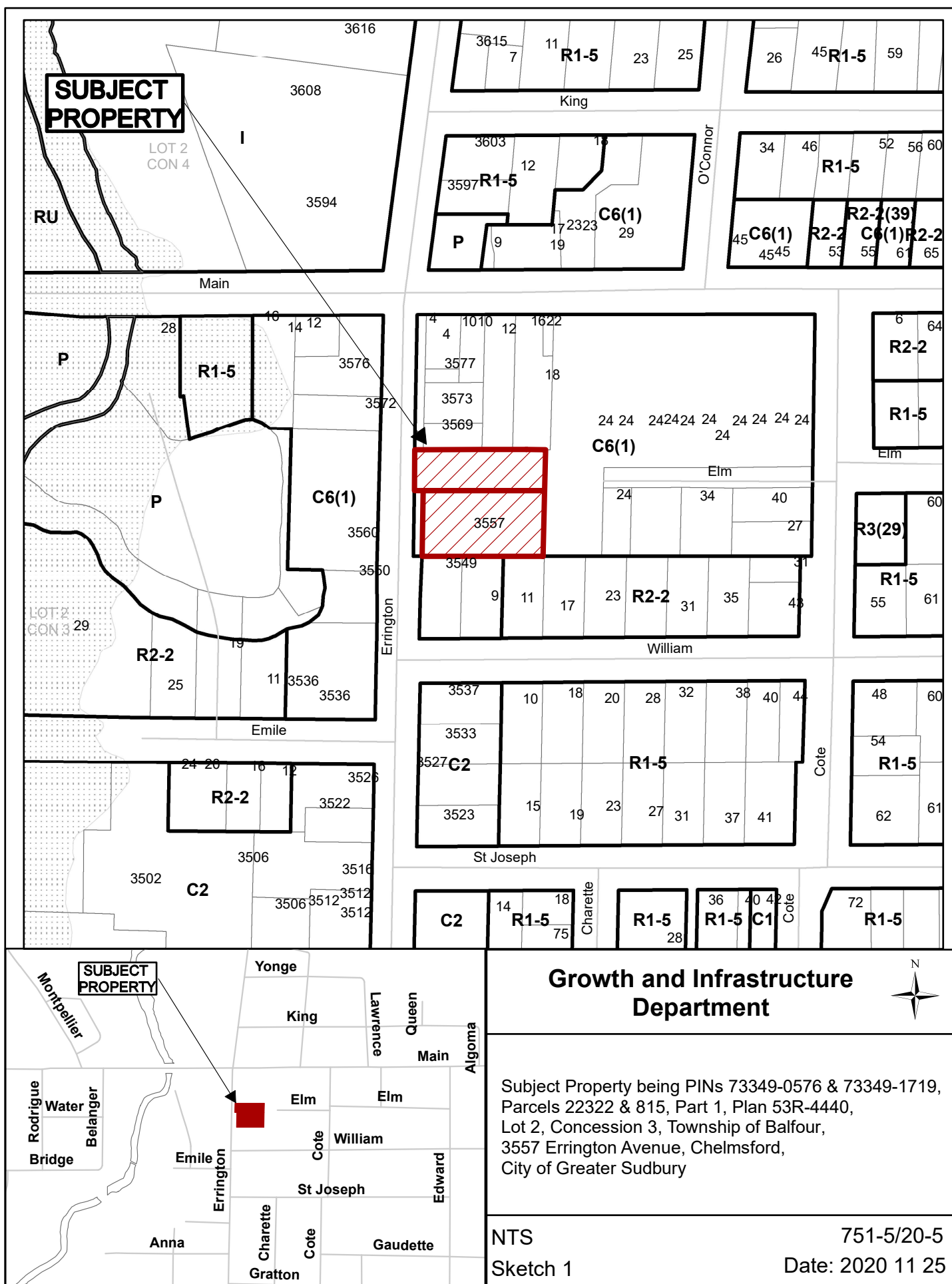




Photo 1: 3557 Errington Avenue, Chelmsford
View of subject property from Errington Avenue
File 751-5/20-5 Photography December 22, 2020



Photo 2: 3557 Errington Avenue, Chelmsford
Interior view of building and parking lot facing west towards Errington Ave
File 751-5/20-5 Photography December 22, 2020



Photo 3: 3557 Errington Avenue, Chelmsford
Interior view of parking lot facing north towards Main Street
File 751-5/20-5 Photography December 22, 2020



Photo 4: 3557 Errington Avenue, Chelmsford
View from parking lot facing east towards Elm Street
File 751-5/20-5 Photography December 22, 2020



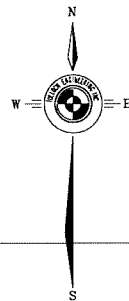
Photo 5: 3549 Errington Avenue, Chelmsford
Office building abutting southerly
File 751-5/20-5 Photography December 22, 2020



Photo 6: 3569 Errington Avenue, Chelmsford
Single detached dwelling abutting northerly
File 751-5/20-5 Photography December 22, 2020

CONCEPTUAL SKETCH OF PROPOSED VETERINARIAN CLINIC

3557 ERRINGTON AVENUE
CITY OF GREATER SUDBURY
TULLOCH ENGINEERING INC.
SCALE 1:250



ERRINGTON AVENUE

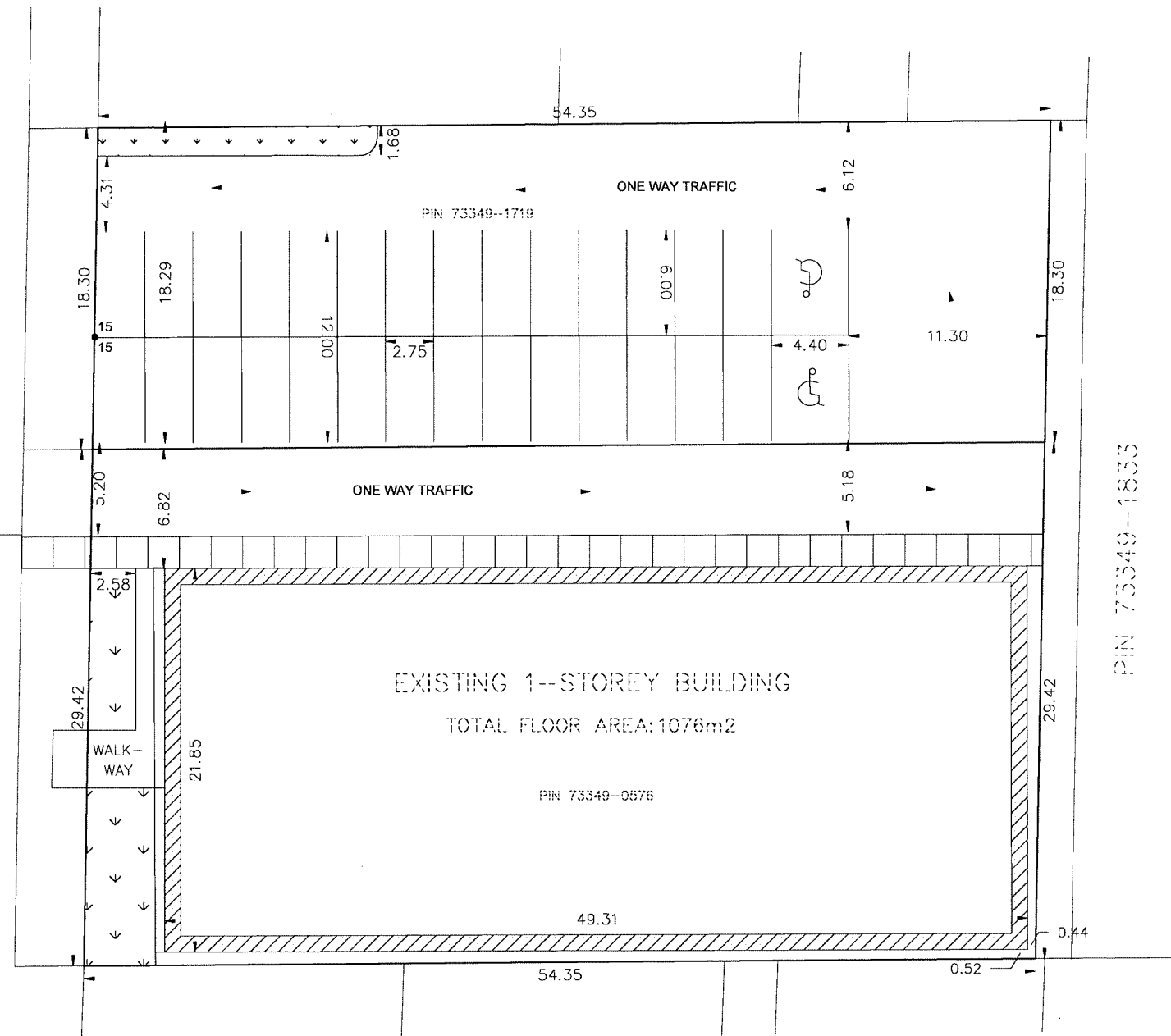
CAUTION

THE PROPERTY BOUNDARIES ILLUSTRATED ON THIS PLAN
HAVE BEEN COMPILED FROM REGISTRY PLANS AND HAVE
NOT BEEN CONFIRMED.
THIS SKETCH IS NOT A PLAN OF SURVEY AND SHALL NOT
BE USED EXCEPT FOR THE PURPOSES INDICATED IN THE
TITLE.
NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER
THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN
PERMISSION OF TULLOCH ENGINEERING. © TULLOCH
ENGINEERING, 2020.



1942 REGENT STREET SUDBURY, ONTARIO
UNIT L P3E 5V5 705-671-2295

DRAWN BY: VS FILE: 20-1572



Request for Decision

30 Ste. Anne Road, 162 MacKenzie Street & 38 Xavier Street, Sudbury

Presented To:	Planning Committee
Presented:	Monday, Feb 22, 2021
Report Date	Monday, Feb 01, 2021
Type:	Public Hearings
File Number:	751-6/20-16

Resolution

THAT the City of Greater Sudbury approves the application by Red Oak Villa 2014 Inc. & Red Oak Villa 2015 Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification from "C4(16)", Office Commercial Special, "I(47)", Institutional Special and "I(48)", Institutional Special to a revised "C4(16)", Office Commercial Special on lands described as PINs 02138-0077, 02138-0198, 02138-0199, 02138-0200, 02138-0201 & 02138-0202 in Lots 5 & 6, Concession 4, Township of McKim, as outlined in the report entitled "30 Ste. Anne Road, 162 MacKenzie Street & 38 Xavier Street, Sudbury" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on February 22, 2021, subject to the following conditions:

1. That prior to the adoption of the amending by-law, the owner shall amend the Site Plan Control Agreement registered on title in order to address the following matters to the satisfaction of the Director of Planning Services:

(i) Amend the applicable Schedules to incorporate the twin entrances and porticoes on the south elevation of the designated heritage building at 162 MacKenzie Street and to revise the adjacent parking layout accordingly;

(ii) Amend the Agreement and annotate the applicable Schedules to require a Cultural Heritage Impact Assessment for any new buildings that are proposed to be constructed on Lots 314, 315 and 316, Plan 1-SC in order to protect the view corridor of the south elevation of the designated heritage building at 162 MacKenzie Street from the street line.

2. That Clauses (i), (ii) and (iii) of the C4(16) special zoning be deleted and replaced with the following site-specific provisions to be applied to the entirety of the subject lands:

(i) In addition to the uses permitted in the C4 zone, the following uses shall also be permitted:

Signed By

Report Prepared By

Mauro Manzon
Senior Planner
Digitally Signed Feb 1, 21

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Feb 1, 21

Recommended by the Division

Alex Singbush
Manager of Development Approvals
Digitally Signed Feb 1, 21

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Feb 3, 21

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Feb 7, 21

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Feb 8, 21

Assembly hall, audio/visual studio, bake shop, commercial recreation centre, commercial school, retail store including accessory outdoor display and sales, tavern, theatre, and related accessory uses;

(ii) Notwithstanding Section 7.3, Table 7.3, Special Provision (10), there shall be no limit on gross floor area;

(iii) Notwithstanding Sections 5.3 and 5.5 of the Zoning By-law, the parking standards of the “C6”, Downtown Commercial zone shall apply subject to the following exceptions:

- (a) Day care centre: 1 per 40 m² of net floor area;
 - (b) Institutional uses: 1 per 40 m² of net floor area;
 - (c) Medical office: 1 per 30 m² of net floor area;
 - (d) Personal service shop: 1 per 33 m² of net floor area;
 - (e) Retail: 1 per 40 m² of net floor area;
 - (f) Place of worship: 1 per 30 m² of net floor area;
 - (g) All other uses including residential: applicable C6 parking standard; and,
 - (h) The accessible parking requirements of Section 5.2.3.5 shall apply.
- (iv) On lands described as PINs 02138-0198, 02138-0199, 02138-0200 and 02138-0202 and municipally known as 30 Ste. Anne Road, the following site-specific provisions shall also apply:
- (a) The lot line abutting Mackenzie Street shall be deemed to be the front lot line;
 - (b) The location of the existing building shall be permitted;
 - (c) A retaining wall shall be permitted with a zero setback abutting Lot 94, Plan RCP 85-S.

Relationship to the Strategic Plan / Health Impact Assessment

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding. The proposal is consistent with the Strategic Plan as a means of supporting business retention and growth, as well as the provision of housing in key locations including the Downtown.

Report Summary

An application for rezoning has been submitted in order to expand the range of permitted uses and provide parking relief for the properties municipally known as 30 Ste. Anne Road, 162 MacKenzie Street & 38 Xavier Street, Sudbury. The subject lands will form an integrated site with shared parking and access, with the intent to create a mixed-use development offering an array of services that will also incorporate the abutting Red Oak Villa retirement home.

Staff support the application including the additional uses and alternative parking requirements, as the proposal demonstrates conformity with applicable land use policies set out in the Official Plan, Provincial Policy Statement, and the Growth Plan for Northern Ontario as applied to strategic core areas. In order to protect the recently designated heritage attributes of the former school at 162 MacKenzie Street, an amendment to the Site Plan Control Agreement registered on title is recommended as a condition of approval.

Financial Implications

There are no financial implications associated with this report.

Date: January 25, 2021

Staff Report

Proposal:

An application for rezoning has been submitted in order to permit the following:

1. Permit all "C6", Downtown Commercial uses excluding auctioneer's establishment, bus terminal, dry cleaning establishment, place of amusement and service trade;
2. Adopt the zone standards of the "C4", Office Commercial zone excluding the limit on gross floor area;
3. Adopt the parking requirements of the "C6", Downtown Commercial zone subject to minimum parking standards for a limited range of commercial/institutional uses.

The proponents submitted a Planning Justification Report in support of the application, including a rationale for reduced parking requirements (attached for review).

Existing Zoning: There are currently three (3) zoning classifications covering the subject lands, which comprise three (3) abutting properties under separate title.

"C4(16)", Office Commercial Special (162 MacKenzie Street): This zoning encompasses the site of the former École St-Louis de Gonzague. The C4 Special zoning permits all C4 uses, with site-specific provisions for a multiple dwelling. The density is limited to 94 dwellings units, with relief granted for parking (1 space per unit) and the encroachment of canopies into the side yard. The special zoning dates to the former Options for Homes proposal that was approved in 2009 but did not proceed.

"I(47)", Institutional Special (30 Ste. Anne Road): The I(47) special zoning is applied to the Diocese Building and the adjacent parking area that extends to MacKenzie Street. The I(47) zoning permits all institutional and office uses. Medical offices are limited to 740 m² of net floor area. Site-specific relief is granted for the location of the existing building and a reduced setback for a retaining wall.

"I(48)", Institutional Special (38 Xavier Street): The zoning covers the site of the former D'Youville Orphanage, which was demolished in 2006. The I(48) zoning permits all institutional uses as well as a parking area for 60 vehicles. The parking lot use was added in 2018 to serve as an interim use until such time that the property is redeveloped.

Requested Zoning: "C6 Special", Downtown Commercial Special

The proposed zoning would allow all C6 uses excluding those uses that the owner has deemed incompatible with the proposed redevelopment. The zone standards of the C4 zone would be applied related to setbacks, lot coverage, building height, landscaping and other matters. Site-specific relief is requested for a cap on gross floor area that is typically applied in C4 zones (two times the lot area).

The owner is further requesting that the C6 parking requirements be implemented subject to the following exceptions:

Day care centre: 1 per 40 m² of net floor area;
Institutional uses: 1 per 40 m² of net floor area;
Medical office: 1 per 30 m² of net floor area;
Personal service shop: 1 per 30 m² of net floor area;
Retail: 1 per 40 m² of net floor area;

Title: 30 Ste. Anne Road, 162 MacKenzie Street & 38 Xavier Street, Sudbury

Date: January 25, 2021

Place of worship: 1 per 30 m² of net floor area; and,
All other uses including residential: applicable C6 parking standard.

Location and Site Description:

PINs 02138-0077, 02138-0198, 02138-0199, 02138-0200, 02138-0201 & 02138-0202 in Lots 5 & 6, Concession 4, Township of McKim (30 Ste. Anne Road, 162 MacKenzie Street & 38 Xavier Street, Sudbury)

The subject lands comprise three (3) abutting properties which were subject to boundary realignments in 2018. The reconfigured lots have frontage on MacKenzie Street, Ste. Anne Road and Xavier Street. The area is fully serviced by municipal water and sanitary sewer. Ste. Anne Road is designated as a Primary Arterial Road and MacKenzie Street is designated as a Collector Road. Both are constructed to an urban standard with sidewalks on both sides of the street. Xavier Street is a Local Road that is not built to an urban standard. Public transit is available on MacKenzie Street and Ste. Anne Road (Route 27).

Total site area of all three (3) properties is 2.37 ha based on the Site Plan Control Agreement. Lot frontage varies based on location:

162 MacKenzie Street: 84.8 metres;

30 Ste. Anne Road: 46 metres on MacKenzie Street, which is deemed to be the front lot line;

38 Xavier Street: 20 metres on Xavier Street with 99 metres of street line along Ste. Anne Road.

The sites are occupied by the following uses:

162 Mackenzie Street: former elementary school subject to a heritage designation;

30 Ste. Anne Road: seven-storey office building constructed in 1950;

38 Xavier Street: vacant lot utilized as a parking lot and construction staging area.

A retirement home with approvals that allow up to 207 guest rooms abuts 30 Ste. Anne Road (Red Oak Villa – 20 Ste. Anne Road). The retirement home forms an integral part of the development and is subject to the same Site Plan Control Agreement as the three (3) subject properties.

Institutional uses are located to the northeast (Marymount Academy) and southwest (Greater Sudbury Public Library). Low and medium density residential uses abut the northerly limit of 162 MacKenzie Street.

Surrounding Land Uses:

The area surrounding the site includes:

North: low and medium density residential uses on MacKenzie Street and Baker Street;

East: Marymount Academy and small mixed-use building on Xavier Street;

South: Greater Sudbury Public Library and Red Oak Villa retirement home;

West: Sudbury Secondary School on west side of MacKenzie Street.

Public Consultation:

The statutory notice of the public hearing was provided by newspaper along with a courtesy mail-out to property owners and tenants within a minimum of 120 metres of the property.

The applicant was advised of the City's policy recommending that applicants consult with their neighbours, ward councillor and key stakeholders to inform area residents on the application prior to the public hearing.

The proponents conducted an online video consultation with the Uptown Sudbury Community Action

Date: January 25, 2021

Network (CAN) and the Ward Councillor on June 25, 2020, which covered the proposed rezoning and matters related to heritage preservation.

As of the date of this report, two (2) written submissions have been received and two (2) phone calls seeking additional information were logged.

Policy & Regulatory Framework:

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

- [2020 Provincial Policy Statement](#)
- [2011 Growth Plan for Northern Ontario](#)
- [Official Plan for the City of Greater Sudbury, 2006](#)
- [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 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 Provincial Policy Statement.

There are four major Provincial policy areas that are directly applicable to this file as follows:

a) Land use patterns

Under Section 1.1.1, municipalities shall accommodate an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs.

b) Settlement areas

As outlined under Section 1.1.3.6, new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. Designated growth areas are defined as lands within settlement areas designated for growth over the long-term planning horizon, but which have not yet been fully developed.

c) Employment uses

Under Section 1.3, Planning authorities shall promote economic development and competitiveness by:

- providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
- providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses; and,

Date: January 25, 2021

- encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4.

d) Housing

Planning authorities shall implement the following policies set out under Section 1.4:

- permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements;
- direct the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- require transit-supportive development and prioritize intensification in proximity to transit, including corridors and stations.

Growth Plan for Northern Ontario (GPNO):

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.

Under the GPNO, Greater Sudbury is designated as an Economic and Service Hub, where a diverse mix and range of land uses are promoted. More specifically, strategic core areas shall be identified in the Official Plan in support of the City's role as a regional centre. Strategic core areas are defined as delineated medium-to-high density areas within identified municipalities that are priority areas for long-term revitalization, intensification and investment. These areas may consist of downtown areas, and other key nodes and significant corridors.

Municipalities that contain strategic core areas are encouraged to plan for these areas to function as vibrant, walkable, mixed-use districts that can:

- a) attract employment uses and clusters, including office and retail;
- b) accommodate higher densities; and,
- c) provide a broad range of amenities accessible to residents and visitors including vibrant streetscapes, shopping, entertainment, transportation connections, lodging, and educational, health, social and cultural services.

Strategic core areas with a revitalization strategy in place and incorporated into an official plan should be the preferred location for major capital investments in:

- a) postsecondary education and training;
- b) regional hospitals and/or specialized health care;
- c) major redevelopment projects;
- d) research and innovation centres;
- e) major cultural institutions and entertainment facilities; and,
- f) integrated public transportation systems.

Official Plan for the City of Greater Sudbury:

The subject properties were redesignated from Institutional to Downtown under the Comprehensive Review Phase 1 amendments to the Official Plan approved by the Ministry of Municipal Affairs and Housing in April 2019.

Date: January 25, 2021

There are two (2) distinct areas that comprise the Downtown designation, being the Central Business District, which is defined by its highly urbanized environment, and the “shoulders” of the Downtown core, which are essentially transition areas characterized by a mix of land uses in low and mid-rise buildings. The Central Business District is generally bounded by Ste. Anne Road, Paris Street, Elgin Street and Frood Road. The subject properties are therefore located in the transitional zone identified as the North-West District under the Downtown Sudbury Master Plan.

A. Downtown Policies

Section 4.2.1 Downtown

1. A wide variety of uses are permitted in the Downtown, consistent with its function as the most diversified commercial Centre in the City. Residential, commercial, institutional, entertainment uses and community facilities are permitted as set out in the Zoning By-law, provided that sewer and water capacities are adequate for the site. Drive-throughs are not permitted in the Downtown.
2. To encourage development in the Central Business District new development will be exempt from density and maximum height limits. However, taller buildings will be encouraged to locate along the periphery of the Central Business District consistent with the Downtown Sudbury Master Plan to protect the character of the historic core area and limit wind and shadow impacts. Development in the Central Business District will meet the minimum height limit established in the Zoning By-law. The Zoning By-law will establish minimum and maximum height limits for the shoulder areas of the Central Business District.
3. To encourage development in the Central Business District, new non-residential development will be exempt from parking. Parking will be required for residential uses in the Central Business District, except residential re-use projects in buildings that were originally constructed five or more years ago.
4. In order to encourage development in the Downtown, Council may:
 - a. allow parking requirements to be satisfied through off-street municipal or privately owned communal parking areas located elsewhere in the Downtown; and,
 - b. accept payment-in-lieu of parking where residential and non-residential development is in close proximity to and can be accommodated by a municipal or privately owned communal parking lot.

