



PLANNING COMMITTEE AGENDA

Planning Committee Meeting
Monday, January 11, 2021
Tom Davies Square - Council Chamber / Electronic Participation

COUNCILLOR FERN CORMIER, CHAIR

Robert Kirwan, Vice-Chair

12:00 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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Your information is collected for the purpose of informed decision-making and transparency of City Council decision-making under various municipal statutes and by-laws and in accordance with the *Municipal Act, 2001, Planning Act, Municipal Freedom of Information and Protection of Privacy Act* and the City of Greater Sudbury's *Procedure By-law*.

For more information regarding accessibility, recording your personal information or live-streaming, please contact Clerk's Services by calling 3-1-1 or emailing clerks@greatersudbury.ca.

ROLL CALL

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

- Purchase of Property - St. Charles Street, Sudbury
- Purchase of Property - Notre Dame Avenue, Sudbury

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

(RESOLUTION PREPARED)

RECESS

ROLL CALL

DECLARATIONS OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

APPOINTMENT OF COMMITTEE CHAIR AND VICE-CHAIR

Report dated December 17, 2020 from the General Manager of Corporate Services regarding Appointment of Chair and Vice-Chair - Planning Committee.

11 - 12

(RESOLUTION PREPARED)

(The current Chair will call the meeting to order and preside until the Planning Committee Chair and Vice-Chair have been appointed, at which time the newly appointed Chair will preside over the balance of the meeting.)

PUBLIC HEARINGS

1. Report dated December 14, 2020 from the General Manager of Growth and Infrastructure regarding 0 Pearl Street, Sudbury.

13 - 53

(RESOLUTION PREPARED)

- Glen Ferguson, Senior Planner

(This report provides a recommendation regarding an application for rezoning in order to permit a multiple dwelling with institutional, office, and personal service shop uses on the main floor, 0 Pearl Street, Sudbury - 1930167 Ontario Ltd.)

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

2. Report dated December 14, 2020 from the General Manager of Growth and Infrastructure regarding 17-19 Main Street East, Chelmsford.

54 - 78

(RESOLUTION PREPARED)

- Glen Ferguson, Senior Planner

(This report provides a recommendation regarding an application for rezoning in order to permit a multiple dwelling containing four residential dwelling units, 17-19 Main Street East, Chelmsford - C. Enfield Inc.)

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 ITEMS C-1 to C-6)

ROUTINE MANAGEMENT REPORTS

- | | |
|---|----------------|
| C-1. Report dated December 11, 2020 from the General Manager of Growth and Infrastructure regarding 1381 Vermilion Lake Road, Chelmsford.
(RESOLUTION PREPARED)

(This report provides a recommendation regarding the consent referral for property at 1381 Vermilion Lake Road, Chelmsford - Ron & Lise Gosselin.) | 79 - 86 |
| C-2. Report dated December 15, 2020 from the General Manager of Corporate Services regarding Greenvalley Drive, Sudbury – Declaration of Surplus Vacant Land.
(RESOLUTION PREPARED)

(The report provides a recommendation regarding declaration of surplus vacant land, Greenvalley Drive, Sudbury.) | 87 - 89 |
| C-3. Report dated December 11, 2020 from the General Manager of Growth and Infrastructure regarding Municipal Road #80, Hanmer.
(RESOLUTION PREPARED)

(This report provides a recommendation regarding the consent referral for property at Municipal Road #80, Hanmer - Normand & Ronald Thibert.) | 90 - 96 |

- C-4. Report dated December 14, 2020 from the General Manager of Growth and Infrastructure regarding Raft Lake Subdivision, Sudbury. **97 - 114**
(RESOLUTION PREPARED)
(This report provides a recommendation regarding approval of an extension to the draft plan of subdivision at Raft Lake Subdivision, Sudbury - Alom Corporation.)
- C-5. Report dated December 11, 2020 from the General Manager of Growth and Infrastructure regarding Corsi Hill Subdivision, Sudbury. **115 - 129**
(RESOLUTION PREPARED)
(This report provides a recommendation regarding an approval of extension to the draft plan of subdivision at Corsi Hill, Sudbury - J. Corsi Developments Inc.)
- C-6. Report dated December 11, 2020 from the General Manager of Growth and Infrastructure regarding 4614 Desmarais, Val Therese. **130 - 150**
(RESOLUTION PREPARED)
(This report provides a recommendation regarding the extension of a conditional approval of rezoning at 4614 Desmarais Road, Val Therese - 2541528 Ontario Limited.)