4.2.1.1 Downtown Non-Residential Development

1. Non-residential development is a key priority for the Downtown as a means of stimulating increased investment and business activity and reinforcing the City's urban structure by achieving a more efficient pattern of development.
2. Significant new office developments will be encouraged to locate in the Downtown. Prestige office development will be encouraged along Paris Street, between Elm and Cedar Street.
3. New specialty based retailers that complement and reinforce the existing retail structure will be encouraged in the Downtown.
4. New destination attractions such as a new Multi-Use Facility, a new Hotel, the Franklin Carmichael Art Centre, Place des Arts, the Central Branch of the Greater Sudbury Public Library and additional post-secondary facilities will be encouraged in the Downtown.

4.2.1.2 Downtown Residential Development

1. Residential development is a key priority for the Downtown as a means of stimulating increased investment and business activity, reinforcing the City's urban structure and achieving more efficient pattern of development.
2. The City will aim to double the number of people living in Downtown during the lifetime of this Plan. The City may encourage additional residential growth and development through various means including, but not limited to, financial incentives.
3. All forms of residential development and residential intensification will be encouraged in the Downtown, provided adequate infrastructure and services are available. New development will respect the existing and planned context.
4. The conversion of vacant above-grade floor space to residential uses will be encouraged, where the building being converted was built prior to the year 2000.

4.2.1.3 Downtown Urban Environment

1. It is policy of this Plan to preserve those aspects of the Downtown that contribute to the image, character and quality of life in the City, including natural features, landmarks, design attributes, heritage resources, linkages to existing trails, pedestrian walkways and other desirable elements of the built environment.
2. High quality urban design in the Downtown will be promoted, compatible with the existing character and scale. A special focus on public spaces is intended, utilizing such design elements as street trees, landscaping, street lighting and furnishings, public art, gateway entrances and playgrounds that are wheelchair and stroller accessible. Additional policies on Urban Design are found in Chapter 14.0.
3. Heritage buildings and structures in the Downtown will be protected, as supported by policies on Heritage Resources contained in Chapter 13.0.
4. In order to protect the existing built form, the rehabilitation and reuse of existing buildings that are well-suited and economically viable to adaptive reuse will be encouraged.

B. Heritage Policies

1. The City will prepare, publish and periodically update a Register of the City's cultural heritage resources in accordance with the Ontario Heritage Act. This Register will also contain non-designated properties that have been identified by the City as having significant cultural heritage value or interest.
2. A cultural heritage impact assessment will be required for development and intensification proposals or public works that include or are contiguous to a property designated under the Ontario Heritage Act or non-designated property included on the Municipal Heritage Register. The cultural heritage impact assessment will be undertaken in accordance with the policies of this plan. The City will determine the need for a cultural impact heritage assessment in consultation with the owner/applicant. A cultural heritage impact assessment will include the following elements:
 - a. identification and evaluation of the cultural heritage resource;
 - b. graphic and written inventory of the cultural heritage resource;
 - c. assessment of the proposal's impact on the cultural heritage resource;
 - d. alternatives to the proposal;

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- e. identification and justification of the preferred option; and
 - f. means to mitigate impacts, in accordance with Chapter 13.0, Heritage Resources;
3. The City may prevent the demolition or inappropriate alteration of any heritage resource designated under the Ontario Heritage Act by the City or Province.
 4. Heritage buildings and structures involved in planning applications will be retained for their original use and in their original location wherever possible to ensure that their heritage value is not compromised. If the original use is no longer feasible, adaptive reuse of buildings and structures, will be encouraged where the heritage attributes will not be compromised. If it is not possible to maintain structures in their original location, consideration may be given for the relocation of the structure.

Zoning By-law 2010-100Z:

The owner is proposing to utilize C4 zone standards with site-specific relief for maximum gross floor area, which is typically two (2) times the lot area. The exception is required in order to permit future expansions and/or new development that might exceed the cap on gross floor area.

The owner is also seeking relief from the parking requirements set out under Sections 5.3 and 5.5 by adopting the C6 parking requirements, which would be modified to include minimum parking requirements for a selected range of commercial/institutional uses. The proposed standards would therefore require no parking for the majority of non-residential uses, including business offices, professional offices and restaurants, with the exception of medical offices, retail, personal service shops and institutional uses.

Site Plan Control:

The lands are subject to a Site Plan Control Agreement dated October 4, 2019, which is registered on title to all three (3) subject properties, as well as the abutting retirement home (Red Oak Villa). The agreement reflects the intent to develop the subject lands as an integrated site with shared parking and access.

The Site Plan Control Agreement does not reflect the preservation of the twin porticoes on the south elevation of the former school building at 162 MacKenzie Street, as set out under the designating By-law 2020-183. The schedules associated with the agreement currently show the porticoes removed. The agreement should be amended accordingly as a condition of approval.

Department/Agency Review:

Transportation and Innovation Section advised that they have no objection to the alternative parking requirements based on the availability of on-site parking and the proximity to the Downtown core.

Building Services provided additional information related to permitting requirements.

Background:

The lands were subject to a rezoning process in 2018 in order to address the split zoning that resulted from a series of boundary realignments (751-6/17-18). The owner also requested that office uses be added to the Institutional zoning applied to 30 Ste. Anne Road (Diocese Building) and that an existing parking area at 38 Xavier Street be recognized as an interim use until such time that the property is redeveloped. The application was approved by Council with a cap on the maximum amount of floor area allocated to medical offices (Resolution PL2018-69). Site-specific relief was also provided for the location of the Diocese Building and a proposed retaining wall along the easterly limit of 30 Ste. Anne Road.

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There have also been two (2) minor variances on the subject lands (Files A0096/2017 & A0101/2017). It is not necessary to incorporate the variances into the site-specific zoning.

Planning Analysis

There are four (4) objectives associated with this application that form the basis of review:

- Expand the range of uses in keeping with the redesignation of the subject lands and the need to enhance the redevelopment potential of three (3) integrated sites;
- Determine appropriate zone standards based on the location in a Downtown transition area;
- Adopt alternative parking standards which reflect the proximity to the Central Business District, access to public transit service, the potential impact on adjacent uses, and the lack of on-street parking; and,
- Address the heritage attributes identified by the designation of the former École St-Louis de Gonzague under the Ontario Heritage Act.

Proposed uses

There is a significant amount of overlap concerning permitted uses in C4 and C6 zones. C4 permits most major use categories (office, institutional, residential, restaurant) with the exception of retail. The application is proposing all C6 uses excluding five (5) uses that the owner deems incompatible with the long-term vision for the site. The application is therefore requesting an additional eight (8) uses to be added to those uses already permitted in the C4 zone. The special zoning would extend across the entirety of the subject lands, including the two (2) properties currently zoned Institutional Special.

Staff have no concerns related to the additional uses, which will form a good fit with the planned mixed-use character of the site with a focus on retirement living, offices and personal services. Based on discussions with the proponents, the intent is create a village-like atmosphere that will be an extension of the retirement home but also offer services to the broader community, including at the neighbourhood level. The proposal to create an integrated mixed-use development aligns with Provincial policies applied to core areas.

Appropriate zone standards

The Planning Justification Report states that appropriate zone standards should be determined in consultation with Staff. Following discussions that commenced in November 2020, the owner revised the initial application to request that the C4 zone standards be applied related to setbacks, lot coverage, building height and other matters. The C6 zone standards, which are tailored to the more intensive Central Business District, are not appropriate for this location given its function as a transition area. For example, C6 zoning would allow full lot coverage, no setbacks for non-residential uses, and have no height restriction. Furthermore, there would be no landscaping requirements, including a minimum three (3) metre-wide landscaped area along the street line. Much larger signage is also permitted in C6 zones under the Sign By-law, which may not be compatible with the surrounding neighbourhood context.

Recommend zoning classification

Based on the above considerations related to appropriate uses and zone standards, Staff recommend that the C4 Special zoning be utilized and applied to all three (3) properties, which will provide flexibility and enhance the long-term viability of the project. This is consistent with Official Plan policies, which differentiate the “shoulders” of the Downtown from the highly urbanized core, being the Central Business District. The zoning should ultimately reflect the differences in physical character, as well as the close proximity of sensitive land uses in transition areas.

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Parking relief

The owner is requesting significant parking relief to be extended to this development. The parking requirements of the C6 zone are proposed, which do not require parking for most uses other than dwelling units, hotels and shared housing. Residential conversions of existing buildings more than five years old do not require parking.

Further to the above, the owner is proposing alternative parking standards for a limited range of commercial/institutional uses as follows:

Day care centre: 1 per 40 m² of net floor area;
Institutional uses: 1 per 40 m² of net floor area;
Medical office: 1 per 30 m² of net floor area;
Personal service shop: 1 per 30 m² of net floor area;
Retail: 1 per 40 m² of net floor area;
Place of worship: 1 per 30 m² of net floor area; and,
All other uses including residential: applicable C6 parking standard.

The owner has confirmed through consultation that on-site parking is a necessary component of the business plan and is required to ensure the feasibility of redevelopment. Many of the proposed services require ease of access, particularly medical offices and uses geared to seniors. The Planning Justification Report sets out a planning rationale for parking relief, which is essentially based on the proximity to the Central Business District, the location of the main transit terminal that is within walking distance, the availability of public transit service, and existing and planned active transportation components.

Transportation and Innovation Section has reviewed the alternative standards and can support the relief based on the above noted characteristics of the site, as well as the ability to provide on-site parking as set out in the Site Plan Control Agreement. Although the proposed standards exclude business and professional offices, which may form a major component of the site, parking will be required for medical offices, retail stores and institutional uses, which typically generate higher parking demand.

Staff can therefore recommend that the alternative parking standards be adopted on a site-specific basis. The standards are deemed to be appropriate given the location in a Downtown transition area, which differs from the Central Business District based on the availability of on-street parking and the immediate proximity to municipal and private parking lots. Two (2) minor revisions are further recommended:

- revise the standard for personal service shops from 1 per 30 m² to 1 per 33 m² in alignment with recent changes to commercial parking standards adopted in January 2021; and,
- include accessible parking requirements as set out under Section 5.2.3.5.

Heritage attributes applied to 162 MacKenzie Street

On December 15, 2020, Council passed By-law 2020-183: A By-Law of the City of Greater Sudbury to Designate the Property Municipally Known as 162 MacKenzie Street as a Property of Cultural Heritage Value or Interest Under Section 29, Part IV of the *Ontario Heritage Act*. The reasons for designation are set out in Schedule B of the designating by-law as follows:

“Heritage attributes that illustrate the cultural heritage value or interest of 162 MacKenzie Street lie in the 20th century brick school building, previously known as St. Louis de Gonzague, including:

- Its location, orientation, and scale and massing (which illustrates its physical/design and contextual values);
- Monochromatic brickwork (which illustrates its physical/design values);

Date: January 25, 2021

- Art Deco-influenced parapet (which illustrates its physical/design values);
- Twin entrances and porticoes located on the south elevation (which illustrates its physical/design values);
- Tower entrance located on the west elevation (which illustrates its physical/design values); and,
- The locations and configuration of large window openings (which illustrates its physical/design values)."

The Schedules of the Site Plan Control Agreement registered on title do not incorporate the heritage elements along the south elevation. In order to protect the twin entrances and porticoes and the associated view from the street line, the following conditions of approval are recommended:

That prior to the adoption of the amending by-law, the owner shall amend the Site Plan Control Agreement registered on title in order to address the following matters to the satisfaction of the Director of Planning Services:

- (i) Amend the applicable Schedules to incorporate the twin entrances and porticoes on the south elevation of the designated heritage building at 162 MacKenzie Street and to revise the adjacent parking layout accordingly;
- (ii) Amend the Agreement and annotate the applicable Schedules to require a Cultural Heritage Impact Assessment for any new buildings that are proposed to be constructed on Lots 314, 315 and 316, Plan 1-SC in order to protect the view corridor of the south elevation of the designated heritage building at 162 MacKenzie Street from the street line.

Official Plan

The proposal addresses the comprehensive policies applied to the Downtown designation, including those policies that differentiate between the core (Central Business District) and the "shoulders" of the Downtown (transition areas). Conformity is achieved based on the following observations:

- The proposed uses are consistent with the mixed-used character and diversified nature of the Downtown. The owner has identified those uses deemed appropriate for the site, which are supported by Staff in order to enhance the feasibility of redevelopment. In particular, office and retail uses are encouraged to be located in the Downtown designation.
- The maximum building height of 34 metres under the recommended C4 zoning is appropriate for the shoulders area of the Downtown and will also align with a concurrent process to establish minimum and maximum heights for these transition areas.
- The alternative parking standards strike a balance between the minimal requirements applied to the Central Business District compared to the characteristics of the transition area, where there is a practical need to provide on-site parking given the lack of on-street parking and immediate proximity to off-site parking.
- The vacant lot located at 38 Xavier Street provides an ideal site for residential intensification.
- The proposal involves the adaptive reuse of existing buildings which are valued by the community. The designated former school and the Diocese Building are defining features of the neighbourhood and represent the site's historical function as an agglomeration of institutional uses.
- The proposal was formulated in order to protect the designated heritage building located at 162 MacKenzie Street, where the historical use is no longer viable and the owner is seeking to introduce new uses while protecting the heritage attributes identified under the designating by-law.

Title: 30 Ste. Anne Road, 162 MacKenzie Street & 38 Xavier Street, Sudbury

Date: January 25, 2021

Provincial Policy Statement

The application is consistent with the major policy thrust of the PPS, being the intensification and diversification of land uses within built-up urban areas, including essential centres such as the Downtown. The proposed uses will enhance the employment and residential base of the central core, which is essential towards ensuring long-term viability. Redevelopment of the underutilized site is appropriately aligned with Provincial policies applied to land use patterns (Section 1.1.1) and settlement areas (Section 1.1.3). The vacant lot in particular offers opportunities for residential intensification in a central city location, which is an important policy objective also promoted by the Downtown Sudbury Master Plan. In general, the proposal is viewed as transit supportive given the proximity to public transit including the main transit terminal (Section 1.1.3.3).

The application is deemed to be consistent with the 2020 PPS.

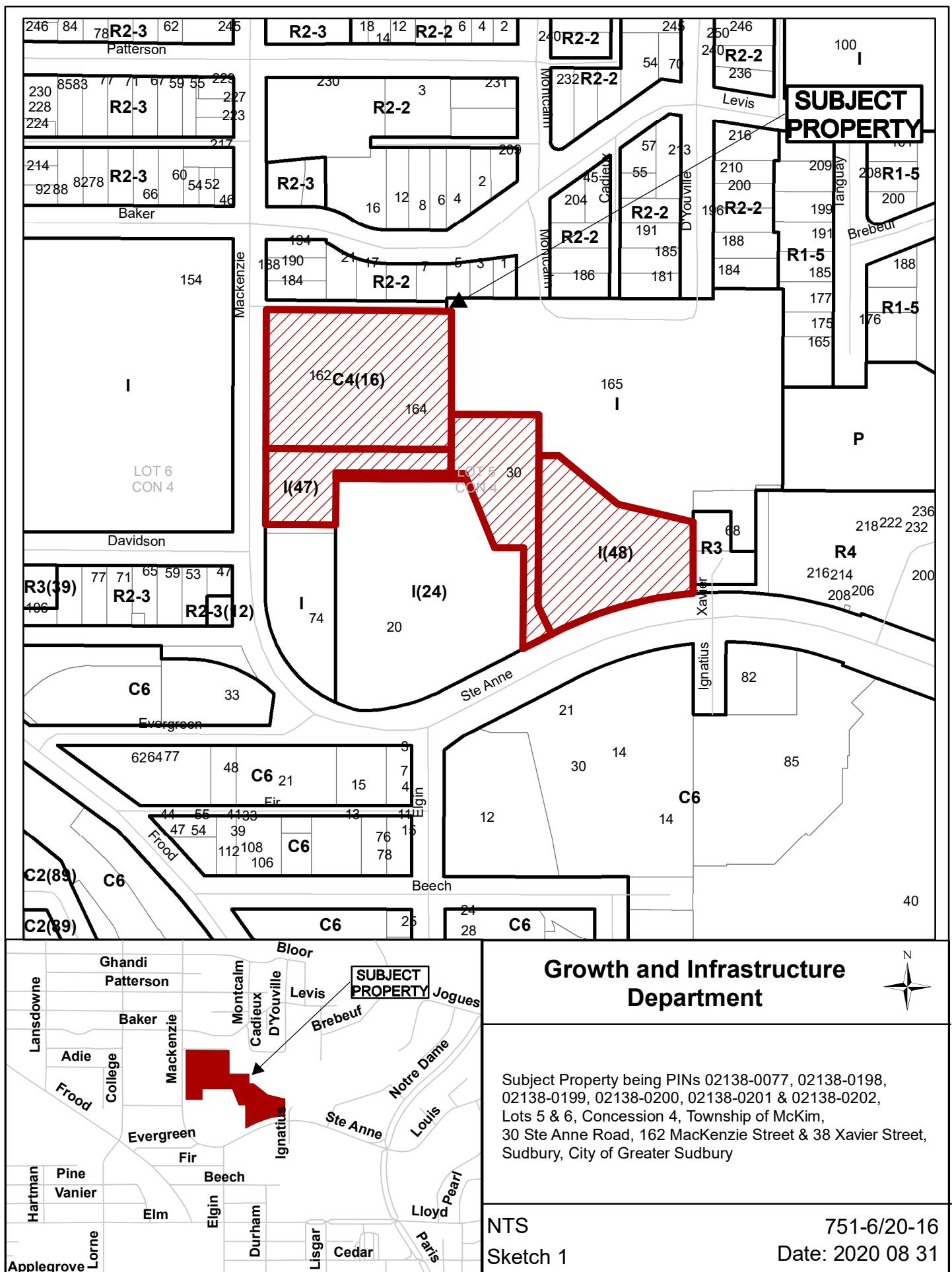
Growth Plan for Northern Ontario

The proposal will enhance the function and composition of a strategic core area, which is a key land use policy to be applied to major urban centres in Northern Ontario and implemented through Official Plans. The policies applied to these areas essentially mirror those of the PPS, with a focus on employment uses and clusters, including retail and office. The redevelopment of the subject lands is a form of revitalization and reinvestment that is directly linked to policies applied to strategic core areas, and is also supported by the City through a range of financial incentives under the Downtown Community Improvement Plan.

The application conforms to the 2011 GPNO.

Conclusion:

Planning Services recommends approval of the application for rezoning subject to the conditions outlined in the Resolution section of this report.



Appendix 1

Departmental & Agency Comments

File: 751-6/20-16

RE: Application for Rezoning – Red Oak Villa 2014 Inc. & Red Oak Villa 2015 Inc.
PINs 02138-0077, 02138-0198, 02138-0199, 02138-0200, 02138-0201 & 02138-0202 in
Lots 5 & 6, Concession 4, Township of McKim (30 Ste. Anne Road, 162 MacKenzie
Street & 38 Xavier Street, Sudbury)

Development Engineering

Development Engineering has reviewed the above noted application. These areas are presently serviced with municipal water and sanitary sewer.

It is our understanding that development of this site will proceed by way of the Site Plan Control Agreement.

Infrastructure Capital Planning Services: Transportation and Innovation

Based on the current number of available parking spots and the proximity of the site to the Downtown core, we have no concerns with the parking standards being proposed.

Building Services

The applicant should be advised that proposed parking is subject to the location requirements of Section 5.2.4.3, which specifies that parking shall be located no closer to any road or Residential Zone than 3.0 metres. Please ensure provisions for required loading and bicycle parking. A planting strip is required in accordance with Section 4.15.4 adjacent to the R3 Zone east of 38 Xavier Street.

The proposed C6 Zone, if approved, will permit construction/renovation to accommodate residential uses and day care facilities. The applicant should be advised that a Record of Site Condition may be required for any new buildings constructed at 38 Xavier Street and renovations within the existing Diocese Building that contain sensitive uses as per the Environmental Protection Act.

Conservation Sudbury:

Staff has reviewed this application as per our delegated responsibility from the Province to represent Provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS 2020) and as a regulatory authority under Ontario Regulation 156/06. The application has also been reviewed through our role as a public body under the Planning Act as per our CA Board-approved policies.

Conservation Sudbury does not oppose the proposed zoning amendment. Should you have any questions, please contact bailey.chabot@conservationsudbury.ca. Conservation Sudbury is requesting a copy of any decision.



Photo 1: 38 Xavier Street, Sudbury
View of parking lot located at 38 Xavier facing west towards Diocese
Building
File 751-6/20-16 Photography January 25, 2021



Photo 2: 64 & 68 Xavier Street, Sudbury
Office and residential uses abutting 38 Xavier Street to the east
File 751-6/20-16 Photography January 25, 2021



Photo 3: 38 Xavier Street, Sudbury
SCDSB offices/Marymount Academy abutting 38 Xavier and 30 Ste. Anne
File 751-6/20-16 Photography January 25, 2021



Photo 4: 30 Ste. Anne Road, Sudbury
View of Diocese Building and abutting Red Oak Villa
File 751-6/20-16 Photography January 25, 2021



Photo 5: 162 MacKenzie Street, Sudbury
View of designated former school from street line
File 751-6/20-16 Photography January 25, 2021



Photo 6: 162 MacKenzie Street, Sudbury
Heritage attributes on south elevation of former school (twin entrances and porticoes)
File 751-6/20-16 Photography January 25, 2021



Photo 7: 162 MacKenzie Street, Sudbury
Heritage attributes on west elevation of former school (parapet, brickwork, window openings)
File 751-6/20-16 Photography January 25, 2021

By-Law 2020-183

**A By-Law of the City of Greater Sudbury to Designate the Property
Municipally Known as 162 Mackenzie Street as a Property of Cultural Heritage
Value or Interest Under Section 29, Part IV of the *Ontario Heritage Act***

Whereas Section 29, Part IV of the *Ontario Heritage Act* authorizes the council of a municipality to design a property within the municipality to be of cultural heritage value or interest on the terms set out therein;

And Whereas council for a municipality may only designate a property under Section 29 Part IV of the *Ontario Heritage Act*, if the property meets one or more of the criteria as prescribed under O.Reg 9/06;

And Whereas 162 MacKenzie Street was evaluated against the criteria in O.Reg 9/06, and Council for the City of Greater Sudbury determined that the property has cultural heritage value or interest;

And Whereas notice of intent to designate 162 MacKenzie Street as being of cultural heritage value or interest was published in a newspaper having general circulation in the municipality on November 14, 2020 and was also served on the owner and on the Ontario Heritage Trust, in accordance with the requirements of section 29 of the *Ontario Heritage Act*;

And Whereas no notice of the objection to the proposed designation has been served on the Clerk of the City of Greater Sudbury, and the time for filing such objections has passed;

Now therefore, Council of the City of Greater Sudbury hereby enacts as follows:

Designation

1. Pursuant to the authority granted under section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18 as amended, Council for the City of Greater Sudbury hereby designates, as being of cultural heritage value and interest, the property:

- (a) municipally known as 162 MacKenzie Street, Sudbury;
- (b) legally described as PIN 02138-0201(LT), Being Lots 308-322 Plan 1SC; Lowe Street and Part A Lane Plan 1SC as in S5129; Part Lot 5, Con 4, as in S55853; excepting Part 1 on Plan 53R-16310 as in LT87281 and Excepting Parts 2, 3 and

4 on Plan 53R-20995 and as shown in the aerial view attached hereto as Schedule "A";

- (c) owned by Red Oak Villa 2015 Inc.; and
- (d) further described in the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes as set out in Schedule "B" attached hereto

Schedules Incorporated

2. Schedule "A" and Schedule "B" attached hereto are incorporated into and form a part of this By-law. A copy of Schedule "A" can also be viewed at the office of the City Clerk.