REGULAR AGENDA

REFERRED AND DEFERRED MATTERS

- R-1. Report dated December 14, 2020 from the General Manager of Growth and Infrastructure regarding Greenwood Subdivision, Sudbury. **151 - 170**
(RESOLUTION PREPARED)
(This report provides a recommendation regarding the approval of an extension to the draft plan of subdivision, Greenwood Subdivision, Sudbury - Dalron Contruction Ltd.)
- R-2. Report dated December 14, 2020 from the General Manager of Growth and Infrastructure regarding Sunrise Ridge Subdivision, Sudbury. **171 - 186**
(RESOLUTION PREPARED)
(This report provides a recommendation regarding the approval of an extension to the draft plan of subdivision at Kingsview Drive, Sudbury - Saldan Developments Ltd.)
- R-3. Report dated December 14, 2020 from the General Manager of Growth and Infrastructure regarding Accessory Guest Room Accommodation Review. **187 - 200**
(RESOLUTION PREPARED)
(This report provides a recommendation regarding accessory guest room accommodation, best practices from comparator municipalities, and service level enhancements.)

MEMBERS' MOTIONS

ADDENDUM

CIVIC PETITIONS

QUESTION PERIOD

ADJOURNMENT

COMITÉ DE PLANIFICATION ORDRE DU JOUR

Réunion du Comité de planification

11 janvier 2021

Place Tom Davies - Salle du Conseil / participation électronique

CONSEILLER FERN CORMIER, PRÉSIDENT(E)

Robert Kirwan, Vice-président(e)

12H 00 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 ou dispositions projetées ou en cours d'un bien-fonds:

- Achat d'une propriété – rue St. Charles, Sudbury
- Achat d'une propriété – avenue Notre Dame, Sudbury

aux termes de la 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

APPOINTMENT OF COMMITTEE CHAIR AND VICE-CHAIR

Rapport Directeur général des Services corporatifs, daté du 17 décembre 2020 portant sur Nomination d'une présidence et d'une vice-présidence – Comité de planification.

11 - 12

(RÉSOLUTION PRÉPARÉE)

(La présidence actuelle ouvrira la réunion et la présidera jusqu'à ce que la présidence et la vice-présidence du Comité de planification soient nommées, après quoi la présidence dirigera la réunion.)

AUDIENCES PUBLIQUES

1. Rapport directeur général, Croissance et Infrastructure, daté du 14 décembre 2020 portant sur 0, rue Pearl, Sudbury.

13 - 53

(RÉSOLUTION PRÉPARÉE)

- Glen Ferguson, Planificateur Principal

(Dans ce rapport, on formule une recommandation concernant une demande de rezonage afin de permettre un immeuble résidentiel ainsi que des usages institutionnels, des utilisations à usage de bureaux et des établissements de soins personnels au rez-de-chaussée, 0, rue Pearl, Sudbury – 1930167 Ontario Ltd.)

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

2. Rapport directeur général, Croissance et Infrastructure, daté du 14 décembre 2020 portant sur 17-19, rue Main Est, Chelmsford.

54 - 78

(RÉSOLUTION PRÉPARÉE)

- Glen Ferguson, Planificateur Principal

(Dans ce rapport, on formule une recommandation concernant une demande de rezonage afin de permettre un immeuble résidentiel de 4 logements, 17-19, rue Main Est, Chelmsford – C. Enfield Inc.)

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 à C-6)

RAPPORTS DE GESTION COURANTS

- | | |
|---|----------------|
| C-1. Rapport directeur général, Croissance et Infrastructure, daté du 11 décembre 2020 portant sur 1381, chemin Vermilion Lake, Chelmsford.
(RÉSOLUTION PRÉPARÉE)

(Dans ce rapport, on formule une recommandation concernant le renvoi de la demande d'autorisation du 1381, chemin Vermilion Lake, Chelmsford – Ron et Lise Gosselin.) | 79 - 86 |
| C-2. Rapport Directeur général des Services corporatifs, daté du 15 décembre 2020 portant sur Promenade Greenvalley, Sudbury – Déclaration de terrain vacant excédentaire.
(RÉSOLUTION PRÉPARÉE)

(Dans ce rapport, on formule une recommandation concernant une déclaration de terrain vacant excédentaire, promenade Greenvalley, Sudbury.) | 87 - 89 |
| C-3. Rapport directeur général, Croissance et Infrastructure, daté du 11 décembre 2020 portant sur Route municipale 80, Hanmer.
(RÉSOLUTION PRÉPARÉE) | 90 - 96 |

(Dans ce rapport, on formule une recommandation concernant le renvoi de la demande d'autorisation de la propriété sur la route municipale 80, à Hanmer – Normand et Ronald Thibert.)

- C-4. Rapport directeur général, Croissance et Infrastructure, daté du 14 décembre 2020 portant sur Lotissement Raft Lake, Sudbury. **97 - 114**

(RÉSOLUTION PRÉPARÉE)

(Dans ce rapport, on formule une recommandation concernant une approbation de la prolongation de l'ébauche du plan de lotissement, lotissement Raft Lake, Sudbury – Alom Corporation.)

- C-5. Rapport directeur général, Croissance et Infrastructure, daté du 11 décembre 2020 portant sur Lotissement Corsi Hill, Sudbury. **115 - 129**

(RÉSOLUTION PRÉPARÉE)

(Dans ce rapport, on formule une recommandation concernant une approbation de la prolongation de l'ébauche du plan de lotissement, lotissement Corsi Hill, Sudbury – J. Corsi Developments Inc.)

- C-6. Rapport directeur général, Croissance et Infrastructure, daté du 11 décembre 2020 portant sur 4614, chemin Desmarais, Val-Thérèse. **130 - 150**

(RÉSOLUTION PRÉPARÉE)

(Dans ce rapport, on recommande la prolongation d'une approbation conditionnelle de rezonage, 4614, chemin Desmarais Road, Val-Thérèse – 2541528 Ontario Limited.)

Ordre du jour ordinaire

QUESTIONS RENVOYÉES ET QUESTIONS REPORTÉES

- R-1. Rapport directeur général, Croissance et Infrastructure, daté du 14 décembre 2020 portant sur Lotissement Greenwood, Sudbury. **151 - 170**

(RÉSOLUTION PRÉPARÉE)

(Dans ce rapport, on formule une recommandation concernant une approbation de la prorogation de l'ébauche du plan de lotissement, lotissement Greenwood – Dalron Contruction Ltd.)

- R-2. Rapport directeur général, Croissance et Infrastructure, daté du 14 décembre 2020 portant sur Lotissement Sunrise Ridge, Sudbury. **171 - 186**

(RÉSOLUTION PRÉPARÉE)

(Dans ce rapport, on formule une recommandation concernant une approbation de la prorogation de l'ébauche du plan de lotissement, promenade Kingsview, Sudbury – Saldan Developments Ltd.)

- R-3. Rapport directeur général, Croissance et Infrastructure, daté du 14 décembre 2020 portant sur Examen concernant les chambres d'hôte accessoires. **187 - 200**

(RÉSOLUTION PRÉPARÉE)

(Dans ce rapport, on formule une recommandation concernant les chambres d'hôte accessoires, les pratiques exemplaires des municipalités de comparaison et l'amélioration des niveaux de service.)