Registration

3. The City Solicitor is hereby authorized and directed to register a copy of this Designating By-law to be registered on title to the property affected in the land titles office for the land registry division of Sudbury (No. 53).

Notice

4. The City Clerk is hereby authorized and directed to cause:
- (a) a copy of this By-law to be served on the owner of the land described in section 1 of this By-law, and on the Ontario Heritage Trust;
 - (b) notice of the passing of this By-law to be published in a newspaper of general circulation within the City of Greater Sudbury; and
 - (c) the property to be entered into the municipal register of property in accordance with section 27 of the *Ontario Heritage Act*.

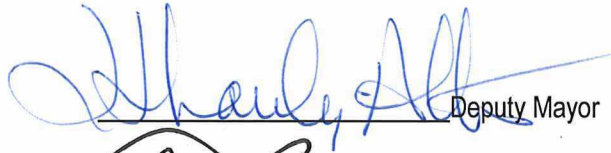
Plaque

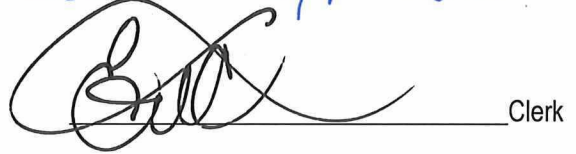
5. The General Manager, Growth and Infrastructure is authorized to install a plaque or interpretive panel reflecting the designation of the building as of cultural heritage value or interest, on the building at 162 MacKenzie Street, of a type and in a location to be determined by the General Manager, Growth and Infrastructure.

Effective Date

6. This By-law shall come into full force and effect upon passage.

Read and Passed in Open Council this 15th day of December, 2020


Deputy Mayor


Clerk

Description and Statement of Cultural Heritage Value or Interest: 162 MacKenzie Street

Civic Address: 162 MacKenzie Street, Sudbury

Legal Description: PIN 02138-0201(LT), Being Lots 308-322 Plan 1SC; Lowe Street and Part A Lane Plan 1SC as in S5129; Part Lot 5, Con 4, as in S55853; excepting Part 1 on Plan 53R-16310 as in LT87281 and Excepting Parts 2, 3 and 4 on Plan 53R-20995 and as shown on the aerial view attached as Schedule "A" to this By-law and also available for viewing in the office of the City Clerk, heritage file;

Description of Property

The Subject Property known as 162 MacKenzie Street is an "L" shaped property and approximately 12,489 square metres. The Subject Property is located on the east side of MacKenzie Street between Baker and Davidson Street. There is currently one structure located on the Subject Property, the 20th century brick former school known as St. Louis de Gonzague.

Summary of Cultural Heritage Value or Interest

The Subject Property known as 162 MacKenzie Street has cultural heritage value or interest for its physical/design values, its historical/associative values, and its contextual values.

162 MacKenzie Street has design value or physical value because it is a unique and early example of an evolved vernacular school building that exhibits the influences of various styles including Collegiate Gothic and Art Deco architecture. 162 MacKenzie Street also appears to be the third oldest surviving school building in Sudbury.

162 MacKenzie Street has historical or associative value because it has direct associations with the theme, activity, and institution of education in Sudbury – specifically, French-language education of the Sudbury Francophone community. The former school is an example of separate bilingual Catholic Francophone education and the coordinated efforts of Anglophone and Francophone School Board members to defy Regulation 17. The former school also

contributed to the repeal of Regulation 17 through the 1927 Royal Commission Inquiry which used the Sudbury Separate Board as an example of positive bilingual instruction. Operating from 1915 to its closure in 2000, 162 MacKenzie Street is directly associated with the events of Regulation 17 and the teaching of French and English language in the community.

162 MacKenzie Street has historical or associative value as it demonstrates the work of architect P.J. O'Gorman who was significant to the creation of institutional buildings, such as schools, churches, and commercial structures, in Sudbury and Northern Ontario. Many of O'Gorman's works are still present in Sudbury and Timmins, Ontario. St. Louis de Gonzague was one of O'Gorman's earliest institutional buildings constructed in Sudbury and appears to have been the first in a series of educational (as well as other institutional, ecclesiastic, and commercial) buildings designed over a prolific career.

162 MacKenzie Street has contextual value because it is important in defining, maintaining, and supporting the character of the area. The area, defined as the Institutional Block, has a mixture of residential, commercial, and institutional buildings. These buildings include churches, schools, and public/government buildings. Eight schools and six public/government buildings are currently within this block. A higher concentration of these structures reinforces this area as an Institutional Block. The Institutional Block, located in the centre of Sudbury, fulfilled the needs of the community by providing educational, religious, leisure, and governmental needs.

162 MacKenzie Street also has contextual value because it is physically, visually, and historically linked to the Institutional Block. The Institutional Block is defined by its multiple schools and public and government buildings, including 162 MacKenzie Street. The overall relationship of the buildings on this Block reinforces these links.

Heritage Attributes

Heritage attributes that illustrate the cultural heritage value or interest of 162 MacKenzie Street lie in the 20th century brick school building, previously known as St. Louis de Gonzague, including:

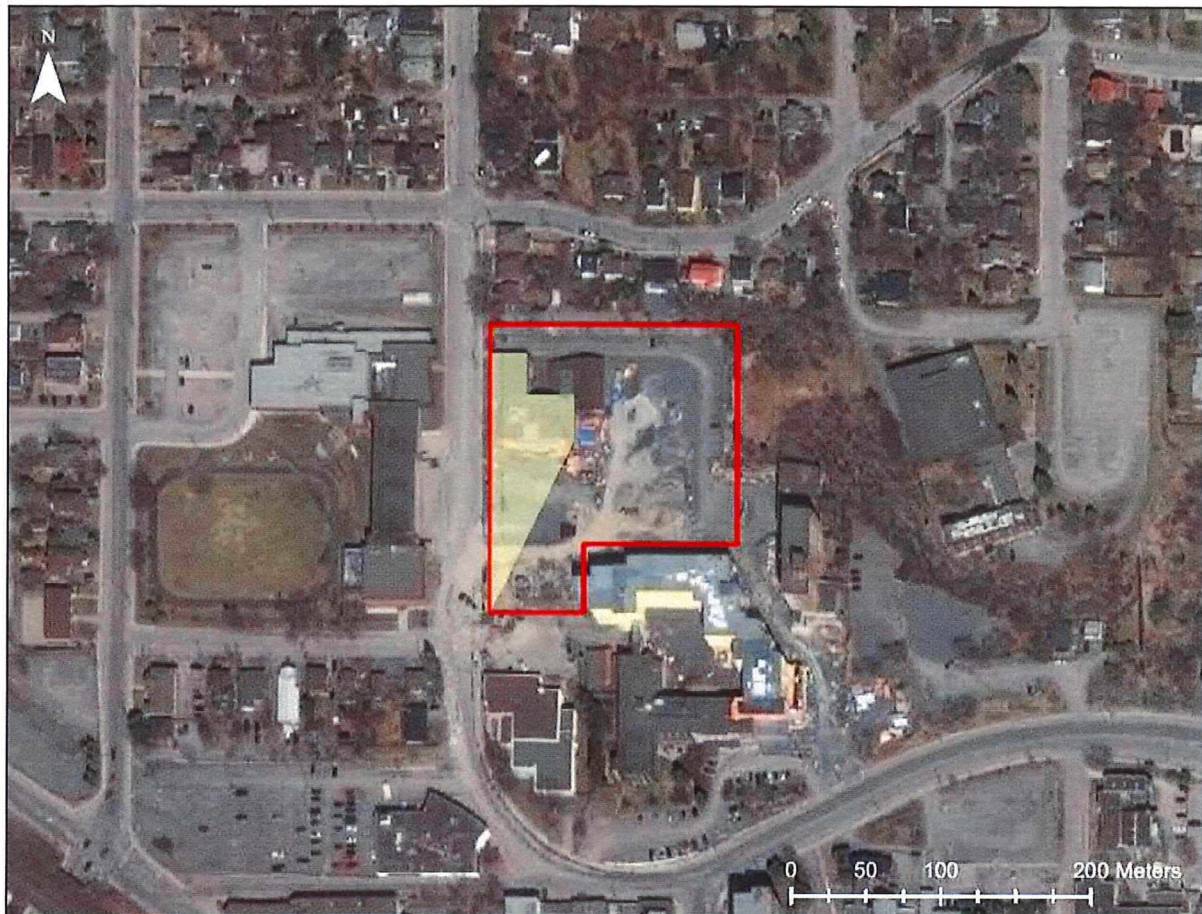
- Its location, orientation, and scale and massing (*which illustrates its physical/design and contextual values*);
- Monochromatic brickwork (*which illustrates its physical/design values*);

Schedule "B"
to By-law 2020-183 of the City of Greater Sudbury

Page 3 of 3

- Art Deco-influenced parapet (*which illustrates its physical/design values*);
- Twin entrances and porticoes located on the south elevation(*which illustrates its physical/design values*);
- Tower entrance located on the west elevation (*which illustrates its physical/design values*); and,
- The locations and configuration of large window openings (*which illustrates its physical/design values*).

Schedule "A"
to By-law 2020-183 of the City of Greater Sudbury



162 Mackenzie Street, City of Greater Sudbury, ON



KEY MAP



Legend

 162 Mackenzie Street, City of Greater Sudbury, ON Area of Cultural Heritage Value or Interest

REFERENCE(S)

1. Service Layers Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community.
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community.

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162 Mackenzie Street, City of Greater Sudbury, ON

YYYY-MM-DD 2020-10-15

PREPARED LHC

DESIGNED JG

NOTE(S)

1. All locations are approximate.





PLANNING JUSTIFICATION REPORT

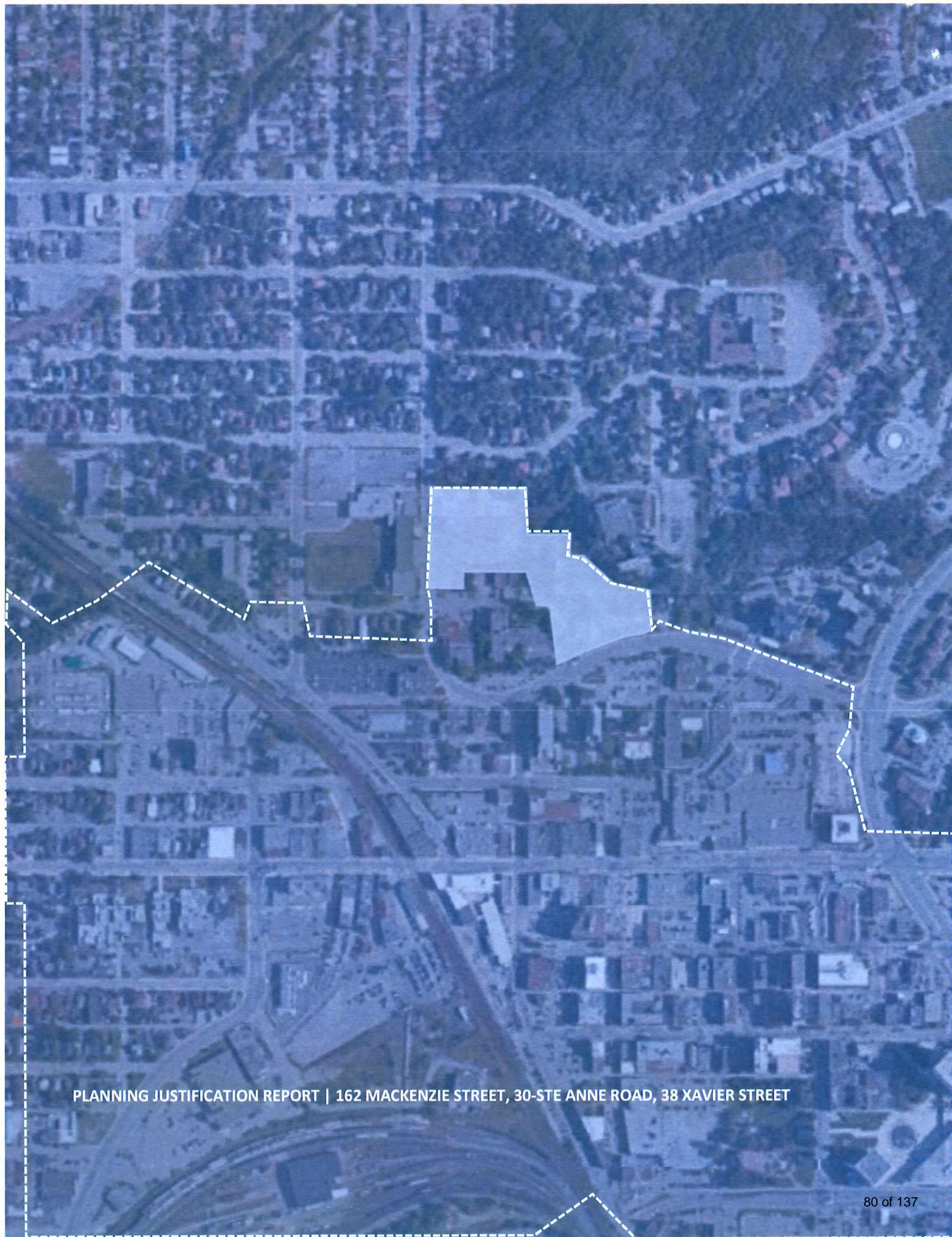
ZONING BY-LAW AMENDMENT

162 MACKENZIE STREET, 30-STE ANNE ROAD, 38 XAVIER STREET
AUTUMNWOOD DEVELOPMENT CORPORATION

CITY OF GREATER SUDBURY

JUNE 2020

Prepared by:
TULLOCH Engineering
1942 Regent Street Unit L
Sudbury, ON
P3E 5V5



PLANNING JUSTIFICATION REPORT | 162 MACKENZIE STREET, 30-STE ANNE ROAD, 38 XAVIER STREET

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1.0 INTRODUCTION

TULLOCH Engineering (TULLOCH) has been retained by the owners of 162 MacKenzie Street, 30 Ste-Anne Road and 38 Xavier Street (Autumnwood Development Corp.) in Sudbury, Ontario 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 a planning analysis and justification for the amendment needed to rezone the subject lands from 'C2(16), I(47) and I(48)' to C6(X) 'Downtown Commercial-Special', with appropriate site-specific parking standards to recognise the unique nature and location of these properties. Such application will align permissions for the properties with the intent of the Downtown designation and will provide flexibility to encourage a new multi-use employment and local service complex within Sudbury's downtown.

This report reviews consistency of the application in the context of applicable policies found within the:

- *2020 Provincial Policy Statement*
- *City of Greater Sudbury Official Plan*
- *City of Greater Sudbury Zoning By-Law 2010-100Z*.
- *Downtown Sudbury Master Plan*
- *Downtown Sudbury Community Improvement Plan*
- *City of Greater Sudbury's Strategic Economic Development Plan (2015-2025)*

Overall, the author finds that the proposed zoning by-law amendments conform with the City of Greater Official Plan, is consistent with the 2020 Provincial Policy Statement (PPS) and represents good planning.

2.0 SITE DESCRIPTION AND CONTEXT

SUBJECT LANDS

The subject properties have a total combined area of approximately 3.34 hectares with ± 219 metres of combined frontage (See *Figure 1*). The three subject properties are situated north of Ste-Anne Road, east of MacKenzie Street and west of Xavier Street. *Table 1* provides a breakdown of each of the three properties frontages and areas.

Table 1: Subject Lands Area/ Frontages

ADDRESS/ PROPERTY	TOTAL AREA	FRONTAGE
162 MacKenzie Street	± 0.95 hectares	± 130 metres (MacKenzie Street)
30 Ste-Anne Road	± 1.70 hectares	± 46 metres (MacKenzie Street)
38 Xavier Street	± 0.69 hectares	± 43 metres (Xavier Street)

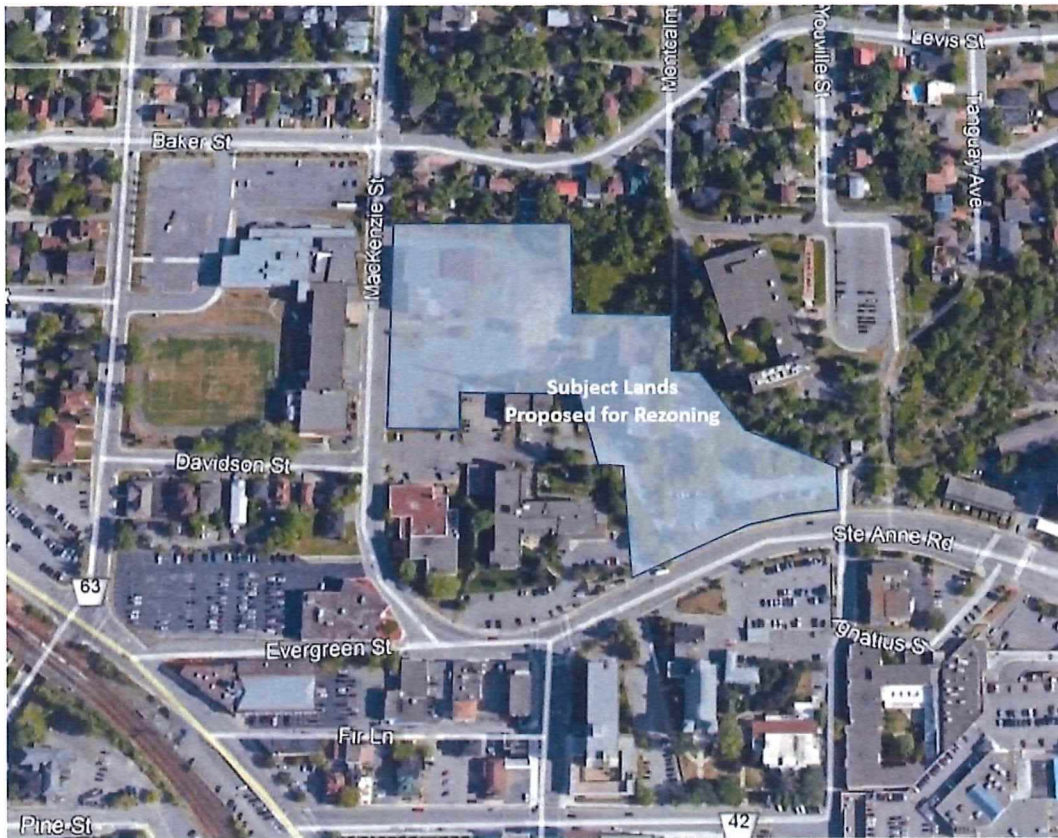


Figure 1: Approximate Area of Subject Site

The subject properties are occupied by two buildings: 162 MacKenzie Street and 30 Ste-Anne Road. 162 MacKenzie Street has a ground floor area of 1553m² while the entirety of the building has approximately 1788 m² of leasable area (See Figure 2). The building is currently occupied by a Theatre group (Assembly Hall use). As per the current 2017 site plan the property currently has benefit of 93 parking spaces.



Figure 2: 162 MacKenzie Street

30 Ste-Anne Road - more commonly referred to as the Diocese of Sault Ste Marie building - currently houses a range of office, institutional and medical uses (See *Figure 3-4*). The building is 7 storeys' with a ground floor area of 1195m². The current site plan provides 137 parking spaces for the existing building.



Figure 3: Photograph of both 30-Ste Anne Road (building) and 38 Xavier Street



Figure 4: Westside of 30 Ste-Anne Road

38 Xavier Street functions predominantly as a parking lot and is vacant at this time (See *Figure 5*). Two small sheds (garage) like structures are situated on the lands. The current zoning recognizes permission for 60 parking spaces on site.



Figure 5: 38 Xavier Street

The owner of the three subject properties also owns the abutting property to the south and west - commonly referred to as Red Oak Villa - which contains a retirement home (See *Figure 10*). The property is currently undergoing construction for expansion and once completed will include 207 retirement residences with accessory uses and 72 accompanying parking spaces. This property is not subject to this application.

Regarding existing transportation infrastructure, the subject properties are located along Ste-Anne Road which is categorized as a primary arterial, MacKenzie Street categorized as a Collector and Xavier Street categorized as a Local Road per *Schedule 7* of the *City of Greater Sudbury's Official Plan*. The sites are located approximately 400.0 metres from Notre Dame Avenue, which is a major road corridor in the City which carries significant volumes of traffic daily.

The subject properties are situated approximately 550.0 metres from the main GOVA transit station in Sudbury's Downtown and is conveniently located within 100.0 metres of four transit stops with access to GOVA transit circuit. Dedicated cycling lanes are currently proposed along Ste-Anne Road per the *Transportation Master Plan*, which will provide enhanced connectivity to Sudbury's existing cycling network once in-place.

SURROUNDING NEIGHBOURHOOD CONTEXT

The surrounding area is characterized by a mix of land uses and buildings including residential, institutional, and commercial uses (See *Figures 6-13*). Surrounding uses can be described as follows:

NORTH: Low and Medium Density Residential Uses, Institutional (Marymount Academy)

EAST: Mix of High, Medium, and Low Density Residential

SOUTH: Red Oak Villa (retirement home use), Places of Worship, Surface Parking Lots, Commercial (Rainbow Centre Mall), High and Medium Density Residential Uses (Downtown Core)

WEST: Institutional (Sudbury Secondary School), Business/Professional Offices, Commercial and Low-Medium Density Residential

The properties are located within an established mixed-use neighbourhood on the northern side of Downtown Sudbury, adjacent to the northerly mixed-use (but predominately residential) neighbourhood commonly referred to as 'Uptown'. Downtown Sudbury exhibits a mix of building styles and heights, ranging from low to mid and high-rise buildings, mixed-use commercial and residential uses, and institutional services for local, City-wide, and regional clientele. Within 600.0 metres of the subject properties is a diverse mix of uses including the YMCA, the Rainbow Centre Mall, Sudbury Secondary School, Sudbury's Main Branch Public Library, local restaurants, retail and professional offices.



Figure 6: Residential homes along Mackenzie Street north of 162 MacKenzie Street



Figure 7: View of Elgin Street, south of Red Oak (20 Ste-Anne Road).

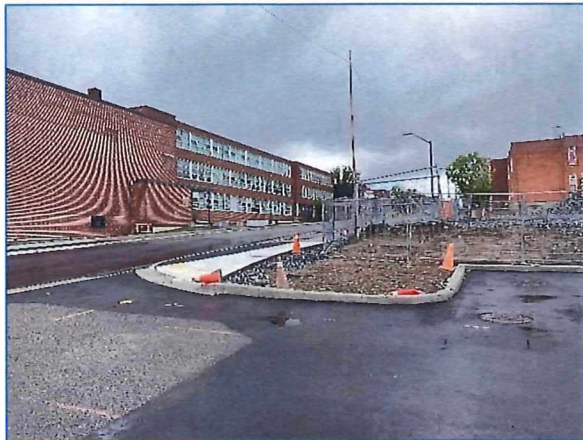


Figure 8: View of Sudbury Secondary School, directly east of 162 MacKenzie and Red Oak Villa (20-Ste Anne Road)



Figure 9: View of parking lot, Church of Christ the King and Ste Anne des Pins directly south of 38 Xavier and 30-Ste Anne Road



Figure 10: View of downtown mural and Red Oak Villa along Ste-Anne Road directly south of subject sites.

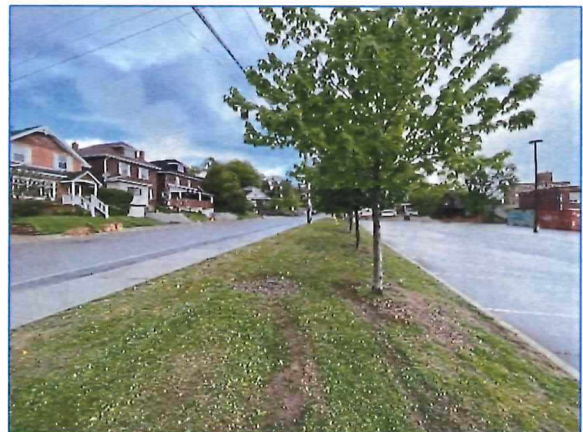


Figure 11: View of Residential and institutional character along Baker Street northwest of subject sites.



Figure 12: Photograph of pedestrian access staircase along Ste-Anne Road

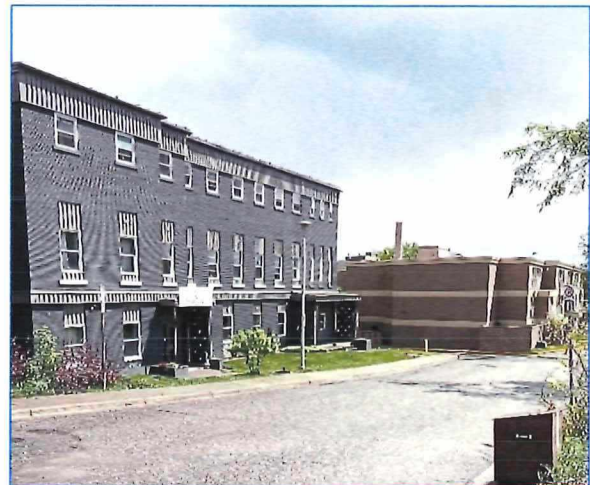


Figure 13: View of Suite Times Student Residence along Ignatius Street

PROPERTIES BACKGROUND / HISTORY

The subject zoning by-law amendment is required to resolve several land use issues on both 162 MacKenzie Street and 30 Ste-Anne Road, while enabling flexible Downtown uses on 38 Xavier. These issues primarily relate to permitted uses and unachievable parking standards on site given the size and nature (i.e. internal design) of the structures. The rezoning of 38 Xavier Street is proposed to facilitate the future development of this underutilized site. Currently only Institutional uses and a parking lot would be permitted, which is not in keeping with Xavier's Downtown designation.

The highest and best use of these sites - as called for through Official Plan policy - is hindered by the limited uses permitted via the sites' existing zoning. 162 MacKenzie Street is zoned C4(16) and was previously zoned for a proposed residential dwelling conversion. In the past the owners have been

approached by various businesses looking to lease space on site, including a bake shop, recreation centre commercial tenants and small-scale retail uses, none of which are permitted in the C4(16) zone.

30 Ste-Anne Road is zoned I(47). Permitted uses include institutional, office and medical office uses (limited to 740 m² net floor area). In the past the owners have been approached by various businesses and organizations to lease space in the Diocese building including medical office uses requiring space greater than 740m², pharmacy uses, theatres, assembly halls, recreation centre commercial and personal service shop uses, none of which are permitted under the existing zoning.

Lastly, 38 Xavier Street is zoned I(48). Uses permitted include all institutional uses as well as the existing parking area comprising 60 parking spaces and an existing detached garage. Uses permitted in the institutional zone include but are not limited to cemetery, restaurants only related to park use, refreshment pavilions, and day care uses. This existing zoning limits the future development of the site, pursuant to policies found in the Official Plan, downtown master plan and Downtown CIP.

These restrictions have significantly limited the ability to attract tenants to the subject properties. These issues are further complicated by the existing parking requirements on site, and need for parking flexibility to respond to both tenant needs while not requiring the property owner to make rezoning and/or variance applications for each new tenant (and recognising available parking per-use, as was done previously when medical office uses were permitted in the Diocese).

Depending on the mix of potential tenants, the existing zoning by-law parking standards would require 162 MacKenzie Street to provide between 100-120 parking spaces and 30 Ste-Anne Road to provide approximately 200-220 parking spaces. Following the construction of Red Oak Villa Retirement Home's expansion, the existing site plan for the subject sites demonstrate 162 MacKenzie Street currently has the available space to provide 93 parking spaces whereas 30 Ste-Anne Road has the space to provide 137 spaces (See Figure 15).



Figure 14: View of 162 MacKenzie, Diocese of SSM and Red Oak Villa from MacKenzie Street

In the past applications have been submitted to resolve various land use issues on the subject sites. These issues were primarily related to infrastructure, setbacks, density, and parking (minor variance applications A0101/2017, A0096/2017, A0094/2017). *Table 2* provides an outline of previous rezoning and minor variance applications related to the three subject properties.

Table 2: Former Applications and Permissions on the Subject Sites

ADDRESS/ PROPERTY	MINOR VARIANCE/ PERMISSIONS	ZONING /PERMISSIONS
162 MacKenzie Street	<p>A0101/2017</p> <p>Approval of location of proposed retaining wall, along the north and east lot line, providing a height a height and side yard setback and corner setback with a provision for 100 parking spaces where 119 is required</p>	<p>C4(16)</p> <p>Notwithstanding any other provision hereof to the contrary, within any area designated C4(16) on the <i>Zone Maps</i>, all provisions of this By-law applicable to C4 Zones shall apply subject to the following modifications:</p> <p>(i) The maximum number of <i>multiple dwellings</i> shall be limited to 94 <i>dwelling units</i>.</p> <p>(ii) <i>Required parking spaces</i> shall be provided at a minimum of 1 <i>parking space</i> per <i>dwelling unit</i>.</p> <p>(iii) Canopies may encroach 3m into a <i>required interior side yard</i>.</p>
30 Ste-Anne Road	<p>A0096/2017</p> <p>Approval of the resulting lot following a lot additon, providing a reduced minimum 5.0m side yard setback, and also for the approval of the location of a proposed retaining wall on the subject lands, providing a 0.0m side yard setback from the west lot line.</p>	<p>I(47)</p> <p>Notwithstanding any other provision hereof to the contrary, within any area designated I(47) on the <i>Zone Maps</i>, all provisions of this by-law applicable to the "I", Institutional zone shall apply subject to the following modifications:</p> <p>(i) In addition to the <i>uses</i> permitted in the Institutional zone, <i>offices</i> shall also be permitted;</p> <p>(ii) Notwithstanding the above, <i>medical offices</i> shall be limited to 740 m² of <i>net floor area</i>;</p> <p>(iii) The <i>lot line abutting</i> Mackenzie Street shall be deemed to be the <i>front lot line</i>;</p> <p>(iv) The location of the <i>existing building</i> shall be permitted;</p> <p>(v) A retaining wall shall be permitted with zero <i>setback abutting</i> Lot 94, Plan RCP 85-S.</p>

ADDRESS/ PROPERTY	MINOR VARIANCE/ PERMISSIONS	ZONING /PERMISSIONS
38 Xavier Street	N/A	<p>I(48) Notwithstanding any other provision hereof to the contrary, within any area designated I(48) on the <i>Zone Maps</i>, all provisions of this by-law applicable to the "I", Institutional <i>zone</i> shall apply subject to the following modifications:</p> <p>(i) In addition to the <i>uses</i> permitted in the Institutional <i>zone</i>, the <i>existing parking area</i> comprising 60 <i>parking spaces</i> and an <i>existing detached garage</i> shall also be permitted.</p>

Given the need for flexibility to respond to changing market and tenant demands, these previous applications have yet to substantially resolve issues related to flexibility of use and parking requirements and have not substantially considered the Downtown designation afforded to these properties. Thus, this application specifically looks to resolve issues related to limited uses and inconsistent parking standards, in order to attract a greater range of potential users which will enable the properties to evolve into dynamic and age-friendly service-commercial hubs in Sudbury's Downtown.

During pre-consultation with the City of Greater Sudbury, staff expressed concerns regarding the C6-Downtown Commercial zone. As such staff recommended the properties be rezoned C4-Special which would include site-specific parking standards and use permissions. While the C4 zone was considered, it was determined that such zone lacks the flexibility needed on these centrally located sites given the C4 zone requires the same parking standards as those found outside Downtown sudbury. The C4 zone does not address issues related to parking flexibility and would not recognise active transportation opportunities afforded to this property which intrinsically allow for reduced parking needs/demand for the uses/tenants contemplated for these properties. While site-specific standards are proposed to introduce minimum parking standards for limited uses in the requested C6-special zone, these standards are built from the C6 O-commercial-parking standard, rather than reduced from the C4 parking standards. This in the authors opinion establishes the appropriate principle of development (C6 zone) for such a Downtown location while being context-sensitive to the range of potential uses in these existing buildings. A detailed comparison of the C4 and C6 commercial zones can be found in Section 4.0.

3.0 PROPOSED APPLICATIONS

The proposed application for zoning by-law amendment is for three properties. 162 MacKenzie Street is currently zoned C4(16), 30 Ste-Anne Road is zoned I(47) and 38 Xavier is zoned I(48). All three properties are proposed to be rezoned to C6-Downtown Commercial (Special) to achieve the highest-and-best use of the lands (See *Figure 15*) while leveraging the opportunities, infrastructure and service facilities afforded to such lands by virtue of their downtown location.

It is recognized that the C6-Downtown Commercial zone does not require parking for commercial/institutional uses. However, for the purposes of this application site-specific parking standards that are over and above C6 requirements are seen as appropriate for this location, given that some uses in the C6 zone may attract limited visitors/clients travelling to the properties by vehicle from outside the downtown area. Further discussion regarding the appropriateness of the below standards is included in Section 5.0 of this report.

Further to C6 zone parking standards, the application proposes the following parking standards on all three properties. We note the C6 requirement for 1 parking space per residential dwelling unit is proposed to be maintained:

- 1) **Institutional** Parking Requirements to permit **1/40 m² net floor area** whereas 0 is required in the C6 zone;
- 2) **Daycare** Parking Requirements to permit **1/40 m² net floor area** whereas 0 is required in the C6 zone;
- 3) **Medical Office** Parking Requirements to permit **1/30m² net floor area** whereas 0 is required in the C6 zone;
- 4) **Personal Service Shop** Parking Requirements to permit **1/30m² net floor area** whereas 0 is required in the C6 zone;
- 5) **Retail** Parking Requirements to permit **1/40m² net floor area** whereas 0 is required in the C6 zone; and,
- 6) **Place of Worship** Parking Requirements to permit **1/30m² net floor area** whereas 0 is required in the C6 zone.

An analysis of current and projected future tenants was undertaken to contextually determine each use's potential parking requirements and anticipated future needs given anticipated lease for each use in each property. The above standards, as discussed, also reflect a general understanding that such scoped uses may attract some vehicular traffic, and as such this parking should be accommodated through limited minimum parking standards.

To ensure the existing buildings can be utilized to their full potential, reasonable minimum parking standards must be employed. Without reasonable parking requirements the subject lands will continue to experience issues related to tenancy and the efficient use of existing Downtown infrastructure. In providing these above parking standards, the applicant recognizes the value parking has to this multi-functional complex and need to mitigate concerns related to off-street overflow parking that may be

generated if all uses were held to the 0 space requirement in the C6 zone. The application seeks to recognize that alternative methods of travel such as walking, cycling, ridesharing and public transit are appropriate for accessing services and businesses on site given the properties central location. The purpose of this application is not to preclude need for providing parking, it instead proposes to right-size parking standards to complement the unique nature of the subject properties' location and built-forms.

[illegible]

4.0 POLICY OVERVIEW AND ANALYSIS

The following section sets out the relevant planning policy framework to assess the appropriateness of the proposed application in the context of Provincial and Municipal policies and regulations. Each subsection will outline relevant policies and provide a planning analysis with respect to how the zoning by-law amendment is consistent with or conforms to such policy.

THE PLANNING ACT

The Planning Act establishes the overall regulatory framework for land use planning in the Province of Ontario.

Section 1.1 sets out the purposes of the Act, which are:

- *To promote sustainable economic development in a healthy natural environment within the policy and by the means provided under this Act;*
- *To provide for a land use planning system led by provincial policy;*
- *To integrate matters of provincial interest in provincial and municipal planning decisions;*
- *To provide for planning processes that are fair by making them open, accessible, timely and efficient;*
- *To encourage co-operation and co-ordination among various interests;*
- *To recognize the decision-making authority and accountability of municipal councils in planning.*

Section 2, Part 1 sets out matters of provincial interest, to be regarded by the Minister, the council of a municipality, a local board, a planning board, and the Tribunal. These include:

- (a) the protection of ecological systems, including natural areas, features and functions;*
- (b) the protection of the agricultural resources of the Province;*
- (c) the conservation and management of natural resources and the mineral resource base;*
- (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;*
- (e) the supply, efficient use and conservation of energy and water;*
- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- (g) the minimization of waste;*
- (h) the orderly development of safe and healthy communities;*
- (h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;*
- (i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;*
- (j) the adequate provision of a full range of housing, including affordable housing;*

- (k) the adequate provision of employment opportunities;*
- (l) the protection of the financial and economic well-being of the Province and its municipalities;*
- (m) the co-ordination of planning activities of public bodies;*
- (n) the resolution of planning conflicts involving public and private interests;*
- (o) the protection of public health and safety;*
- (p) the appropriate location of growth and development;*
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;*
- (r) the promotion of built form that,*
 - (i) is well-designed,*
 - (ii) encourages a sense of place, and*
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant*

The Act integrates matters of provincial interest into provincial and municipal planning decisions by requiring that all municipal decisions and planning documents be consistent with the Provincial Policy Statement and conform to or do not conflict with provincial plans. The proposed zoning bylaw amendment meets the intent of the Planning Act outlined in **Section 1.1**, by promoting economic development and accounting for matters of provincial interest in a contextually-sensitive manner.

The proposed rezoning addresses a number of the matters of provincial interest set out in **Section 2, Part 1**. The application promotes:

- The adequate provision and distribution of educational, health, social, cultural and recreational facilities throughout the municipality **(2.1(i))**,
- Provides for potential future employment opportunities and expansion **(2.1(k))**,
- Is an appropriate location for growth and development given its location Downtown, and being on full municipal services with benefit of hard and soft infrastructure **(2.1(p))**,
- Is transit and pedestrian supportive given its walkability, and proximity to public and active transit infrastructure **(2.1(q))**; and,
- Promotes built form that, is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant through rezoning to promote a mixed-use site **(2.1(r))**.

PROVINCIAL POLICY STATEMENT, 2020

The *2020 Provincial Policy Statement* (PPS) provides high-level provincial policy direction for planning approval authorities in preparing municipal planning documents, and in making decisions on *Planning Act* applications. Municipal official plans must be consistent with the provincial policy statement. Policies applicable to the proposed zoning by-law amendment are outlined and discussed below.

PPS **Section 1.0** speaks to managing and directing land use to achieve efficient and resilient development and land use patterns. PPS **Section 1.1.1** states, in part:

“1.1.1 Healthy, liveable and safe communities are sustained by:

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

...

e) promoting the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs”

A key component of planning for strong, healthy communities is the redevelopment and intensification of underutilized sites. The proposed rezoning provides for a more efficient use of the existing land parcel and structures, given that the existing buildings on these sites are currently underutilized because of parking and use zoning constraints per **1.1.1(a)**. However the proposed zoning also recognises the existing site plan registered on MacKenzie & Ste-Anne Road properties as representing the maximum provision of parking possible on both subject lands. Such site plan provides for a minor expansion of MacKenzie building while accommodating and appropriately laying-out the maximum level of parking that can be provided on each site. It is the authors opinion that given such site plan provides maximum parking while also allowing the continued location and use of both existing structures, flexibility of use and parking standards are appropriate to allow the properties to naturally evolve and accommodate a range of uses, while having benefit of site plan standards/layout which ensures the appropriate function of both properties.

The application is also consistent with **1.1.1(b)** in that rezoning will increase the ability for employment and institutional uses to occupy the lands. The proposed rezoning is consistent with **1.1.1(e)** as it promotes the integration of land use planning, growth management, transit-supportive development,

intensification and infrastructure planning to achieve cost-effective development patterns, optimizing Sudbury's transit investments, and minimizing land consumption and servicing costs. It does this by encouraging employment opportunities through a greater range of permitted uses on all three properties within the Downtown, which is again in close proximity to public transit and active transportation infrastructure. Further, the application increases the usability of three underutilized sites on existing servicing thereby supporting cost-effective development patterns which will support the financial wellbeing on the Municipality and Province.

Section 1.1.3 of the PPS states that Settlement Areas shall be the focus of growth and development and their vitality and regeneration shall be promoted. Given that the subject lands are located within Greater Sudbury's Settlement Area, the following policies are applicable:

"1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed*

1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities"

The PPS recognizes that growth in settlement areas should be supported through intensification, redevelopment, and a mix of uses. The subject by-law amendment will enable the more efficient use of land and resources in Sudbury's Downtown as it takes advantage of both an existing 7-storey and 2-storey building in the City's downtown and would provide a greater range of uses more appropriate for a downtown setting per **1.1.3.2(a)(b)**. Further, the subject lands are located in close proximity to high, medium and low-density residential neighborhoods (Uptown and Downtown) and is directly adjacent to cycling and other active transportation infrastructure (i.e. public transit, etc.), which thereby reduces vehicle dependency as supported through PPS **Section 1.1.3.2(e)(f)**. Demographic data obtained through the City of Greater Sudbury Mapping (2016 Census) revealed that in 2016 approximately 16,000 residents lived within a 1.0-kilometre radius of the subject lands (See *Figure 16*). This accounted for approximately 10% of the City of Greater Sudbury's population at the time.

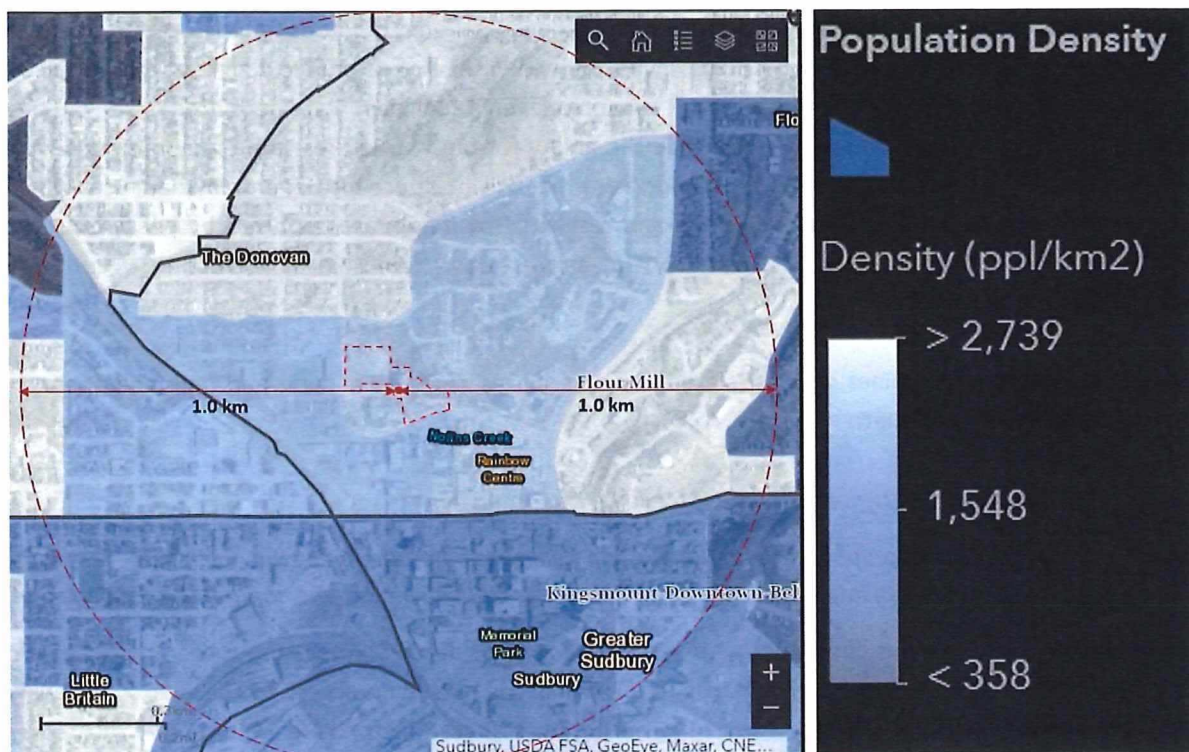


Figure 16: Population Density around on Subject Sites

Policies related to employment are outlined in **Section 1.3.1** of the PPS, which states:

“1.3.1 Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;*
- d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and*
- e) ensuring the necessary infrastructure is provided to support current and projected needs.”*

The proposed application is consistent with policies set out in **Section 1.3.1(a)(b)** as it will provide for a broader range of employment and institutional uses which provide opportunities for a diversified

economic base and range of economic activities. The reduced parking standards found in the C6 zone will further aid in meeting the intent of 1.3.1(b) given the wide range of economic activities and ancillary uses would be unable to locate in the existing structures (even if such uses were permitted) given parking standards outside the C6 zone would preclude the ability for both structures to be fully tenanted. The application also encourages a mixed-use development that will introduce further employment uses which are compatible and support a more liveable and resilient Downtown as supported by policy 1.3.1(d). Lastly, the application is consistent with 1.3.1(e) as necessary municipal infrastructure is currently provided to the properties.

Section 1.5 of the PPS outlines policies related to public spaces, recreation, parks and trails and open space, and states in part that:

“1.5.1 Healthy, active communities should be promoted by:

a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity”

The proposed application is consistent with **Section 1.5.1(a)** of the PPS in that the three properties are directly adjacent to significant active transportation linkages, including access to the nearby sidewalk network, pedestrian paths, and the existing Xavier Street staircase (See *Figure 12*). The *City of Greater Sudbury Transportation Master Plan* also calls for the addition of proposed signed bike routes on Ste-Anne Road and MacKenzie Street scheduled for Phase 2 (6-10 years) (See *Figure 17*). In the absence of enhanced flexibility of use and reduced dependence on parking/vehicular travel to these properties, opportunities to enhance social interaction and community active transportation connectivity will not be realised. The subject properties are also in close proximity to the main downtown bus terminal, which provides transit services that connect Sudbury’s Downtown with all other parts of the City.

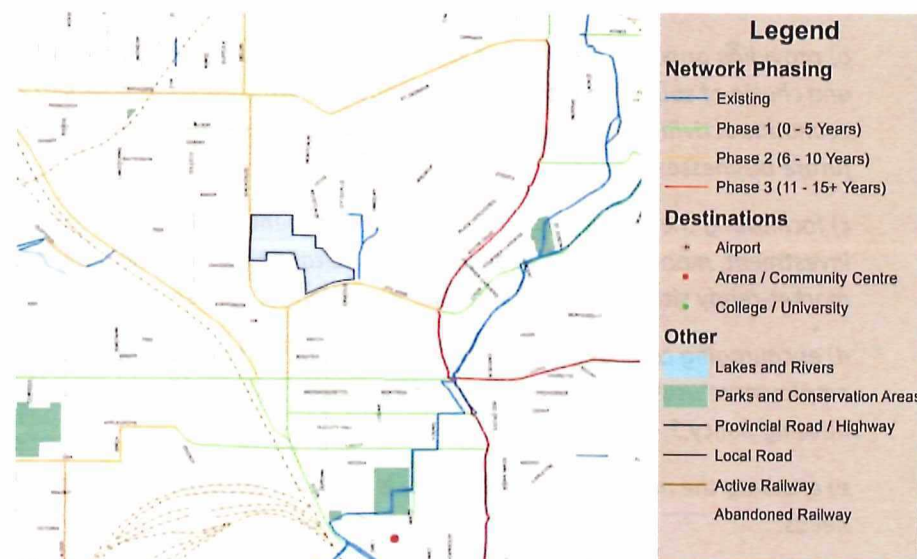


Figure 17: Transportation Master Plan AT Phasing Plan

Section 1.6.6 of the PPS deals with sewage, water and stormwater, and states in part that:

“1.6.6.1 Planning for sewage and water services shall:

a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:

1. municipal sewage services and municipal water services; and

b) ensure that these systems are provided in a manner that:

1. can be sustained by the water resources upon which such services rely;

2. prepares for the impacts of a changing climate;

3. is feasible and financially viable over their lifecycle; and

d) integrate servicing and land use considerations at all stages of the planning process”

The subject properties benefit from existing services and have access to existing hard and soft municipal infrastructure. The proposed applications are consistent with **Section 1.6.6** of the PPS in that the development will occur on existing full municipal water and sewage services, and enhanced use of such infrastructure through full-tenancy of the existing structures would bring the properties more into conformity with the ‘efficient and optimal infrastructure use’ direction found above.