MOTIONS DES MEMBRES

ADDENDA

PÉTITIONS CIVIQUES

PÉRIODE DE QUESTIONS

LEVÉE DE LA SÉANCE

Request for Decision

Appointment of Chair and Vice-Chair - Planning Committee

Presented To:	Planning Committee
Presented:	Monday, Jan 11, 2021
Report Date	Thursday, Dec 17, 2020
Type:	Appointment of Committee Chair and Vice-Chair

Resolution

That the City of Greater Sudbury appoints Councillor _____ as Chair and Councillor _____ as Vice-Chair of the Planning Committee for the term ending November 14, 2022, as outlined in the report entitled "Appointment of Chair and Vice-Chair - Planning Committee", from the General Manager of Corporate Services, presented at the Planning Committee meeting on January 11, 2021.

Relationship to the Strategic Plan / Health Impact Assessment

This report refers to operational matters.

Report Summary

This report outlines the procedure for the election by the Committee of the Chair and Vice-Chair of the Planning Committee for the term ending November 14, 2022.

Financial Implications

The remuneration for the Chair is provided for in the operating budget.

Signed By

Report Prepared By

Brigitte Sobush
Manager, Clerk's Services/Deputy City Clerk
Digitally Signed Dec 17, 20

Recommended by the Division

Eric Labelle
City Solicitor and Clerk
Digitally Signed Dec 23, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Dec 23, 20

Recommended by the Department

Kevin Fowke
General Manager of Corporate Services
Digitally Signed Dec 23, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Dec 23, 20

Background

This report sets out the procedure for the election by the Committee of the Chair and Vice-Chair of the Planning Committee for the term ending November 14, 2022.

The Procedure By-law provides that a Member of the Committee shall be appointed for a two-year term by the Committee to serve as Chair, and another Member of the Committee as Vice-Chair of the Planning Committee by way of resolution.

Remuneration

The Chair of the Planning Committee is paid \$5,209.92 per annum.

Selection

The selection of these positions is to be conducted in accordance with the City of Greater Sudbury's Procedure By-law. Council's procedure requires that in the event more candidates are nominated for the required position(s), those position(s) will be chosen by a simultaneous recorded vote. Once the candidates have been selected for the positions, a resolution will be introduced confirming the appointment of the successful candidate.

It is always in order for a Member of Council to nominate themselves and to vote for themselves.

Once the successful candidates have been selected, a recommendation will be introduced.

Resources Cited

City of Greater Sudbury Procedure By-law 2019-50: <https://www.greatersudbury.ca/city-hall/by-laws/>

Request for Decision

0 Pearl Street, Sudbury

Presented To:	Planning Committee
Presented:	Monday, Jan 11, 2021
Report Date	Monday, Dec 14, 2020
Type:	Public Hearings
File Number:	751-6/20-23

Resolution

THAT the City of Greater Sudbury approves the application by 1930167 Ontario Ltd. to amend Zoning By-law 2010-100Z by changing the zoning classification on the subject lands from “C3(17)”, Limited General Commercial Special to an amended “C3(17)”, Limited General Commercial Special on those lands described as PINs 02132-1282, 02132-1284 & 02132-0179, Parts 2 & 4 to 18, Plan 53R-17879, Part of Lot 5, Concession 4, Township of McKim, as outlined in the report entitled “0 Pearl Street, Sudbury”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on January 11, 2021, subject to the following condition:

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

a) That the only permitted uses on the lands be a multiple dwelling containing a total of 38 residential dwelling units along with institutional, office, and personal service shop uses on the main floor;

b) That institutional, office, and personal service shop uses on the main floor be limited to a maximum gross floor area of 575 m² (6,189.25 ft²);

c) That a minimum of 29 parking spaces including 6 accessible parking spaces be required;

d) That a maximum building height of 16 metres and/or five-storeys be permitted;

e) That the front lot line be deemed to be situated along the Pearl Street frontage from the westerly interior side lot line to Montebello Street;

f) That the rear lot line be deemed to be situated along Fairview Avenue from the westerly interior side lot line for a length of 50 m (164.04 ft) in a north-easterly direction; and,

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed Dec 14, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Dec 14, 20

Recommended by the Division

Kris Longston
Manager of Community and Strategic Planning
Digitally Signed Dec 14, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Dec 17, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Dec 17, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Dec 18, 20

g) That minimum front and corner side yard setbacks of 0 m (0 ft) be required.