The PPS also provides policy direction for matters related to transportation in **Section 1.6.7**. Specifically, the 2020 PPS states that:

“1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation”

The proposed application is consistent with **1.6.7.4** as it would provide for the flexible use of properties that benefit from significant existing and proposed active transportation infrastructure. In doing so the application seeks to recognise the reduced vehicular dependence/need of these properties, while being cognisant of potential parking needs for specific potential future tenants through site-specific parking standards to mitigate potential off-site parking impacts to the surrounding neighbourhood. While the C6 zone’s requirement for 0 parking would be consistent with **1.6.7.4** given the properties location, the proposed site-specific minimum parking standards recognise that the properties’ proximity to transit and active transportation infrastructure will limit – but not completely preclude - need to travel to the properties by vehicle. Section 5.0 of this report speaks more specifically to proposed parking standards that are in-excess of the C6 zone standards.

Section 1.7 provides policy direction for municipalities to achieve long-term economic prosperity. The following policies are relevant:

“1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;*
- c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;*
- d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;*
- e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes”*

The introduction of more flexible mixed-use space (supported through flexible parking) in Sudbury’s Downtown will promote economic development and community investment readiness, thereby contributing to a diversified economic base and a wide range of economic activities in the area as supported by **Section 1.7.1(a)**. The application would enable the adaptive reuse of two existing buildings within the Downtown, which are on existing municipal infrastructure, while stimulating economic development and pedestrian traffic in the area as supported by **1.7.1(a)(c)**.

Section 1.7.1(d) speaks to enhancing the viability and vitality of downtowns and main streets to support long-term economic prosperity. The C6 zone will encourage the vitality of this area of the Downtown by increasing pedestrian traffic through enhanced use potential and flexibility, while enabling uses to locate on these properties that may currently be precluded given existing parking requirements. Overall, the greater number of pedestrians within a downtown area, the better the conditions. This increased pedestrian foot traffic facilitates vital synergy generating effects, through economic spinoffs, eyes-on-the-street, and reinvestment in public spaces. Synergies can be defined as the interactions between activities to their mutual benefit. The application provides opportunities for these synergies by increasing the potential for people to walk or use other active transportation when within the Downtown area, to visit multiple uses/service providers in a single Downtown visit, and encourage the development of a critical mass of uses that are accessible through means other than single-trip generating vehicular trips.

Per **1.7.1.(c)(e)** the proposed development will enable the adaptive reuse of existing structures which are architecturally unique in the area. In the absence of use and parking flexibility, the existing structures are difficult to utilize to their full potential given such were purpose-built for institutional uses over 70 years ago. As discussed, existing site plans provide for the maximum parking carrying capacity of both properties with existing structures. Additional structures are not envisioned through this application for MacKenzie or Ste-Anne Rd, rather, the flexibility of use pursuant to the maximum parking carrying capacity (through market-driven needs) is sought. As such, the author anticipates conversations with City of greater Sudbury planning services staff to determine if additional site-specific standards (i.e. setbacks) should be applied to MacKenzie & Ste-Anne Road, which will encourage use of the existing structures and promotion of their existing built form. If such existing structures cannot be utilized to their full potential – given zoning

restrictions – such structures may become unviable for future use and may be replaced by more modern purpose-built developments. Permitting the more flexible use of the existing structures would aid in promoting the conservation of ‘features’ (buildings) which do contribute to the character of the area.

Section 1.8 of the PPS speaks to energy conservation, air quality and climate change. It states in part:

“1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of changing climate through land use and development patterns which:

- a) promote compact form and a structure of nodes and corridors;*
- b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;*
- c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;*
- e) encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion”*

The proposed applications are consistent with **Section 1.8.1 (a)(b)(c)(e)** of the PPS as the rezoning would enable increased intensity of use in the existing compact structures/properties, and promote active transportation between the site, the downtown commercial core and the surrounding mixed-residential areas. The properties are also in proximity to schools, parks, and places of worship.

While not specific to parking requirements- efficient development patterns, transportation choices, air and water quality, and liveable communities are impacted by choices related to the provision of and requirements for parking. The application establishes appropriate parking standards for a development within Downtown, and in doing so supports improving air quality, and the reduction of greenhouse gas emissions by leveraging established surrounding active transportation and public transit infrastructure per **1.8.1(b)(e)**. Further the application is consistent with **Section 1.8.1(b)(e)** as it promotes the use of active transportation and transit in and between residential, employment, institutional uses, and other areas. In doing so it will encourage active streets, support local businesses by increasing foot traffic, and decreases reliance on personal vehicles.

Per **Section 1.8.1(c)** the application will assist in focusing employment and other travel-intensive land uses on sites which are well served by Sudbury’s GOVA transit service line. The subject properties are located within 100.0 metres of four transit stops and within 550.0 metres of the main Downtown transit terminal.

In summary, the subject application is consistent with the 2020 PPS as it promotes the wise use of resources and infrastructure, efficient and compact development, intensification, investment-readiness and encouraging a mix of uses in an appropriate location while leveraging and supporting active transportation and healthy communities. This proposal represents an opportunity to both recognise the

properties' Downtown designation and potential, while being context-sensitive to the uses and associated potential parking needs that may locate in this area given C6 zone permissions. The application will encourage the retention and revitalization of built-forms which are part of the character of the area, while recognising the properties currently provide their maximum parking carrying capacity through existing registered site plan agreement.

GROWTH PLAN FOR NORTHERN ONTARIO

The *Growth Plan for Northern Ontario* (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.

Section 3.4.3 of the GPNO promotes a diverse mix of land uses within northern communities. The GPNO states that:

"3.4.3 Municipalities are encouraged to support and promote healthy living by providing for communities with a diverse mix of land uses, a range and mix of employment and housing types, high-quality public open spaces, and easy access to local stores and services"

Per **Section 3.4.3** the subject application will promote a further range of uses and employment types in Sudbury's downtown core. Further, it promotes healthy living by permitting such uses and employment types within proximity to significant residential areas, supporting active transportation and easy access to services.

Section 4.4.2 of the GPNO speaks to planning for strategic core areas. It states that:

"4.4.2 Municipalities that contain strategic core areas are encouraged to plan for these areas to function as vibrant, walkable, mixed-use districts that can:

- a. attract employment uses and clusters, including office and retail*
- b. provide a broad range of amenities accessible to residents and visitors including vibrant streetscapes, shopping, entertainment, transportation connections, lodging, and educational, health, social and cultural services."*

Under the GPNO the City of Greater Sudbury has been identified as a municipality which contains strategic core areas. The City of Greater Sudbury's OP Section 1.1 and 4.2.1 identifies Downtown Sudbury as a strategic core area and the heart of Greater Sudbury, and as such the Plan encourages the City of Greater Sudbury's downtown to be planned as a vibrant, walkable mixed-use district with employment clusters and a range of services.

The Official Plan and *Downtown Master Plan* also highlight the importance of ensuring the downtown is a vibrant mixed-use community. The range of uses permitted in the C6 zone and reduced parking

requirements for such will attract further employment uses within the Downtown area as supported by GPNO **Section 4.4.2(a)**. The application also enhances the ability to attract a broad range of uses/amenities for residents and visitors through the addition of commercial, entertainment, institutional, health, social and cultural services/uses, as supported by GPNO **Section 4.4.2(b)**.

CITY OF GREATER SUDBURY OFFICIAL PLAN

The 2006 *City of Greater Sudbury's Official Plan* is the principal land use planning policy document for the City of Greater Sudbury. The Official Plan (OP) establishes objectives and policies that guide both public and private development/decision-making.

The subject lands are designated 'Downtown' per *Schedule 1B* of the *City of Greater Sudbury Official Plan* (See *Figure 18*). The City's former Official Plan designated the lands as Institutional, however, during the previous Official Plan review the lands were re-designated to Downtown. It is the authors opinion that this re-designation was appropriate and recognized the three subject properties as an important resource/location within the greater context of Downtown Sudbury given the locations ability to leverage opportunities afforded by their proximity to downtown services, infrastructure and amenities.

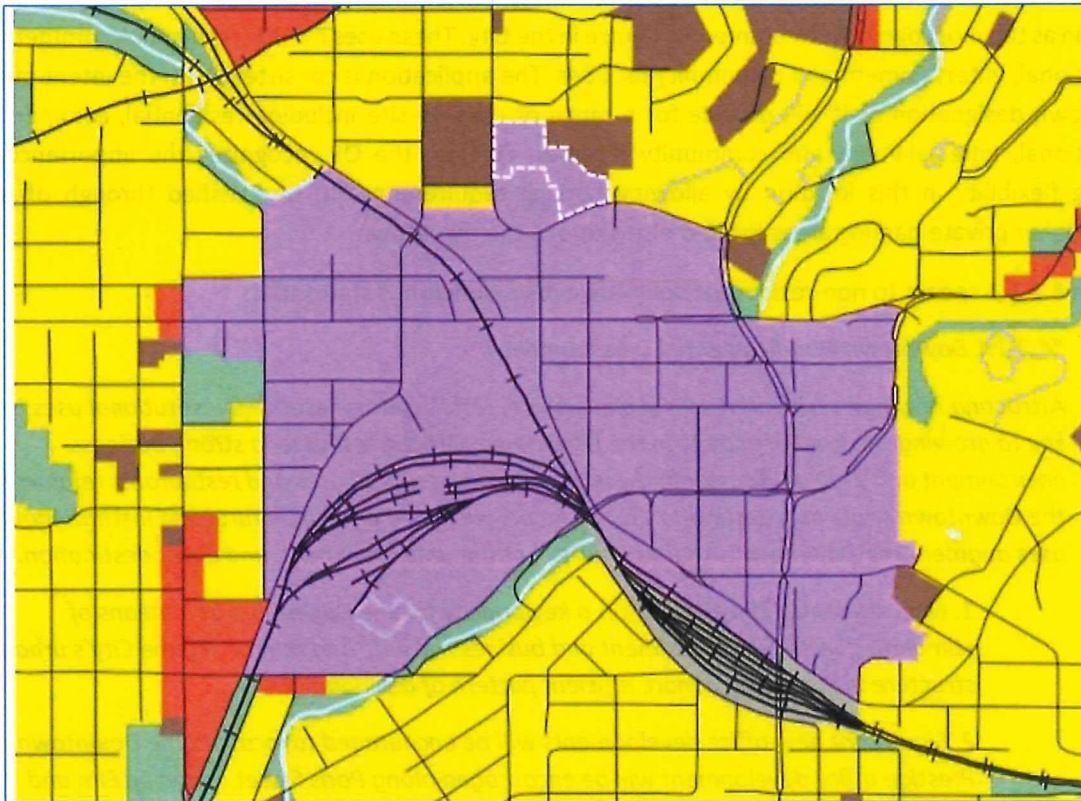


Figure 18: Official Plan Land Use Schedule 1B

Official Plan policies relevant to the subject application are outlined and discussed below.

“4.2.1 Downtown

1. A wide variety of uses are permitted in the Downtown, consistent with its function as the most diversified commercial Centre in the City. Residential, commercial, institutional, entertainment uses and community facilities are permitted as set out in the Zoning By-law, provided that sewer and water capacities are adequate for the site. Drive-throughs are not permitted in the Downtown.

4. In order to encourage development in the Downtown, Council may:

a. allow parking requirements to be satisfied through off-street municipal or privately owned communal parking areas located elsewhere in the Downtown; and,

2. The City may also work with its partners to pursue other projects that reinforce the Downtown’s role as a local centre and a strategic core area in northeast Ontario.”

Section 4.2.1 states that a wide variety of uses are permitted in the Downtown, consistent with its function as the most diversified commercial Centre in the City. These uses include residential, commercial, institutional, entertainment and community facilities. The application is consistent with the intent of the downtown designation as it will provide for a range of uses on site including residential, commercial, institutional, entertainment and community facilities. Further, the OP recognizes the importance of parking flexibility in this location by allowing parking requirements to be satisfied through off-site municipal or private parking areas located elsewhere in the downtown.

Section 4.2.1.1 speaks to non-residential downtown development. It states that:

“4.2.1.1 Downtown Non-Residential Development

Attracting new non-residential uses such as office, retail, cultural uses and institutional uses is key to growing the level of activity in the Downtown. Office uses foster a strong business environment and provide a customer base for other uses. Retail uses and restaurants reinforce the Downtown’s role as a destination for niche products and dining. Cultural and institutional uses augment the Downtown’s role as an arts, culture, entertainment, and event destination.

1. Non-residential development is a key priority for the Downtown as a means of stimulating increased investment and business activity and reinforcing the City’s urban structure by achieving a more efficient pattern of development.

2. Significant new office developments will be encouraged to locate in the Downtown. Prestige office development will be encouraged along Paris Street, between Elm and Cedar Street.”

Consistent with **Policy 4.2.1.1(1)(2)**, the flexibility inherent in the C6 zone will allow the attraction of further investment and business activity in the downtown and encourages a more compact and efficient pattern of development through reduced need for on-site surface parking.

Section 4.2.1.1 speaks to the benefits of office uses given they foster a strong business environment and provide a customer base for other uses. Existing zoning for all three sites currently limits the potential to attract tenants and ability for the properties to function as a significant employment area, as promoted in **4.2.1.1(1)(2)**. For example, medical offices are currently limited to 740m² in 30 Ste-Anne Road (given existing parking standards), which prevents future practitioners' offices and medical service providers from leasing space in such existing building. The need for continual zoning by-law amendments or variance applications to recognise potential tenants constrains flexibility and restricts investment-readiness in this area of the Downtown. Given their size, existing structures and location, the three subject properties have the potential to be a significant employment/service centre if such can be responsive to market demands through the C6 zoning.

Section 4.2.1.3 speaks to the Downtown urban environment and states in-part:

"4.2.1.3 Downtown Urban Environment

- 1. It is policy of this Plan to preserve those aspects of the Downtown that contribute to the image, character and quality of life in the City, including natural features, landmarks, design attributes, heritage resources, linkages to existing trails, pedestrian walkways and other desirable elements of the built environment.*
- 4. In order to protect the existing built form, the rehabilitation and reuse of existing buildings that are well-suited and economically viable to adaptive reuse will be encouraged."*

The proposed zoning by-law amendment aims to apply a site-specific zone that would allow the adaptive reuse of the properties' existing structures, while providing flexibility to best utilize vacant lands in the Downtown. In the absence of flexibility, the existing structures which act as a form of landmark in the area, (certainly with unique design attributes) cannot be utilized to their full economic potential, and as such are not economically viable. Without such flexibility afforded through C6 zoning, preservation of such structures may not be possible, which is inconsistent with the above policy intent.

Section 11.0 outlines policies related to the City's transportation network, and states in part:

"11.1 It is the objective of the transportation network policies to:

- d. coordinate the development of Greater Sudbury with transportation, public transit and active transportation infrastructure to effectively reduce the number of automobile-oriented trips and the associated environmental impacts;*
- e. promote all travel modes, including public transit and active transportation"*

It is the intent of the Official Plan to limit the need for automobile-oriented trips and support alternative methods of transportation including public transit and active transportation. As discussed previously, the application is consistent with **Section 11.1(d)(e)** as this development recognizes the subject lands proximity to active and public transportation infrastructure while providing context-sensitive parking standards to account for potential off-site impacts if the full C6 parking standard was applied. The nearby

transportation network and allows greater flexibility in residents travel decisions given the walkability and convenient access to public transit.

Section 11.3.2 discusses land use policies to support transit needs. Applicable policies to this application include:

“11.3.2.1. Urban design and community development that facilitate the provision of public transit will be promoted.”

The application is consistent with **Section 11.3.2** as it considers healthy community development principles by promoting public transit usage, given the intent of the application is to allow broad, flexible use permissions within very close proximity to significant public transit infrastructure.

Section 11.4 speaks to parking and requires that:

“11.4 (a) New developments generally must provide an adequate supply of parking to meet anticipated demands.

(b) Based on a review of parking standards for various land uses in the City, parking requirements may be reduced in those areas that have sufficient capacity, such as the Downtown and other major Employment Areas”.

Based on a review of parking demands specific to the use, as well the availability of public transit and active transportation, the C6 zone’s recognition of reduced parking needs (and this application’s recognition of parking standards for some uses) is appropriate in this location.

Parking standards should be considered within the context of location. In this case, the subject properties are abutting a predominantly C6- Downtown Commercial area which has no parking requirements, is along a public transit route and is within 550.0 metres of the main Downtown Transit terminal. Further, **Policy 11.4(b)** of the Official Plan states parking standards within the municipality made be reduced in areas such as the downtown given sufficient existing capacity. This was seen on the abutting property- Red Oak Villa as a reduction in parking was previously approved for its expansion. City planning’s staff report (File # 751-6/15-22) supported the reduction in parking given that:

- 1. Additional private off-site parking can be provided on abutting properties;*
- 2. There is a municipal parking lot directly across the street (Beech Street lot), as well as additional public parking available in the Downtown core.*
- 3. Parking relief should be considered within the context of the location. In this case, the subject property is located just outside the “C6”, Downtown Commercial zone, which has no parking requirements*
- 4. Public transit is available on Ste. Anne Road (North End route) and Elm Street (various routes). The main transit terminal is also an approximate ten (10) to twelve (12) minute walk from Red Oak Villa.*

Section 14.9 of the City's Official Plan speaks to energy efficiency and climate change resiliency with specific focus on urban design. It states in part:

"14.9.1 The City will encourage urban design solutions that minimize non-renewable resource consumption, maximize the use of renewable energy and takes into account the impact of climate change by:

(a) encouraging compact, mixed use and infill developments that concentrate complementary land uses and support active transportation and public transit"

Per OP **Policy 14.9.1(a)** the application proposes to rezone an existing cluster of development and in doing so encourages compact and concentrated uses to be permitted on the subject lands. The proposed C6 zone also allows for future compact infill development on 38 Xavier Street. Uses such as future commercial or medium-to-high density residential would be complementary uses to the area and would be consistent with OP policies applicable to the Downtown.

Section 16.2 of the OP promotes policies which plan for Sudbury's aging population. Policies include the need to:

"16.2.6 *Support an active lifestyle for an aging population by increasing the availability and accessibility of social and recreational opportunities*

16.2.7 *Support development that recognizes the short term and long-term demand for an increase in health care service and related economic opportunities in Greater Sudbury."*

The C6 zone would enable a mix of uses which would encourage the development of services and businesses that promote an active lifestyle for Sudbury's aging population. Given the sites proximity to the Red Oak Villa retirement home and other Seniors services/residences in the Downtown, the properties are well positioned to naturally evolve into an age-friendly service hub. For example, the C6 zone allows recreation centre-commercial uses whereas the C4 zone (and all existing zones) would not. Without permission for such, services such as fitness facilities (including yoga/pilates studios and other similar age-friendly activities) would be unable to operate on the subject lands. The application is consistent with **Policy 16.2.7** as it recognizes the opportunity for business and organizations (retail, entertainment, institutional, health care service etc.) to operate on the subject lands, which again given the property locations would be conducive to such senior-oriented uses. Further, the application considers age-friendly planning principles such as convenient access to the City's public transit infrastructure, active transportation infrastructure (sidewalks, etc) and ability to provide multiple services in one location within close proximity to multiple seniors residential/care uses.

It is the author's opinion that the proposed zoning by-law amendment application is consistent with the intent of the Downtown designation as it promotes a mix of uses and focuses on attracting new non-residential uses such as office, retail, cultural and institutional uses in order to grow the level of activity in the Downtown. The application proposes context sensitive parking standards for all three sites that are

supported by OP policies related to parking, urban design, public transit, the wise use of lands and infrastructure, and active transportation. Further the application recognizes that less parking is required on such sites given their immediate proximity to the City of Greater Sudbury's active transportation and public transit system, and the abundance of parking within the Downtown area.

DOWNTOWN MASTER PLAN

The Downtown Master Plan serves to guide the revitalization of Downtown Sudbury over a ten-year horizon, providing a series of actions and initiatives necessary for such transformation. The subject lands are within the area subject to the Downtown Master Plan (*See Figure 19*), while the majority of the subject lands are located within what the Master Plan refers to as the North-West District (*See Figure 20*).

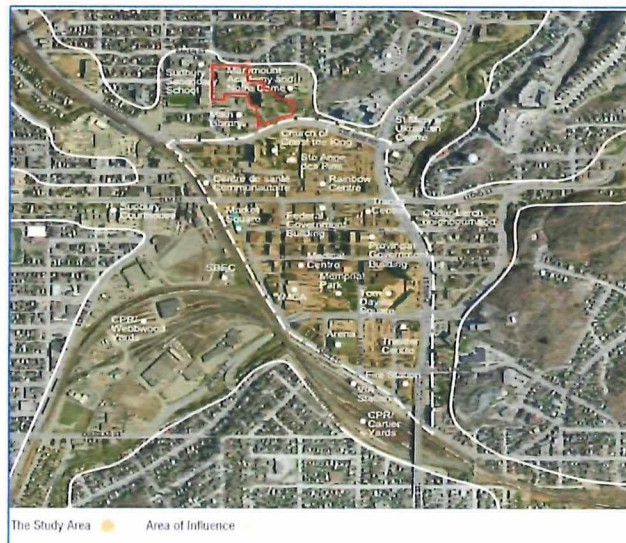


Figure 19: Downtown Master Plan Study Area & Area of Influence

The Plan states, in part that “This district (North-West) functions as a transition zone between the traditional Downtown area and the more residential area to the north. As a transitional zone, the area supports a mix of uses, including residential, retail, commercial, institutional, and light industrial” (pg.91). The Master Plan states that the district currently lacks a well-defined identity even though the area features high profile street frontages and strong regional access points. This lack of identity can (in the author’s opinion) be resolved through the adaptive reuse of these properties existing structures which will represent the highest and best use of infrastructure in the area. The proposed C6 zoning is consistent with the function of this area as a district that supports a mix of uses including commercial and institutional uses. Further, the C6 zone will allow the existing buildings (162 MacKenzie Street and 30-Ste Anne Road) to operate at their highest and best use and become a more pedestrian-oriented destination within downtown through the inclusion of those uses that attract local clientele.



Figure 20: Master Plan Northwest District

Overall, the intent of the Master Plan is to stimulate the revitalization of Sudbury's Downtown. The application is consistent with the intent of the Downtown Master Plan as it will, by its very nature foster activity and growth by supporting employment, pedestrian-oriented uses and leveraging existing resources and infrastructure found in the Downtown, and will encourage the adaptive reuse of existing structures that will enhance the downtown's vitality.

DOWNTOWN SUDBURY COMMUNITY IMPROVEMENT PLAN

The subject properties fall within the Greater Sudbury *Downtown Community Improvement Plan* (CIP) area (See Figure 21).

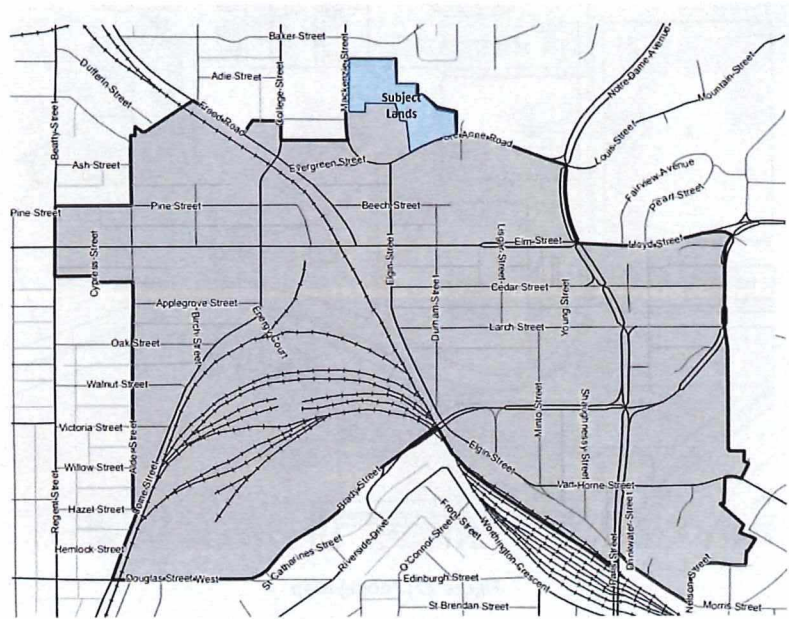


Figure 21: Downtown CIP Boundary Map

The purpose of the Downtown CIP is to revitalize Downtown Sudbury, increase the residential population of the Downtown, create and retain employment opportunities, grow the municipal assessment base, and repair and intensify the existing urban fabric with compatible projects while taking advantage of existing infrastructure and enhancing the quality of the public realm. The CIP's direction complements the policy direction of the *Provincial Policy Statement* and the *City of Greater Sudbury Official Plan* by supporting mixed-use, efficient, and vibrant spaces within the downtown.

It is the authors opinion that the flexibility inherent in the C6 zone would support many of the goals of the Downtown CIP, including its intent to create and retain employment opportunities (**Section 3.1**), repair and intensify the existing urban fabric with compatible projects (by virtue of enabling the adaptive, flexible reuse of existing downtown structures that do contribute to the character of the area), takes advantage of existing infrastructure and enhances the quality of the public realm through increased pedestrian traffic.

ZONING BY-LAW 2010-100Z

CURRENT ZONING

As discussed, the subject properties have three different zones: C4(16), I(47) and I(48) in the *City of Greater Sudbury Zoning By-Law 2010-100Z* (See Figure 22). Overall, the existing zoning permissions do not facilitate the most efficient use of land given the sites location downtown, abutting public transit, along both a primary arterial (Ste-Anne's Road) and collector (MacKenzie Street).

Table 3 provides an outline of the sites existing zoning and permissions.

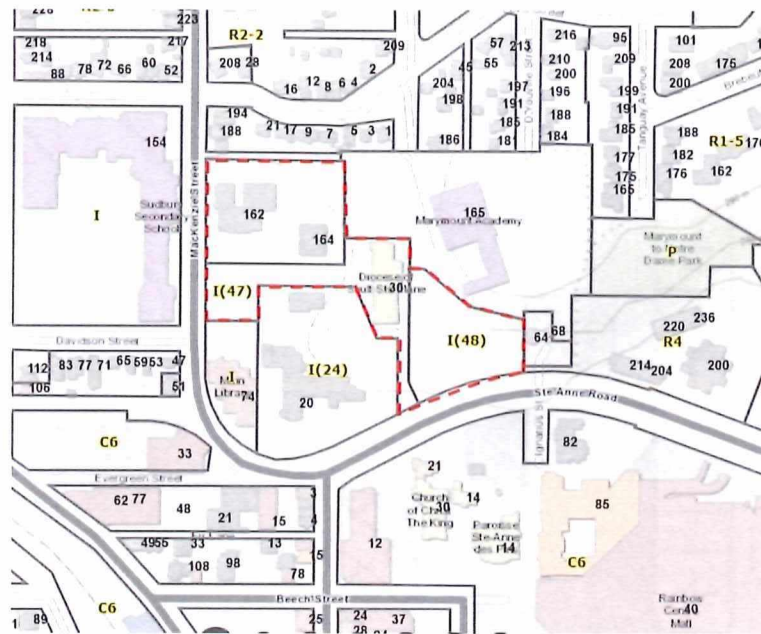


Figure 22: Zoning Map

Table 3: Current Zoning

ADDRESS/ PROPERTY	CURRENT ZONING
162 MacKenzie Street	<p>C4(16)</p> <p>Notwithstanding any other provision hereof to the contrary, within any area designated C4(16) on the <i>Zone Maps</i>, all provisions of this By-law applicable to C4 Zones shall apply subject to the following modifications:</p> <ul style="list-style-type: none"> (i) The maximum number of <i>multiple dwellings</i> shall be limited to 94 <i>dwelling units</i>. (ii) <i>Required parking spaces</i> shall be provided at a minimum of 1 <i>parking space</i> per <i>dwelling unit</i>. (iii) Canopies may encroach 3m into a <i>required interior side yard</i>.
30 Ste-Anne Road	<p>I(47)</p> <p>Notwithstanding any other provision hereof to the contrary, within any area designated I(47) on the <i>Zone Maps</i>, all provisions of this by-law applicable to the "I", Institutional zone shall apply subject to the following modifications:</p> <ul style="list-style-type: none"> (i) In addition to the <i>uses</i> permitted in the Institutional zone, <i>offices</i> shall also be permitted; (ii) Notwithstanding the above, <i>medical offices</i> shall be limited to 740 m² of <i>net floor area</i>; (iii) The <i>lot line abutting</i> Mackenzie Street shall be deemed to be the <i>front lot line</i>; (iv) The location of the <i>existing building</i> shall be permitted; (v) A retaining wall shall be permitted with zero <i>setback abutting</i> Lot 94, Plan RCP 85-S.
38 Xavier Street	<p>I(48)</p> <p>Notwithstanding any other provision hereof to the contrary, within any area designated I(48) on the <i>Zone Maps</i>, all provisions of this by-law applicable to the "I", Institutional zone shall apply subject to the following modifications:</p> <ul style="list-style-type: none"> (i) In addition to the <i>uses</i> permitted in the Institutional zone, the <i>existing parking area</i> comprising 60 <i>parking spaces</i> and an <i>existing detached garage</i> shall also be permitted.

PROPOSED ZONING

The rezoning application proposes to rezone the subject lands to 'C6-Downtown Commercial' to permit a greater range of uses on-site, as well as establish greater certainty regarding parking requirements for future tenants/uses.

Uses permitted in the 'C6' zone which may locate on these properties include but are not limited to:

- Medical office
- Professional office
- Business office
- Bake shop
- Parking lot
- Personal Service shop
- Pharmacy
- Recreation Centre-Commercial
- Daycare
- Theatre

- Assembly Hall
- Institutional Uses
- Multiple Dwelling
- Limited Retail
- Place of Worship
- Commercial School

Section 7.3 Zone Requirements for the C6-Downtown Commercial zone can be found below.

Table 4: C6-Downtown Commercial Zoning By-Law 2010-100z Requirements

Zone	Min Lot Area	Min Lot Frontage	Min Front Yard	Min Rear Yard	Min Interior Side Yard	Min Corner Side Yard	Max Lot Coverage	Max Height	Min Landscaped Open Space
C6	No Min.	No Min	No Min	No Min	(12)(19)	No Min	100%	No Min (11)	No Min (17)

To determine the most appropriate zoning for the subject lands an analysis was undertaken, cognisant of the properties anticipated future tenants, parking needed for such, and conformity with the Official Plan's intent and direction. Through pre-consultation with the City of Greater Sudbury, staff recommended a C4 zone for the subject properties. A comparison of the C4 and C6 zones can be found in *Table 5* below.

Table 5: C4 and C6 Zoning Comparison

USE	C4- Limited General	C6- Downtown Commercial
NON-RESIDENTIAL		
Accessory Outdoor Display and Sales		X
Animal Shelter		
Art Gallery	X	X
Assembly Hall		X
Auctioneer's Establishment		X
Audio/Visual Studio		X
Automotive Leasing Establishment		
Automotive Lube Shop		
Automotive Repair Shop		
Automotive Sales Establishment		
Automotive Service Station		
Bake Shop		X
Banquet Hall		
Bus Terminal		X
Business Office	X	X
Camping Ground		
Car Wash		
Carnival		
Commercial or Public Garage		

Commercial Tourist Facility		
Commercial School		X(2)
Convenience Store	X	X
Custom Print or Copy Shop	X	X
Day Care Centre	X	X
Dry Cleaning Establishment		X
Financial Institution	X	X
Funeral Home	X	
Gas Bar		
Home Improvement Centre		
Hotel	X	X
Institutional Use	X	X
Marina		
Medical Office	X	X
Mobile Home Dealership		
Modular Building Dealership		
Parking Lot	X	X
Personal Service Shop	X	X
Pet Grooming Establishment	X	X
Pharmacy	X	X
Place of Amusement		X
Private Club	X	X
Professional Office	X	X
Recreation Centre, Commercial		X
Recreation Vehicle Sales and Service Establishment		
Restaurant	X	X
Retail Store		X(14)
Scientific or Medical Laboratory	X	X
Service Shop	X	X
Service Trade		X
Tavern		X
Taxi Stand		
Theatre		X
Veterinary Clinic		
RESIDENTIAL		
Any dwelling containing not more than 2 dwelling units	X	X
Boarding House Dwelling or Shared Housing		X
Group Home Type 1		
Multiple Dwelling	X	X
Private Home Daycare	X	X
Row Dwelling	X	
Street Townhouse Dwelling	X	
Shared Housing	X	

Zones such as C4-Limited General Commercial were considered but did not provide the increased parking or use flexibility provided in the C6-Downtown Commercial zone. Specifically, the C4 zone did not provide for uses such recreation centre-commercial or retail, amongst others that may locate on-site in future. Further, the C4 zone did not allow other creative/cultural uses such as an Audio/ Visual Studios or Theatres and Assembly Halls, uses of which are encouraged to located within the Downtown.

The C6 zone considers all potential future tenants that would be appropriate in this location. Businesses such as retail, commercial schools, gyms and yoga studios (recreation centre-commercial uses) promote and encourage healthy communities and are a compatible use given their proximity to employment and residential uses.

5.0 MINIMUM PARKING STANDARDS RATIONALE

For the purposes of the zoning by-law review an analysis of current and future tenants potentially leasing space on the subject lands (and within the existing structures) was completed. This analysis provided for the parking standards sought under the subject by-law amendment. These standards are appropriate given current and future tenants needs whilst supporting active and public transportation as previously outlined in Section 4.0 of this report. A comparison of parking standards proposed through the rezoning application can be found in *Table 6*.

Table 6: Parking standards comparison Table

USE	ZONING BY-LAW PARKING STANDARD (EXCEPT C6)	C6 ZONE PARKING STANDARD	PROPOSED PARKING STANDARD
Daycare Centre	1.5/ classroom plus 1/30 m ² net floor area	0 Parking required.	1/40 m ² net floor area
Institutional Use	Unless otherwise specified on Table 5.4, 1/20 m ² net floor area	0 Parking required.	1/40 m ² net floor area
Medical Office Use	5 spaces OR 1/20 m ² net floor area, whichever is greater	0 Parking required.	1/30m ² net floor area
Retail Use	1/20 m ² net floor area	0 Parking required.	1/40m ² net floor area
Personal Service Shop	1/20 m ² net floor area	0 Parking required.	1/30m ² net floor area
Place of Worship	1/5 seats or 1/3m of bench space OR 1/20 m ² gross floor area devoted for public use, whichever is greater	0 Parking required.	1/30m ² net floor area

USE	ZONING BY-LAW PARKING STANDARD (EXCEPT C6)	C6 ZONE PARKING STANDARD	PROPOSED PARKING STANDARD
All other Uses	See Zoning By-Law 2010-100Z.	0 Parking required. Unless hotel or residential uses.	C6 Parking Requirements

As previously highlighted **Section 11.4** of the Official Plan speaks to parking and states that:

“11.4 (a) New developments generally must provide an adequate supply of parking to meet anticipated demands.

(b) Based on a review of parking standards for various land uses in the City, parking requirements may be reduced in those areas that have sufficient capacity, such as the Downtown and other major Employment Areas.”

The general intent and purpose of minimum parking requirements is to ensure the parking demand generated from a property can be accommodated. The proposed parking standards for this application are supported by active transportation and transit infrastructure surrounding the lands. Further, the proposed parking standards are supported by the function of the proposed development as a mixed-use walkable development that is complemented by the numerous alternative options for parking including bicycle parking, GOVA transit, on street parking, ride-sharing, municipal parking and private parking.

The applicant has previously approached the municipality to resolve issues related to both permitted uses and parking on the subject sites. However, after numerous planning act applications there is still significant difficulty in fully tenanting the structures given inflexible parking requirements, which exceed the anticipated demand of such tenants.

Downtown Sudbury currently advertises 3,792 parking spaces located within the downtown. Given the number of parking spaces within the downtown core and the number afforded to the subject lands through existing site plan agreement, an adequate amount of parking is provided to accommodate those uses needing on-site parking given additional capacity off-site. *Table 7* provides a rationale for the proposed scoped minimum parking standards.

Table 7: Proposed Parking Standard Rationale

USE	ZONING BY-LAW PARKING STANDARD	ZONING BY-LAW PARKING STANDARD (C6 ZONE)	PROPOSED PARKING STANDARD	RATIONALE
Daycare Centre	1.5/ classroom plus 1/30 m ² net floor area	0 Parking required.	1/40 m² net floor area	<p>Parking standards are appropriate for this use given:</p> <ul style="list-style-type: none"> Recognize that clientele will likely be from Downtown area, but that Daycares require minimum staffing levels per Child Care Licensing Requirements Recognizes that parents may drive to site and drop-off children, however dedicated parking is not required for such users.
Institutional Use	Unless otherwise specified on Table 5.4, 1/20 m ² net floor area	0 Parking required.	1/40 m² net floor area	<p>Parking standards are appropriate for this use given:</p> <ul style="list-style-type: none"> Recognize that employees may come to-site from across the City given specialized fields/uses
Medical Office Use	5 spaces OR 1/20 m ² net floor area, whichever is greater	0 Parking required.	1/30m² net floor area	<p>Parking standards are appropriate for this use given:</p> <ul style="list-style-type: none"> Patients may travel from across the city to attend appointments Individuals may require a vehicle to be transported to appointments Specialized medical office uses will attract patients from a broader area which will facilitate some vehicle reliance
Retail Use	1/20 m ² net floor area	0 Parking required.	1/40m² net floor area	<p>Parking standards are appropriate for this use given:</p> <ul style="list-style-type: none"> The specialized nature of retail anticipated to locate on these properties - given the existing structures unique built-form - may draw a wider client market area than the immediate neighbourhood, while being cognisant that such retail will not be 'high-traffic generating' retail (such as grocery stores, etc).
Personal Service Shop	1/20 m ² net floor area	0 Parking required.	1/30m² net floor area	<p>Parking standards are appropriate given that:</p> <ul style="list-style-type: none"> Specialized uses will attract residents from a broader area (beyond the downtown) which will facilitate some vehicle reliance

USE	ZONING BY-LAW PARKING STANDARD	ZONING BY-LAW PARKING STANDARD (C6 ZONE)	PROPOSED PARKING STANDARD	RATIONALE
Place of Worship	1/5 seats or 1/3m of bench space OR 1/20 m ² gross floor area devoted for public use, whichever is greater	0 Parking required.	1/30m ² net floor area	Parking standards are appropriate given that: <ul style="list-style-type: none"> Residents may travel from across the City to attend services Existing built-form is not conducive to large-scale worship services that may require parking standards for of a purpose-built place of worship.
All other Uses	See Zoning By-Law 2010-100z.	0 Parking required.	C6 Parking Requirements	Standard C6 zone standards are appropriate given the subject properties' location in Downtown Sudbury.

6.0 CONCLUSION

The C6 zone is appropriate for the subject properties given their Downtown designation, location, proximity to residential and mixed-use areas, active transportation, public transit, and other service providers. The flexible introduction of expanded use permissions on these properties will promote economic development and competitiveness, thereby contributing to a diversified economic base and a wide range of economic activities in the area which will promote a more vibrant, efficient and resilient Downtown. Such outcome is the intent of the PPS, GPNO and the City's Official Plan and other municipal planning policy/implementation documents. Further, the C6 zone would allow for the more efficient use of underutilized lands in the downtown, which would support the sustainable function of this employment area by providing a wider range of uses in what is a compatible, serviced and connected area of the Downtown, which the CIP recognises is not realizing its full potential.

Given the analysis provide herein, it is the authors opinion that rezoning the lands to C6-Downtown Commercial (Special), pursuant to the scoped site-specific minimum parking standards outlined in this report, is consistent with the 2020 PPS, is consistent with the *Growth Plan for Northern Ontario*, conforms to the *City of Greater Sudbury Official Plan*, and represents good planning.


Respectfully submitted,



Kevin Jarus, M.Pl., MCIP, RPP.
Senior Planner | Project Manager

CONCEPTUAL PLAN
FOR REZONING

162 MACKENZIE STREET
30 STE ANNE ROAD
38 XAVIER STREET
CITY OF GREATER SUDBURY
TULLOCH ENGINEERING INC.
SCALE 1:750

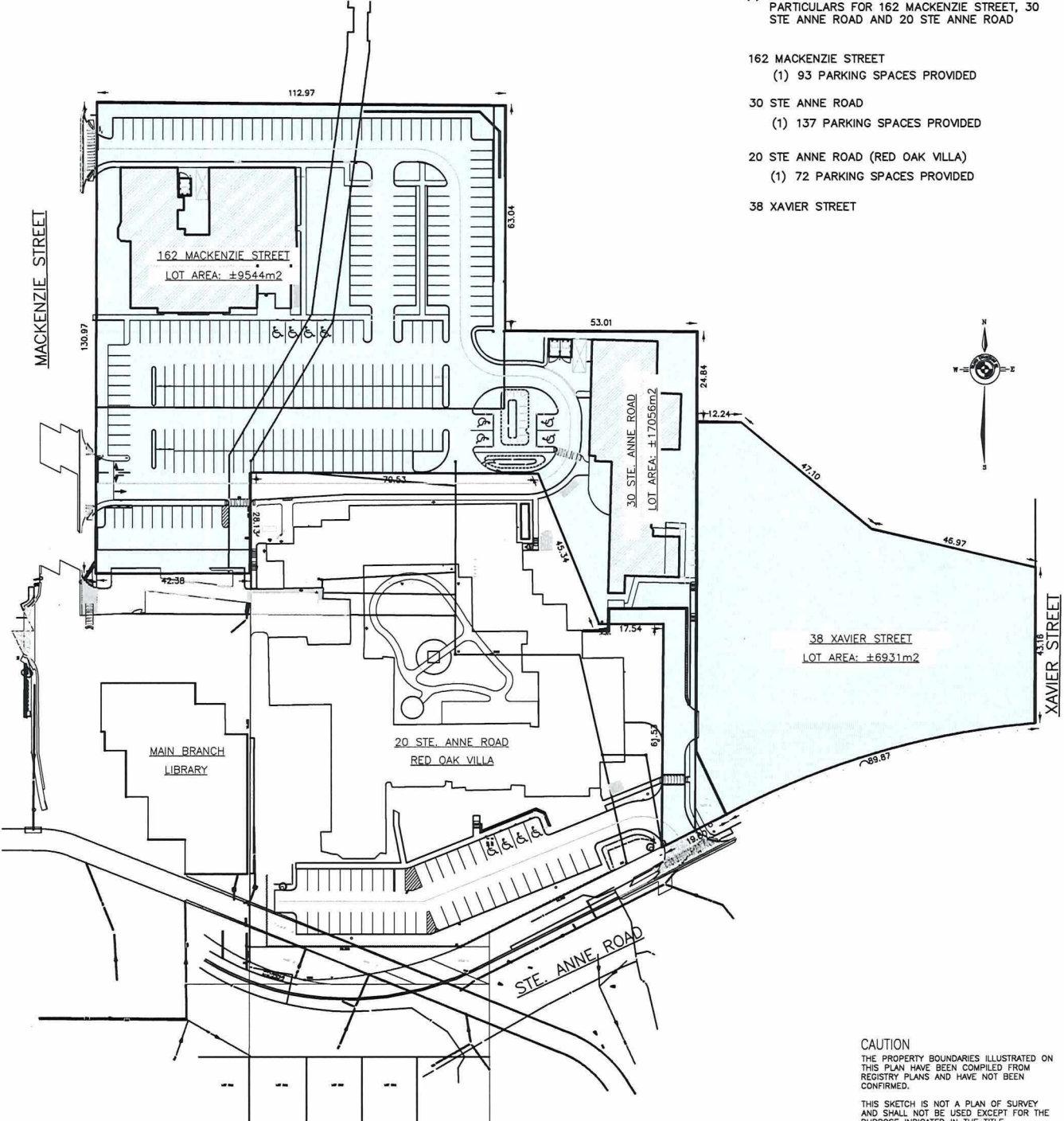


TULLOCH ENGINEERING INC.
1942 REGENT ST. T. 705 871.2295
UNIT L SUDBURY, ON F. 705 871.9477
P3E 5V5 800 810.1937
sudbury@tulloch.ca

DRAWN BY: VS FILE #191929

0m 4 8 24m

- NOTE:
- (1) SEE APPROVED SITE PLAN FOR PROPERTY PARTICULARS FOR 162 MACKENZIE STREET, 30 STE ANNE ROAD AND 20 STE ANNE ROAD
- 162 MACKENZIE STREET
(1) 93 PARKING SPACES PROVIDED
- 30 STE ANNE ROAD
(1) 137 PARKING SPACES PROVIDED
- 20 STE ANNE ROAD (RED OAK VILLA)
(1) 72 PARKING SPACES PROVIDED
- 38 XAVIER STREET



CAUTION
THE PROPERTY BOUNDARIES ILLUSTRATED ON THIS PLAN HAVE BEEN COMPILED FROM REGISTRY PLANS AND HAVE NOT BEEN CONFIRMED.
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NOV 10 2020

Sophie Baysarowich - zoning application file number 751-6/20-16

PLANNING SERVICES

From: Bob Ivey <[REDACTED]>
To: "GISPlanning@greatersudbury.ca" <GISPlanning@greatersudbury.ca>
Date: 11/10/2020 6:28 PM
Subject: zoning application file number 751-6/20-16

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Att: Alex Singbush
Manager of Development Approvals

Sent from Mail for Windows 10

In regards to this application I feel that it is too broad allowing the developer total freedom to develop this property in any way they wish with no restrictions.. zero setbacks will allow construction directly up to adjoining residential properties lack of height restrictions could allow tall buildings that would be totally out of character of the area and reduced parking requirements in an area already in need of parking would only aggravate the existing problem. The current red oak villa development will already create an additional need for parking if they do not create a great number of spaces
A reasonable buffer area should be maintained between the residential area and the high density commercial area that already exists and is currently under development.
I have no problem with development of this site but any zoning changes and easing of requirements should be directly attached to a specific a development and not allow carte blanche to the developer.