Relationship to the Strategic Plan / Health Impact Assessment

The application 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 for Zoning By-law Amendment that seeks to permit a multiple dwelling containing a total of 38 residential dwelling units along with institutional, office, and personal service shop uses on the main floor.

The proposed rezoning intends to change the zoning classification on the subject lands from "C3(17)", Limited General Commercial Special to an amended "C3(17)", Limited General Commercial Special. The rezoning of the lands would also provide site-specific relief in order to provide for a minimum of 29 parking spaces for all uses on the lands along with reduced front and corner side-yard setbacks and a maximum building height of five-storeys.

Staff is 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 that the application for Zoning By-law Amendment be approved in accordance with the Resolution section of this report.

Financial Implications

If the rezoning is approved, staff estimates approximately \$140,000 in taxation revenue, based on the assumption of 38 dwelling units at an estimated assessed value of \$275,000 per dwelling unit at the 2020 property tax rates. Staff is unable to determine the amount of taxation revenue for the non-residential space.

In addition, this development would result in total development charges of approximately \$428,000 based on the assumption of 38 dwelling units and 6,189 square feet of non-residential space, and based on the rates in effect as of this report.

Staff Report

Proposal:

The application for Zoning By-law Amendment seeks to permit a multiple dwelling containing a total of 38 residential dwelling units along with institutional, office, and personal service shop uses on the main floor. In order to accommodate the proposed multiple dwelling as a permitted use, the proposed rezoning would change the zoning classification of the subject lands from “C3(17)”, Limited General Commercial Special to an amended “C3(17)”, Limited General Commercial Special. Site-specific relief is also requested in order to provide for a minimum of 29 parking spaces for all uses on the lands along with reduced front and side yard setbacks and a maximum building height of five-storeys.

The owner’s agent submitted an application for pre-consultation that was considered by the Sudbury Planning Application Review Team (SPART) on September 16, 2020 (File # PC2020-085). The owner’s agent met virtually and by email with staff following the SPART Meeting and has since returned their Pre-Consultation Understanding Agreement (PCUA) to the Planning Services Division. The owner’s agent has subsequently now submitted a Zoning By-law Amendment application to the City for consideration.

The above noted application was submitted to the City on November 10, 2020, and deemed to be complete on November 23, 2020 following the submission of additional required information. The application included the submission of a Concept Plan, Phase 1 Environmental Site Assessment, and information required in order to complete a Water/Sanitary Sewer Capacity Review. Details with respect to the owner’s public consultation strategy ahead of a public hearing at the Planning Committee was also provided.

Existing Zoning: “C3(17)”, Limited General Commercial Special

The “C3(17)” Zone is site-specific to the subject lands and only permits office uses, banquet facilities, restaurants uses within the existing structure, and multiple dwellings. The development standards under the standard “C3” Zone and more specifically under Section 7.3 – Table 7.3 – Standards for Commercial Zones are otherwise applicable within the “C3(17)” Zone.

Based on the applicable development standards of the “C3(17)” Zone, a multiple dwelling on the lands would at present be permitted a maximum of 30 residential dwelling units per building and a maximum net residential density of 60 residential dwelling units per hectare. Further to this, based on the lot size of the subject lands, 31 residential dwelling units are currently permitted on the lands.

Requested Zoning: “C3(17)”, Limited General Commercial Special (Amended)

The proposed rezoning to an amended “C3(17)” is intended to facilitate a specific mix of uses on the lands in the form of a multiple dwelling containing a total of 38 residential dwelling units along with institutional, office, and personal service shop uses on the main floor. The rezoning of the lands is also proposed to include site-specific relief with respect to the following development standards:

1. To permit a multiple dwelling containing a total of 38 residential dwelling units along with institutional, office, and personal service shop uses on the main floor;
2. To permit a minimum of 29 parking spaces, including 6 accessible parking spaces;
3. To permit a maximum building height of 16 m (52.49 ft) and/or five-storeys; and,
4. To permit certain minimum yard setbacks that are required in order to accommodate the proposed building on the lands.