Robert Ivey
[REDACTED]
Sudbury
Owner of several properties on MacKenzie st

RECEIVED

NOV 11 2020

A.S.
M.M.

PLANNING SERVICES

From: yvonne paquette <[REDACTED]>
Sent: Wed, 11 Nov 2020 21:46:34 -0500
Subject: Notice of Application for Rezoning for Red Oak Villa Properties (30 Ste. Anne Road, 38 Xavier and 162 Mackenzie)
To: mauro.manzon@greatersudbury.ca

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear sir,

I would like to voice my concerns regarding the rezoning for Red Oak Villa Properties. My home is situated on d'Youville Street overlooking the aforementioned property. I am concerned that if the owners of Red Oaks were to erect a structure higher than what is presently there, the view from my home would be compromised. Instead of benefitting from a natural landscape, with a view of the expanse of the city in the background, and gorgeous sunsets, the skyline would be blocked by buildings and compromise the charm of our community. Trusting that the committee will weigh our concerns in a positive light. Yvonne Paquette
[REDACTED]

Envoyé de mon iPad

Request for Decision

Part of Alder Street, Sudbury - Road Closure and Declaration of Surplus Land

Presented To:	Planning Committee
Presented:	Monday, Feb 22, 2021
Report Date	Wednesday, Feb 10, 2021
Type:	Routine Management Reports

Resolution

THAT the City of Greater Sudbury closes by by-law and declares surplus to the City's needs part Alder Street, Sudbury, north of Willow Street, south of Victoria Street and legally described part of PIN 73585-1085(LT), part of Alder Street, Plan 31SA, City of Greater Sudbury;

AND THAT the land be offered for sale to the abutting property owner to the east, pursuant to the procedures governing the sale of limited marketability surplus land as outlined in Property By-law 2008-174;

AND THAT the City of Greater Sudbury directs staff to prepare a by-law authorizing the closing of part of Alder Street, Sudbury, north of Willow Street and south of Victoria Street, as outlined in the report entitled "Part of Alder Street, Sudbury - Road Closure and Declaration of Surplus Land", from the General Manager of Corporate Services, presented at the Planning Committee meeting on February 22, 2021.

Relationship to the Strategic Plan / Health Impact Assessment

This report refers to an operational matter.

Report Summary

This report will recommend that part Alder Street, Sudbury, north of Willow Street and south of Victoria Street be closed by by-law, declared surplus to the City's needs and offered for sale to the abutting owner to the east.

Financial Implications

This report has no financial implications.

Signed By

Report Prepared By

Angela Roy
Property Administrator
Digitally Signed Feb 10, 21

Manager Review

Keith Forrester
Manager of Real Estate
Digitally Signed Feb 10, 21

Recommended by the Division

Shawn Turner
Director of Assets and Fleet Services
Digitally Signed Feb 10, 21

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Feb 10, 21

Recommended by the Department

Kevin Fowke
General Manager of Corporate Services
Digitally Signed Feb 10, 21

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Feb 10, 21

Part of Alder Street, Sudbury Road Closure and Declaration of Surplus Land

Presented: February 22, 2021

Report Date: January 29, 2021

Background

The subject road measures 20 metres in width by 80 metres in length and has a split zoning of "MI-1", Business Industrial and "R2-3", Low Density Residential Two. The road is currently open and publicly maintained. The location of the subject road is identified on the attached Schedule 'A'.

In November 2015, the City received a request from the owners of 185 & 227 Lorne Street, Sudbury, to close and sell the subject portion of Alder Street. The proposed closure and sale was circulated to all City departments and outside agencies. At that time, the City's Operations section requested that the City retain a portion of the land for winter control purposes. In addition, the various utility agencies requested that easements be granted to protect existing plant. No further objections were received.

At the same time, the City consented to the subject portion of the road allowance being included in a rezoning application by the abutting land owner for the future development of their property.

In November 2016, City Council approved the rezoning application to permit the conversion of the former industrial building, located at 185 & 227 Lorne Street, Sudbury, along with a five-storey addition as a mixed use development containing 50 residential dwelling units and a mix of commercial and light industrial uses, which included the subject portion of Alder Street. The rezoning approval was subject to specific conditions, which included a provision that the land would be subject to a holding provision and that it would not be removed until such time as the owner had entered into an agreement to acquire or had acquired the portion of Alder Street to be closed to the satisfaction of the City Solicitor.

In April 2018, Council for the City of Sudbury passed a resolution approving Planning Committee resolution PL2018-42 declaring only *part* of the subject section of road allowance surplus to its needs with a view of offering the closed road allowance for sale to the abutting owner. Subsequent to this decision, Growth and Infrastructure had further meetings and discussions with the abutting owner. It was determined that it would be appropriate to dispose of all of that part of Alder Street, north of Willow Street and south of Victoria Street, subject to a blanket easement for City purposes, rather than retaining ownership of part of the said section of road allowance. The City will enter into a separate agreement with the abutting owner, likely during the site plan approval stage, to address specific matters related to landscaping, gates, snow removal areas, etc. The purpose of the secondary agreement would be to override the more general provisions in the blanket easement. The abutting land owner provided a rendering of the proposed park, easement (right-of-way) and winter maintenance access for the Committee's information, a copy of which is attached as Schedule 'B'.

In addition, it was also determined that blanket easements would be granted to Greater Sudbury Utilities Inc., Bell Canada and Union Gas to protect existing plant.

This report is being presented in order to close and declare surplus that part of Alder Street north of Willow Street and south of Victoria Street, in order to move forward with the potential sale of the road allowance to the abutting owner to the east. It will also allow the abutting owner to fulfill the condition imposed by the City's Planning Committee on their rezoning application, as to acquiring the portion of Alder Street.

Recommendation

It is recommended that part of Alder Street, Sudbury, north of Willow Street and south of Victoria Street, be closed by by-law and declared surplus to the City's needs and offered for sale to the abutting owner to the east.

If approved, a further report will follow with respect to the sale transaction. The by-law closing the road will not be presented to Council until the sale has been approved.

Resources

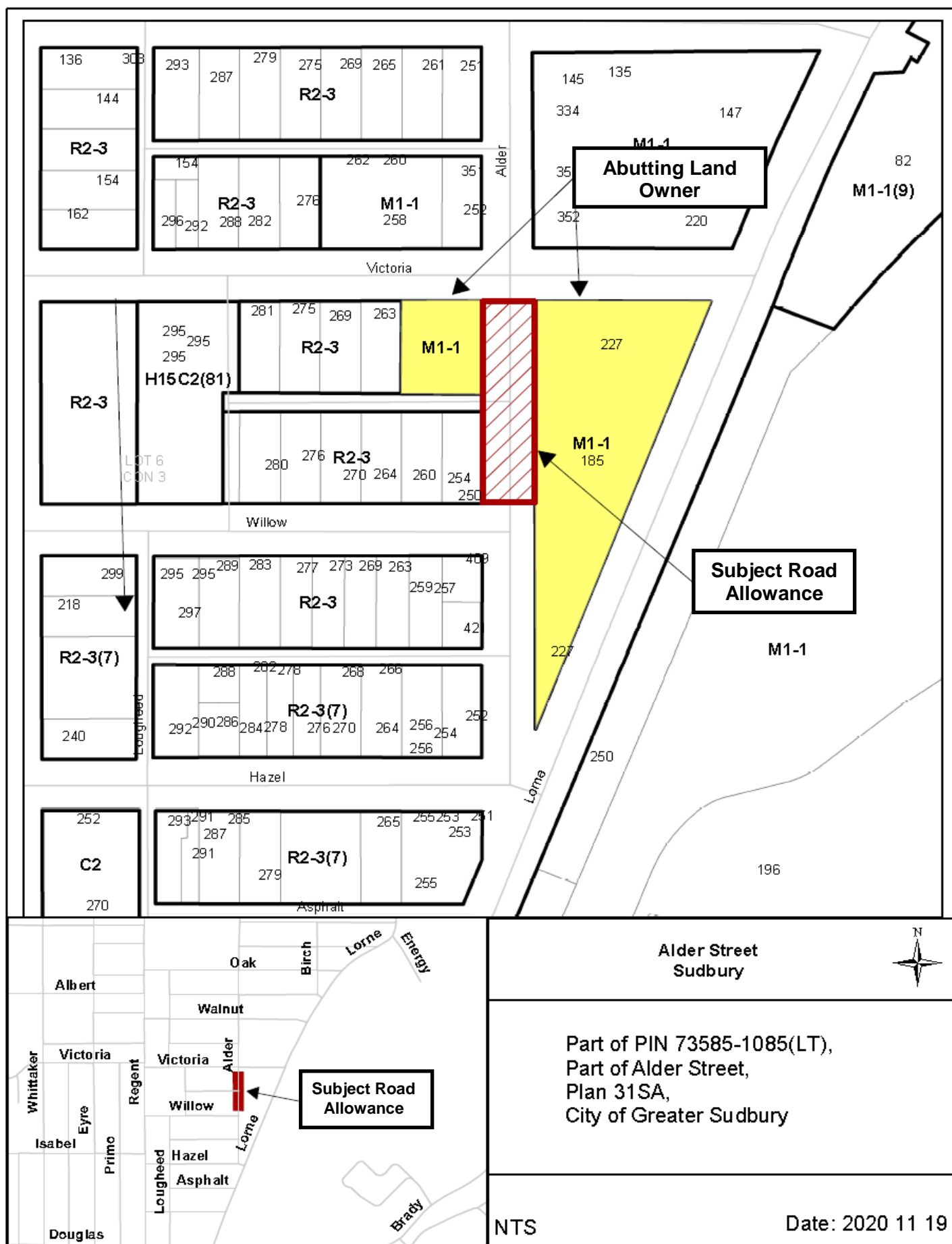
Planning Committee, Request for Decision, Oldenburg Inc. - Application for rezoning in order to permit the conversion of the former industrial building along with a five-storey addition as a mixed use development containing 50 residential dwelling units and a mix of commercial and light industrial uses, 185 & 227 Lorne Street, Sudbury, Planning Committee, November 21, 2016

<https://agendasonline.greatersudbury.ca/index.cfm?pg=feed&action=file&agenda=report&itemid=6&id=995>

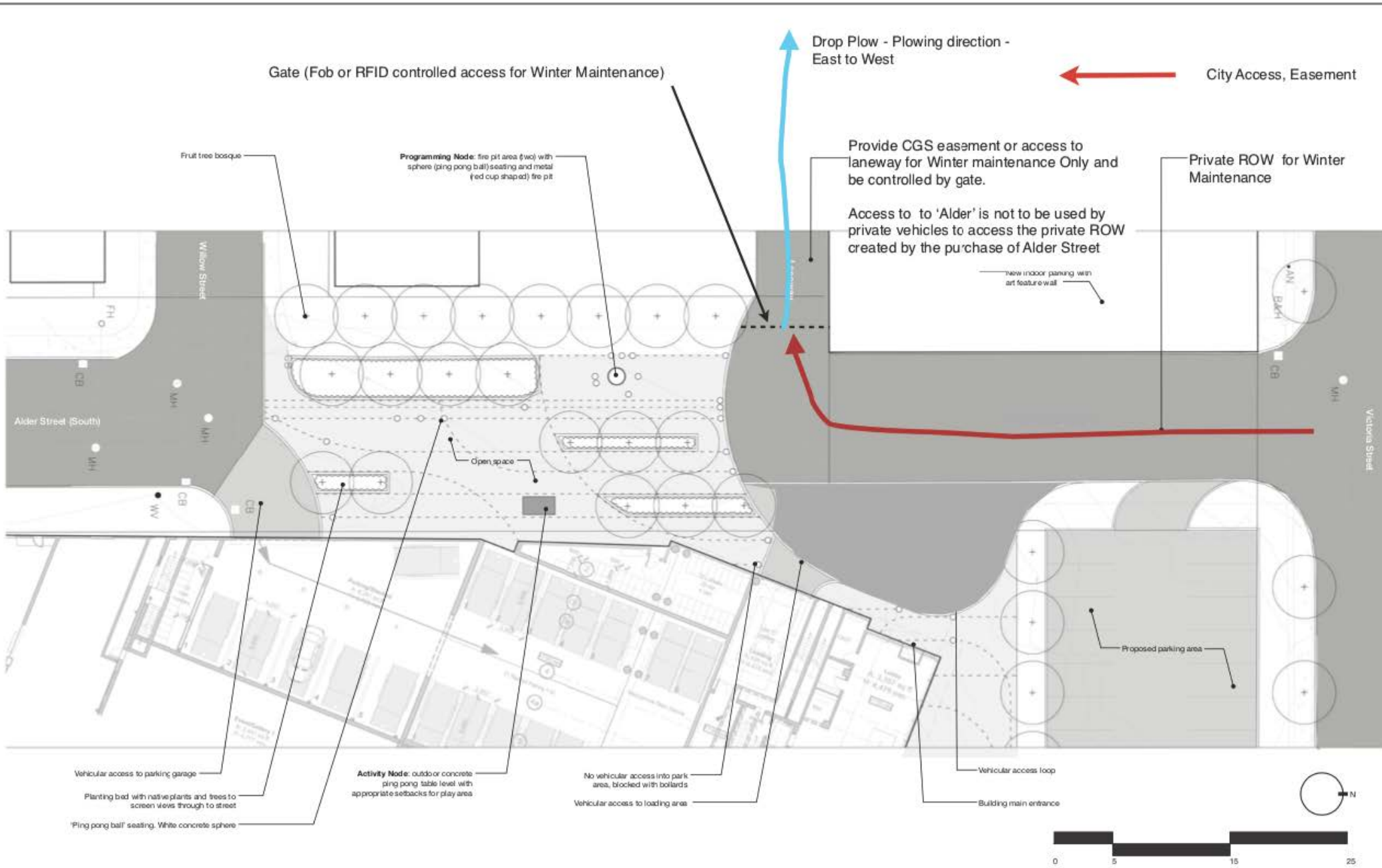
Planning Committee, Request for Decision, Part of Alder Street Sudbury – Road Closure and Declaration of Surplus Land, March 5, 2018.

<https://agendasonline.greatersudbury.ca/index.cfm?pg=agenda&action=navigator&id=1219&itemid=14743&lang=en>

Schedule 'A'



Schedule 'B'



The park is playful both in its concept and programme. The concept is derived from the former unique industrial use of the building - a brewery. For many, the experiences had with beer are ones filled with enjoyment; experimenting with taste, toxicity and troublemaking. At different stages of life, beer is consumed differently, though, always rooted in fun. Alder Park is designed with this in mind. The park focuses on lighter side of beer - an innocent time when consuming beer is celebrated along side red cups and ping pong balls.



Throughout the site, white spheres serve as seating and bollards, symbolizing ping pong balls. A unique and interesting feature, they are sure to inspire conversation at least. The white spheres are integral to the paving pattern. An alternating line of unit pavers leads from each sphere symbolizing the path of flight of a ping pong ball as they arc gently towards a red cup. What's more fitting than enjoying a beer around a fire on a cool summer evening? Fire pit areas will feature metal fire pits in the shape of a red cup. The fire pit will be surrounded by spheres for seating but has enough space to accommodate extra chairs for larger parties.

The Brewer Lofts - Landscape Design

The site will feature planting beds that follow the gentle curves in the paving pattern. The beds will feature resilient native plant material, ornamental grasses and full form specimen trees to provide shade in parts of the park.



At the centre of the vehicular entry loop, there will be a water feature incorporating the existing large brewing tank from the former brewery. The tank will be retrofitted so water gushes out the bottom into a holding reservoir with a metal grate covering it. In addition to holding water, the reservoir will be planted with resilient water plants which will peak through the grate creating the illusion that the water feature is built on a vegetated green mat.



Existing Brewery Tank



Proposed Fountain

Every park should include the opportunity for active physical enjoyment. As such, Alder Park will include two outdoor ping pong tables. Ping pong, or table tennis, is an accessible sport that has been included in the Olympics and Paralympics since 1988 and 1960, respectively. It's a fun and engaging sport which can be played by individuals from 8 to 80 years of age.

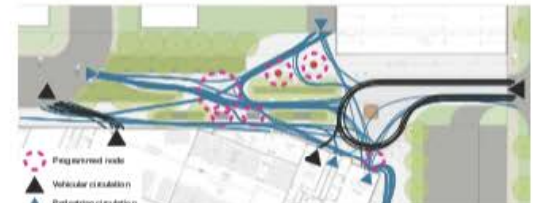


Outdoor Ping Pong Table (Riverdale Park East, Toronto)



Outdoor Ping Pong Table Detail

Considering the unique urban context of the park is important when designing the internal form system. Urban parks tend to be very connected to their surroundings. In this instance, two streets front the park, as well as a laneway and multiple buildings. Access to the main ingress and egress points must be easily accessible, but still, the circulation within the site should maintain an experience that is interesting and playful. Indirectly-direct routes take users from one end of the park to the other, and lead from the building to the laneway. Instead of being a straight path, routes are slightly biased, or include visual screening and may incorporate 'obstacles' such as seating, planting beds, or programmed areas to entice the user to slow down and enjoy the space.



Main Paths of Circulation and Gathering Areas



INSPIRATION BOARD



Request for Decision

Deschene Road, Hanmer

Presented To:	Planning Committee
Presented:	Monday, Feb 22, 2021
Report Date	Monday, Feb 01, 2021
Type:	Managers' Reports
File Number:	751-7/20-07

Resolution

THAT the City of Greater Sudbury approves the application by Keystone Homes Inc. to amend Zoning By-law 2010-100Z by removing the “H”, Holding Designation on lands described as PIN 73504-3102, Part 3, Plan 53R-21074 in Lot 5, Concession 3, Township of Hanmer, as outlined in the report entitled “Deschene Road, Hanmer”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on February 22, 2021, in order to permit an 80-unit row dwelling complex.

Relationship to the Strategic Plan / Health Impact Assessment

The application to lift a holding designation is an operational matter under the Planning Act to which the City is responding. The proposal seeks to expand the range of new housing throughout the City, and is therefore consistent with the objectives of the Strategic Plan.

Report Summary

An application to lift a holding designation on lands zoned “H43C2”, Holding General Commercial, has been submitted in order to develop an 80-unit row dwelling complex on Deschene Road in Hanmer. The application is recommended for approval as the conditions to lifting the holding designation are no longer relevant and are superseded by a concurrent rezoning to “R3 Special”, Medium Density Residential Special and “C2”, General Commercial. The holding designation will remain on abutting lands under separate ownership.

Financial Implications

Signed By

Report Prepared By

Mauro Manzon
Senior Planner
Digitally Signed Feb 1, 21

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Feb 1, 21

Recommended by the Division

Alex Singbush
Manager of Development Approvals
Digitally Signed Feb 1, 21

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Feb 3, 21

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Feb 7, 21

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Feb 8, 21

If approved, staff estimate approximately \$260,000 in taxation revenue based on the assumption of 80 units of row dwelling units (and estimated assessed value of \$275,000 per unit) at the 2020 property tax rates.

In addition, this development would result in total development charges of approximately \$840,000 based on assumption of 80 units of row dwelling units based on rates in effect as of this report.

Staff Report

Applicant:

Keystone Homes Inc.

Location:

PIN 73504-3102, Part 3, Plan 53R-21074 in Lot 5, Concession 3, Township of Hanmer (Deschene Road, Hanmer)

Application:

To amend [By-law 2010-100Z](#) being the City of Greater Sudbury Zoning By-law by removing the “H”, Holding Designation on lands zoned “H43C2”, Holding General Commercial. The subject lands will be rezoned “R3 Special”, Medium Density Residential Special and “C2”, General Commercial as part of a concurrent proposal to develop the site on Deschene Road in Hanmer. The holding designation will remain on abutting lands under separate ownership.

Proposal:

Planning Committee Resolution PL2020-137 was approved by Council on November 24, 2020 in order to permit the following:

1. Rezone part of PINs 73504-3102 and 73504-2283 to R3 Special in order to permit an 80-unit row dwelling complex and related accessory uses, to include an outdoor recreation area and stormwater facilities on abutting rural lands; and,
2. Consolidate an approximate 1,752 m² southerly portion of PIN 73504-3102 with abutting PIN 73504-1924 (5074 Highway 69 North) and rezone to “C2”, General Commercial.

Background:

The holding provision was applied in March 2019 order to accommodate the severance of the subject land from the rural parent parcel (File 751-7/18-4; Resolution PL2020-19; By-law 2019-46Z). The “H43”, Holding symbol shall only be removed by Council provided the following conditions are first satisfied:

- i) The owners shall have entered into a servicing agreement with the City of Greater Sudbury respecting the extension of municipal sanitary sewer services to service the lands subject to the “H”, Hold symbol, and agree to contribute towards the cost of the extension of the sanitary sewer;
- ii) Municipal sanitary services are available to service the development;
- iii) A traffic impact analysis which identifies those road improvements which are required to support the uses permitted on the lands subject to the “H”, Hold symbol and that the owner enter into an agreement with the City to contribute towards the cost of any improvements or upgrades identified in the study including a paved shoulder on the west side of Deschene Road from the north limit of the lands subject to the “H” to Municipal Road 80;
- iv) Stormwater Management Report, to include details concerning a stormwater drainage outlet for the site and that the owner enter into an agreement with the City to contribute towards the cost of any drainage improvements identified in the report.

Title: Deschene Road, Hanmer

Date: January 25, 2021

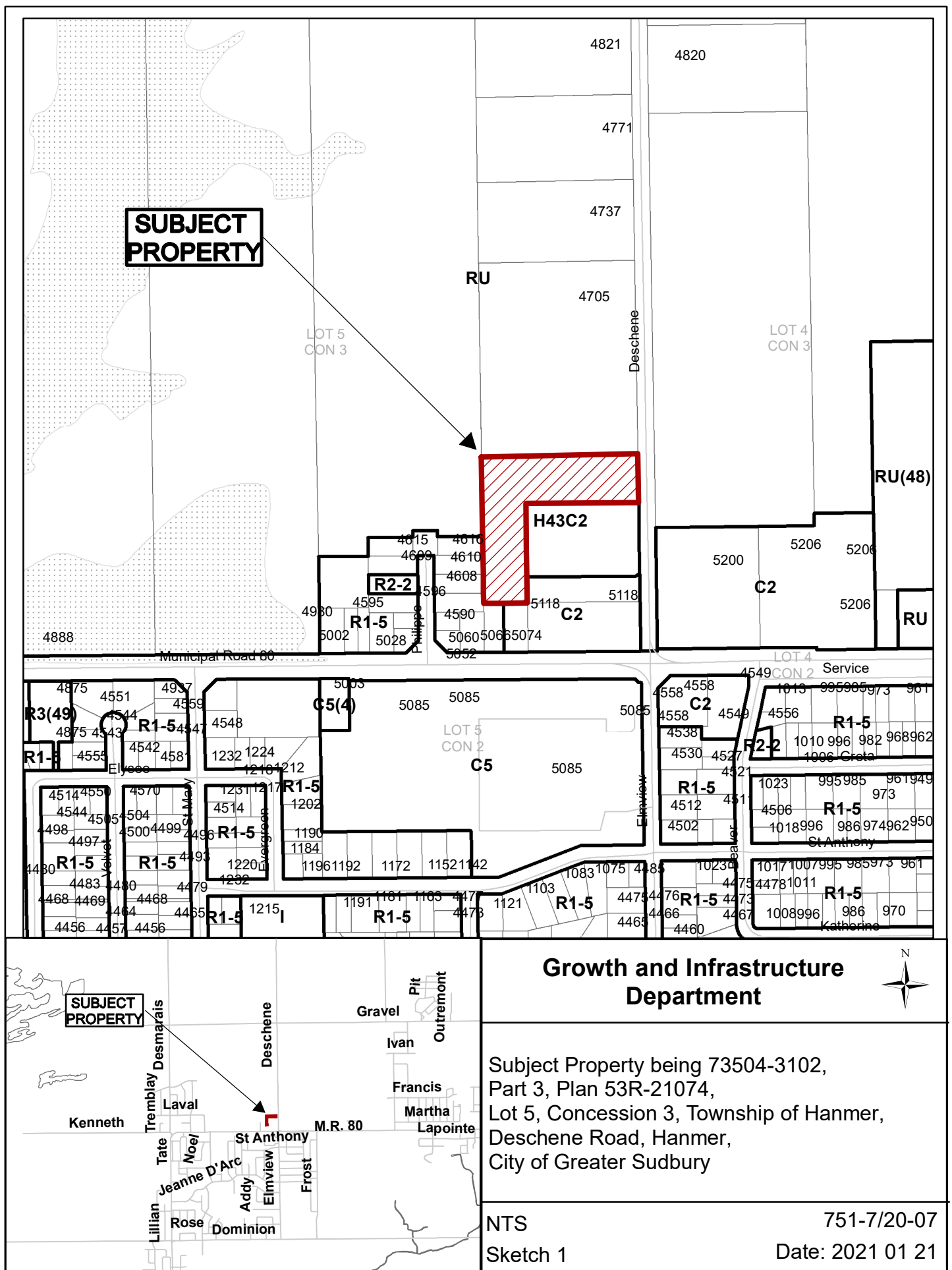
Planning considerations:

The removal of the holding designation is viewed as a technical amendment, as the conditions for lifting the holding provision are no longer relevant and will be superseded by the "R3 Special", Medium Density Residential Special and "C2", General Commercial zoning. Following the initial implementation of the holding designation, the owner subsequently acquired adjacent lands and the proposed row dwelling complex can now be serviced from Philippe Street. A Traffic Impact Study is not required for this specific development and matters related to stormwater management can be addressed at site plan stage.