Date: December 7, 2020

Based on the owner's rezoning request, the increase beyond what would be permitted by the applicable density provisions of the "C3(17)" Zone would amount to 7 residential dwelling units generating a net residential density of 72 residential dwelling units per hectare whereas 60 residential dwelling units per hectare is permitted as of right.

Location and Site Description:

The subject lands are generally bounded by Fairview Avenue, Pearl Street and Montebello Street in the community of Sudbury. The lands have a total lot area of approximately 5,300 m² (57,048.74 ft²) with approximately 123 m (403.54 ft) of lot frontage on Pearl Street with an additional and approximate 107 m (351.05 ft) of lot frontage on Fairview Avenue. The south-westerly portion of the lands contain a decommissioned water tank with the balance of the lands being vacant. There is an existing driveway to the east of the water tank providing access to Pearl Street. The perimeter of the lands are generally lined with mature vegetation and there is a rocky slope on the northerly-most portion of the lands toward Fairview Avenue.

Surrounding Land Uses:

- | | |
|--------|---|
| North: | Urban residential land uses having a mix of built-forms and densities along Fairview Avenue and the Junction Creek Waterway Park Trail. |
| East: | Low density urban residential land uses with the pre-dominant built-form being single-detached dwelling and duplex dwellings. |
| South: | Medium density street-townhouse building and sloping rocky topography toward a more general mix of urban residential built-forms and densities having frontage on Lloyd Street. |
| West: | Urban residential land uses having a mix of built-forms and densities along both Pearl Street Fairview Avenue and Downtown Sudbury. |

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.

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 November 23, 2020. The statutory Notice of Public Hearing dated December 17, 2020, was provided to the public by newspaper and to nearby landowners and tenants located within 120 m (400 ft) of the subject lands.

The owner 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 application prior to the public hearing. Staff provided the owner with a mailing list that included those lands that were provided with a mailed Notice of Application as noted above in order to facilitate the implementation of the owner's Public Consultation Strategy ahead of a public hearing at the Planning Committee. Staff understands that the owner has facilitated some public consultation in the local community prior to applying to rezone the lands. Staff further understands that it is the intention of the owner to hold further virtual meeting updates related to the development proposal prior to the public hearing before the Planning Committee. There was no formal in-person public meeting held by the owner since submitting the rezoning application due to the ongoing Covid-19 global pandemic.

At the time of writing this report, the Planning Services Division has received several phone calls seeking clarification on the development proposal, one letter of concern and a numerous amount of letters in support of the application via email.

Policy and Regulatory Framework:

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

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

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

2020 Provincial Policy Statement:

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 pertinent to the application for Zoning By-law Amendment:

1. With respect to Settlement Area policies, Section 1.1.3.1 outlines that settlement areas shall be the focus of growth and development;
2. Section 1.1.3.2 outlines that land use patterns within settlement areas shall have a mix of densities and land uses that efficiently uses land and resources, 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, minimize negative impacts to air quality and climate change and promote energy efficiency, prepare for the impacts of a changing climate, are supportive of active transportation, are transit-supportive where transit is planned, exists or may be developed, and are freight-supportive;
3. Section 1.1.3.2 further outlines that land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment;
4. Section 1.1.3.3 outlines that intensification is to be promoted and opportunities for transit-supportive development, accommodating for a supply and range of housing options through intensification while taking into account existing building stock or areas, and the availability of suitable existing or planned infrastructure and public service facilities to accommodate needs are encouraged;
5. Section 1.1.3.4 outlines that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety;
6. Section 1.1.3.5 outlines that municipalities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions;
7. Section 1.1.3.6 outlines that 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;

8. With respect to Housing Policies, Section 1.4 generally requires municipalities to provide for an appropriate range and mix of housing options and densities to meet projected requirements for current and future residents of the regional market area. This is to be achieved in part by maintaining at all times a three year supply of residential units with servicing capacity that are suitably zoned to facilitate residential intensification and redevelopment. This is also applicable to lands within draft approved or registered plans of subdivision;
9. Section 1.4.3 further 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 by:
 - a) 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;
 - b) Directing 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;
 - c) Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of active transportation and transit in areas where it exists or is to be developed;
 - d) Requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and,
 - e) Establishing development standards for residential intensification, redevelopment and new residential development, which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

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 Living Area 1 in the Official Plan for the City of Greater Sudbury.