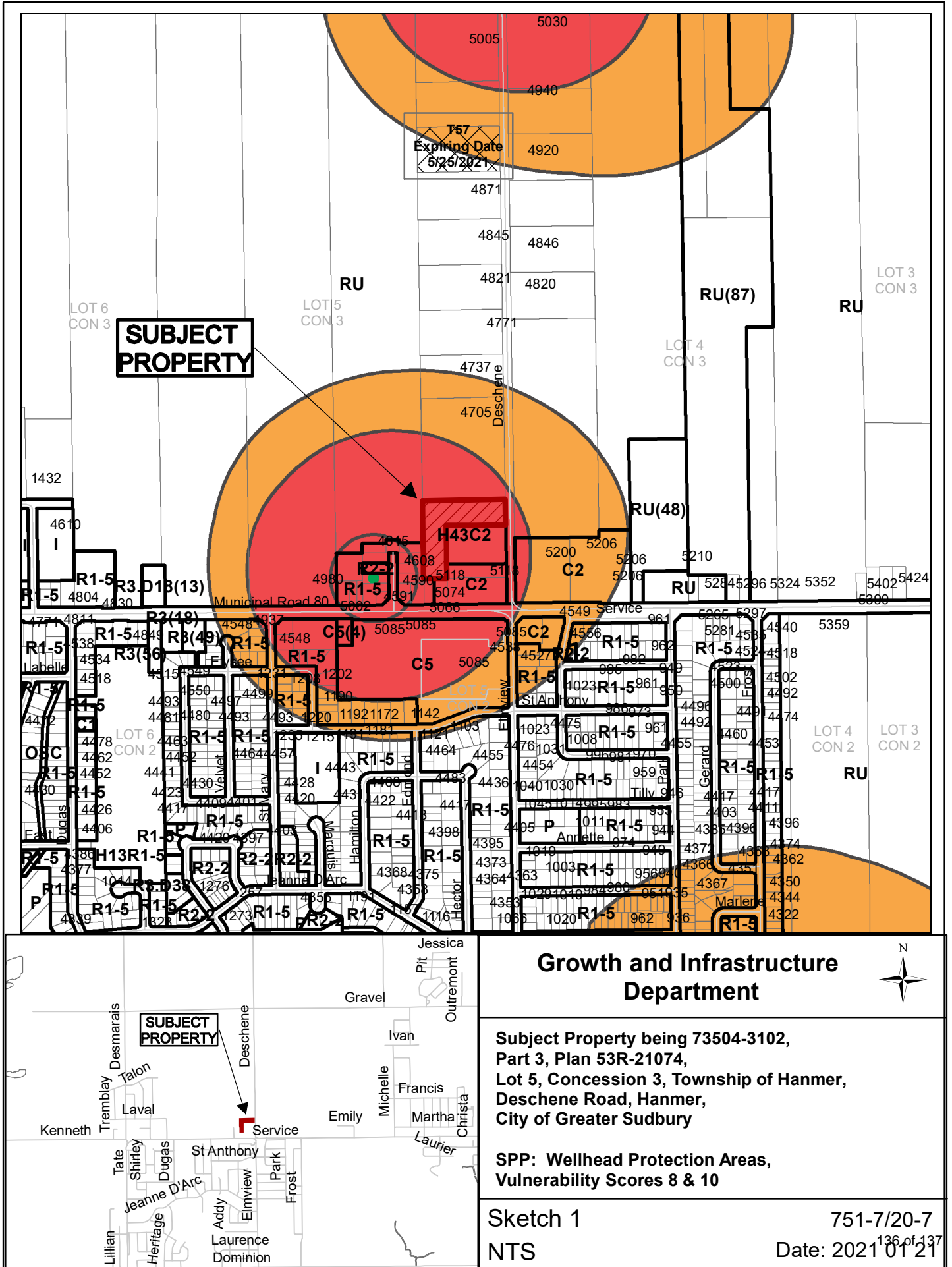
It is therefore recommended that the holding provision be lifted in order for development to proceed.

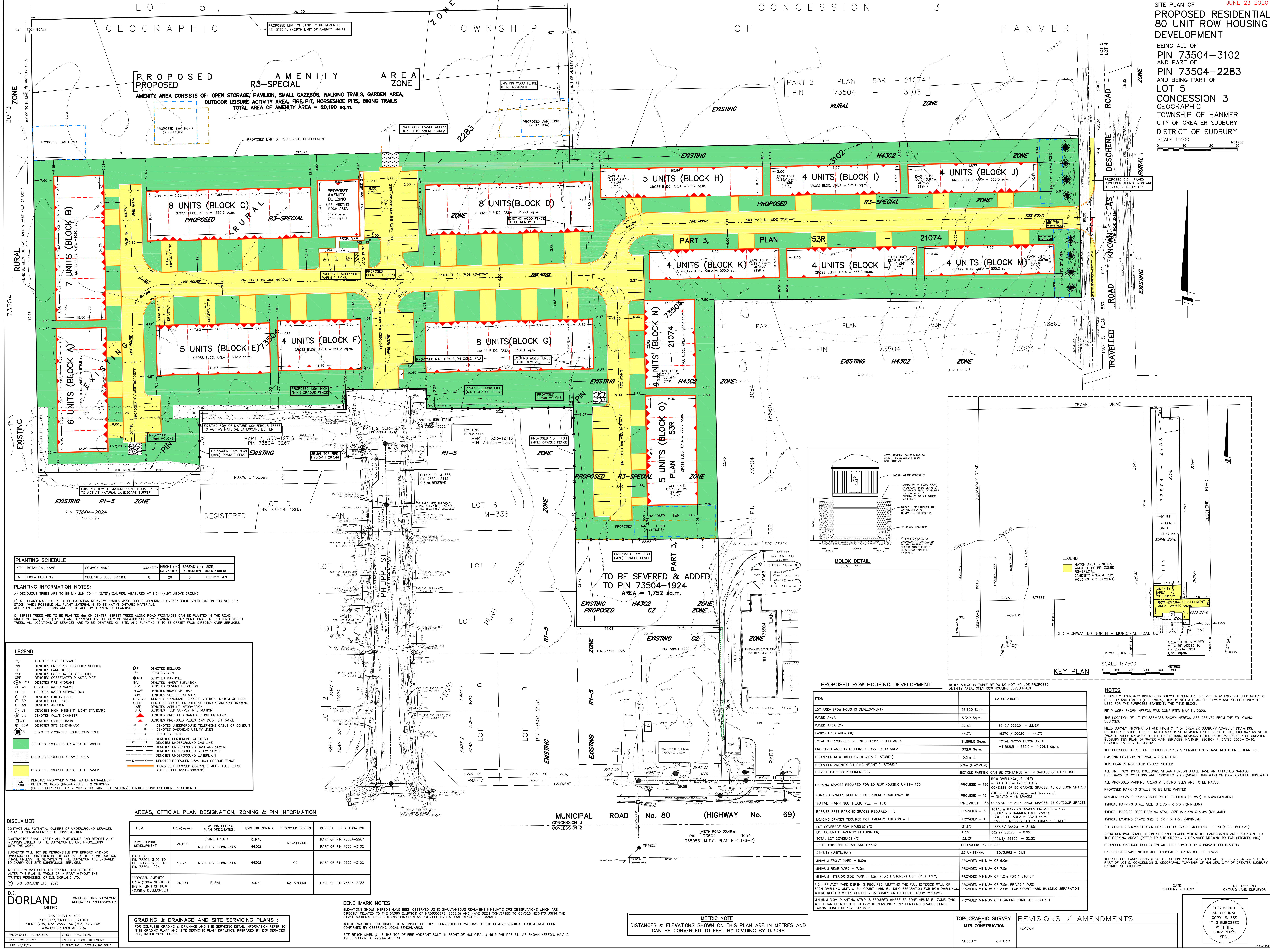
The holding designation will remain on abutting lands under separate ownership for which the conditions remain applicable.

.



Source Protection Plan Map





DISCLAIMER
CONTACT ALL POTENTIAL OWNERS OF UNDERGROUND SERVICES PRIOR TO COMMENCEMENT OF CONSTRUCTION.
CONTRACTOR SHALL VERIFY ALL OWNERS AND REPORT ANY INCONSISTENCIES TO THE SURVEYOR BEFORE PROCEEDING WITH THE WORK.
SURVEYOR WILL NOT BE RESPONSIBLE FOR ERRORS AND/OR OMISSIONS ENCOUNTERED IN THE COURSE OF THE CONSTRUCTION PHASE UNLESS THE SERVICES OF THE SURVEYOR ARE ENGAGED TO CARRY OUT SITE SUPERVISION SERVICES.
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D.S. DORLAND LIMITED
288 LARCH STREET
SUDBURY, ONTARIO, P3B 1M1
PHONE (705) 873-2266 FAX (705) 873-1051
WWW.DSODORLANDLTD.COM
PREPARED BY: A. KATYPPA SCALE: 1:400 METRIC
DATE: APR 23 2020 CAD FILE: 1000-10701-MR-03
FIELD: MR/20/04 P. SPACE: TAB 1: SITEPLAN 400 SCALE

AREAS, OFFICIAL PLAN DESIGNATION, ZONING & PIN INFORMATION				
ITEM:	AREA (sq.m.)	EXISTING OFFICIAL PLAN DESIGNATION:	EXISTING ZONING:	PROPOSED ZONING: CURRENT PIN DESIGNATION:
ROW HOUSING DEVELOPMENT	36,620	LIVING AREA 1	RURAL	R3-SPECIAL PART OF PIN 73504-2283
PART OF PIN 73504-3102 TO BE TRANSFERRED TO PIN 73504-1924	1,752	MIXED USE COMMERCIAL	H43C2	C2 PART OF PIN 73504-3102
PROPOSED AMENITY AREA (100m NORTH OF THE N. LIMIT OF ROW HOUSING DEVELOPMENT)	20,190	RURAL	RURAL	R3-SPECIAL PART OF PIN 73504-2283

BENCHMARK NOTES
ELEVATIONS SHOWN HEREON HAVE BEEN OBSERVED USING SIMULTANEOUS REAL-TIME KINEMATIC GPS OBSERVATIONS WHICH ARE DIRECTLY RELATED TO THE OSRD ELLIPSOID OF NAD83(CSRS, 2002.0) AND HAVE BEEN CONVERTED TO CGVD28 HEIGHTS USING THE HTVD28 NATIONAL HEIGHT TRANSFORMATION AS PROVIDED BY NATURAL RESOURCES CANADA.
WHERE PRACTICAL THE DIRECT RELATIONSHIP OF THESE CONVERTED ELEVATIONS TO THE CGVD28 VERTICAL DATUM HAVE BEEN CONFIRMED BY OBSERVING LOCAL BENCHMARKS.
SITE BENCHMARK #1 IS THE TOP OF FIRE HYDRANT BOLT, IN FRONT OF MUNICIPAL # 4615 PHILIPPE ST., AS SHOWN HEREON, HAVING AN ELEVATION OF 233.44 METERS.

GRADING & DRAINAGE AND SITE SERVICING PLANS :
FOR COMPLETE GRADING & DRAINAGE AND SITE SERVICING DETAIL INFORMATION REFER TO "SITE GRADING PLAN" AND "SITE SERVICING PLAN" DRAWINGS, PREPARED BY EXP SERVICES INC., DATED 2020-XX-XX

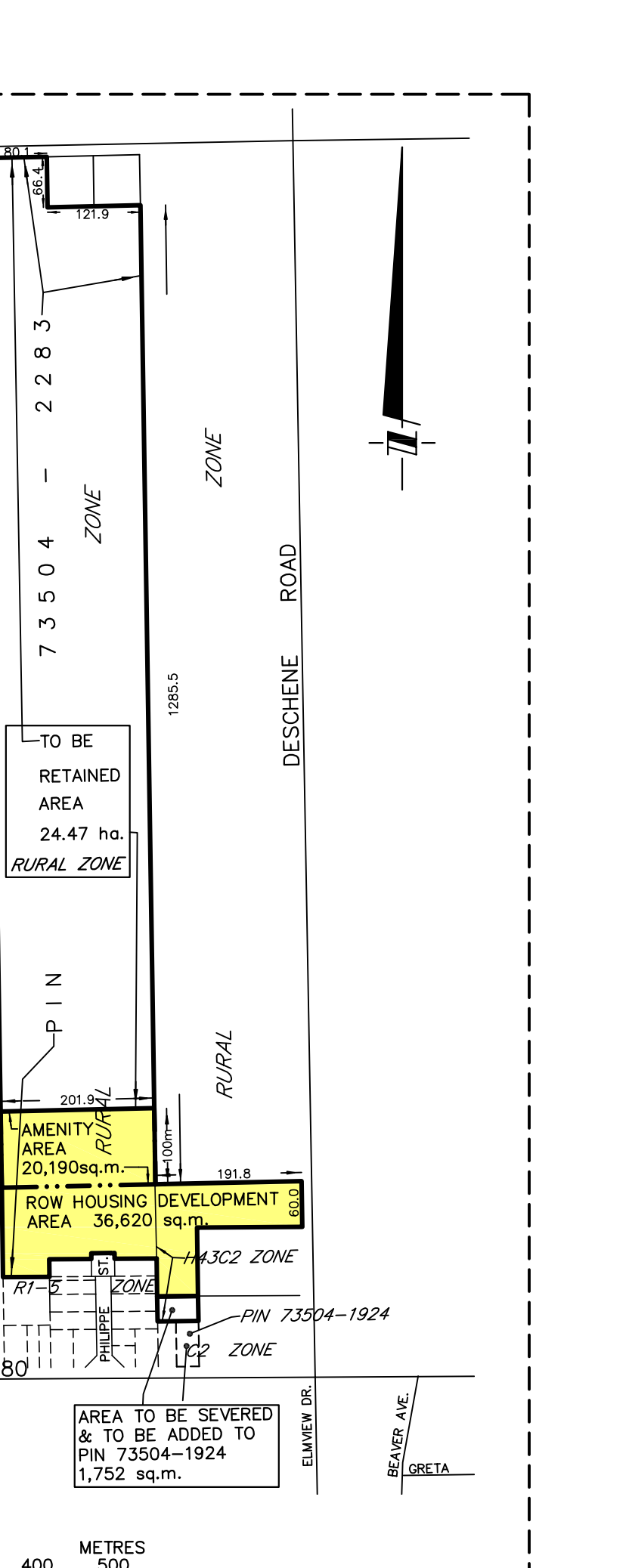
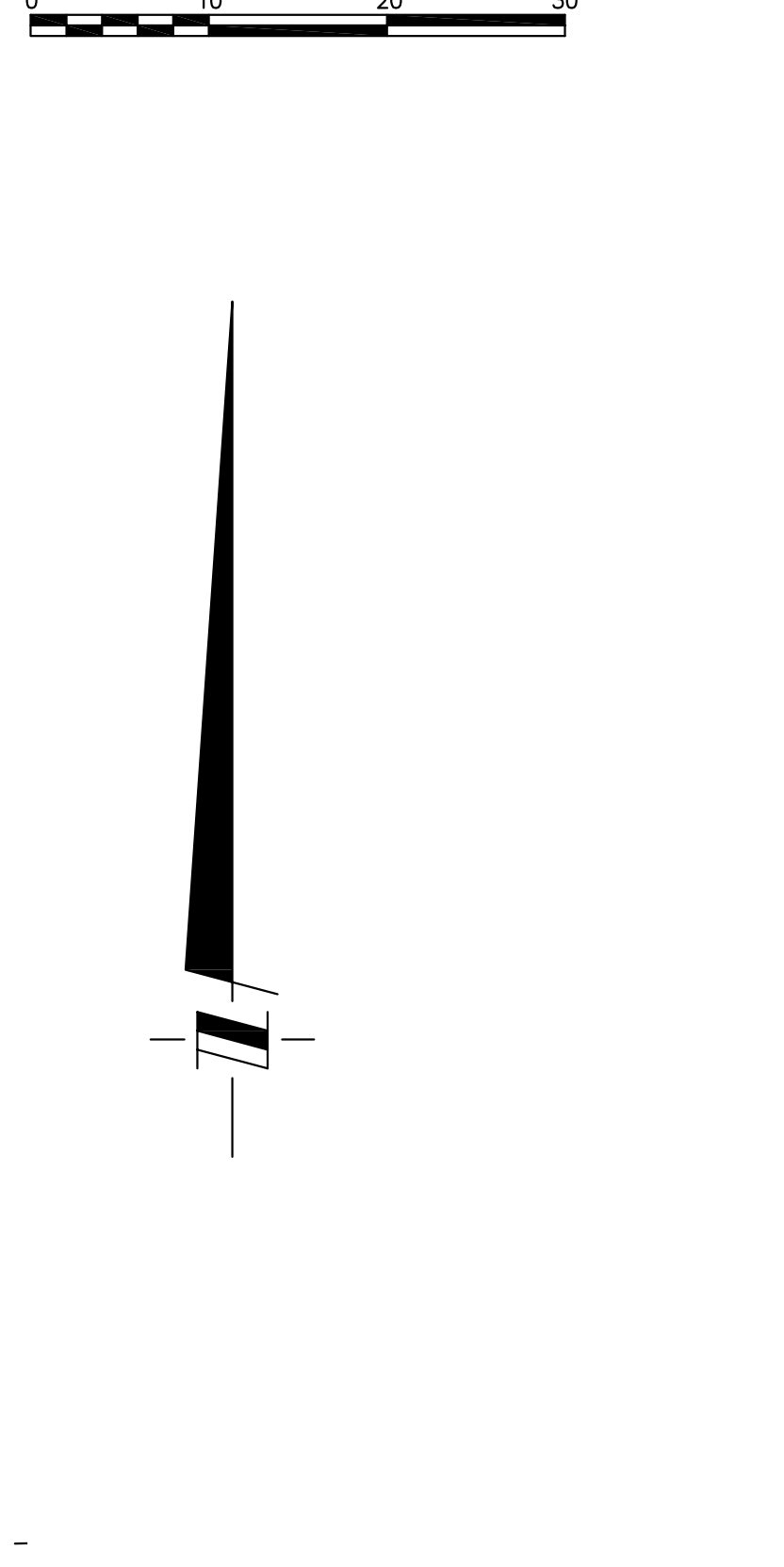
METRIC NOTE
DISTANCES & ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

TOPOGRAPHIC SURVEY
MTR CONSTRUCTION
SUDBURY ONTARIO

REVISIONS / AMENDMENTS
REVISION

NOTES
THIS IS NOT AN ORIGINAL COPY UNLESS IT IS EMBOSSED WITH THE SURVEYOR'S SEAL

PRELIMINARY DISTRIBUTION PLAN
JUNE 23 2020
SHEET PLAN OF
PROPOSED RESIDENTIAL 80 UNIT ROW HOUSING DEVELOPMENT
BEING ALL OF
PIN 73504-3102
AND PART OF
PIN 73504-2283
AND BEING PART OF
LOT 5
CONCESSION 3
GEOGRAPHIC
TOWNSHIP OF HANMER
CITY OF GREATER SUDBURY
DISTRICT OF SUDBURY
SCALE 1:400



ITEM:	AREA (sq.m.)	EXISTING OFFICIAL PLAN DESIGNATION:	EXISTING ZONING:	PROPOSED ZONING: CURRENT PIN DESIGNATION:
LOT AREA (ROW HOUSING DEVELOPMENT)	36,620			
PAVED AREA	8,349			
PAVED AREA (%)	22.8%			
LANDSCAPED AREA (%)	44.7%			
TOTAL OF PROPOSED 80 UNITS GROSS FLOOR AREA	11,568.5			
PROPOSED AMENITY BUILDING GROSS FLOOR AREA	332.9			
PROPOSED ROW DWELLING HEIGHTS (1 STOREY)	5.5m ±			
PROPOSED AMENITY BUILDING HEIGHT (1 STOREY)	5.0m (MAXIMUM)			
BICYCLE PARKING REQUIREMENTS				
PARKING SPACES REQUIRED FOR 80 ROW HOUSING UNITS= 120				
PARKING SPACES REQUIRED FOR AMENITY BUILDING= 16				
TOTAL PARKING: REQUIRED = 136				
BARRIER FREE PARKING SPACES REQUIRED = 3				
LOADING SPACES REQUIRED FOR AMENITY BUILDING = 1				
LOT COVERAGE ROW HOUSING (%)	31.6%			
LOT COVERAGE AMENITY BUILDING (%)	0.9%			
TOTAL LOT COVERAGE (%)	32.5%			
ZONE: EXISTING: RURAL AND H43C2				
DENSITY (UNITS/HA)	22 UNITS/HA			
MINIMUM FRONT YARD = 6.0m				
MINIMUM REAR YARD = 7.5m				
MINIMUM INTERIOR SIDE YARD = 1.2m (FOR 1 STOREY) 1.8m (2 STOREY)				
7.5m PRIVACY YARD DEPTH IS REQUIRED ABUTTING THE FULL EXTERIOR WALL OF EACH DWELLING UNIT, & 3m COURT YARD BUILDING SEPARATION FOR ROW DWELLINGS, WHERE NEITHER WALLS CONTAINS BALCONIES OR HABITABLE ROOM WINDOWS				
MINIMUM 3.0m PLANTING STRIP IS REQUIRED WHERE R3 ZONE ABUTS R1 ZONE. THIS STRIP CAN BE REDUCED TO 1.5m IF PLANTING STRIP CONTAINS OPAQUE FENCE HAVING HEIGHT OF 1.5m OR MORE				
PROVIDED MINIMUM OF 7.5m				
PROVIDED MINIMUM OF 8.0m				
PROVIDED MINIMUM OF 1.2m FOR 1 STOREY				
PROVIDED MINIMUM OF 3.0m FOR COURT YARD BUILDING SEPARATION				
PROVIDED MINIMUM OF PLANTING STRIP AS REQUIRED				