The Living Area 1 land use designation includes residential areas that are fully serviced by municipal water and sewer and are to be the primary focus of residential development. Living Area 1 is seen as areas of primary focus for residential development given the desire to utilize existing sewer and water capacity and reduce the impacts of un-serviced rural development. New residential development must be compatible with the existing physical character of established neighborhoods, with consideration given to the size and configuration of lots, predominant built form, building setbacks, building heights and other provisions applied to nearby properties in the City's Zoning By-law.

Section 3.2.1 of the Official Plan outlines that the Living Area 1 designation permits low density residential uses up to a maximum density of 36 units per hectare, medium density residential uses up to a maximum density of 90 units per hectare and high density residential uses up to a maximum density of 150 units per hectare. Medium density housing should be located in close proximity to Arterial Roads, public transit, 18 of 200

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main employment and commercial areas, open space areas and community/recreational services.

Medium density development is to be located where adequate servicing capacities exist along with a road system that can accommodate the growth. High density residential development is permitted only in the community of Sudbury.

Section 2.3.2 notes that the subject lands are within both a Settlement Area and the City's Built Boundary as delineated in Schedule 3 – Settlement Area and Built Boundary. Settlement Area land use patterns are to be based on densities and land uses that make the most efficient use of land, resources, infrastructure and public service facilities, minimize negative impacts on air quality and climate change, promote energy efficiency and support public transit, active transportation and the efficient movement of goods. Intensification and development within the Built Boundary is to be encouraged, while development outside of the Built Boundary may be considered in accordance with the policies of the Official Plan.

Section 2.3.3 of the Official Plan generally acknowledges that intensification of a property at a higher density than what currently exists through the development of vacant or underutilized lots is encouraged throughout the City. Intensification is considered to be essential to completing communities, making the most efficient use of land, resources, infrastructure and public service facilities, minimizing negative impacts on air quality and climate change, promoting energy efficiency and supporting public transit, active transportation and the efficient movement of goods. The key to intensification is to ensure that it occurs in a context sensitive manner. Intensification must be compatible with and reinforced the existing and planned character of an area.

Specifically, Section 2.3.3 includes the following applicable intensification policies:

1. All forms of intensification are encouraged in accordance with the policies of the Official Plan;
2. The City will aim to accommodate 20% of future residential growth and development through intensification within the Built Boundary;
3. Large scale intensification and development is permitted in strategic core areas such as the Downtown, Regional Centres and major public institutions, in accordance with the policies of the Official Plan;
4. Medium scale intensification and development is permitted in Town Centres and Mixed Use Commercial corridors, in accordance with the policies of the Official Plan;
5. Intensification and development is permitted in established Living Area 1 lands, in accordance with the policies of the Official Plan;
6. Intensification will be encouraged on sites that are no longer viable for the purpose for which they were intended such as former commercial, industrial and institutional sites. It will also be encouraged where the present use is maintained but the addition of residential uses can be added in a complementary manner;
7. Intensification will be encouraged on sites with suitable existing or planned infrastructure and public service facilities;
8. Intensification will be compatible with the existing and planned character of an area in terms of the size and shape of the lot, as well as the siting, coverage, massing, height, traffic, parking, servicing, landscaping and amenity areas of the proposal;

9. The following criteria, amongst other matters, may be used to evaluate applications for intensification:
- a. The suitability of the site in terms of size and shape of the lot, soil conditions, topography and drainage;
 - b. The compatibility proposed development on the existing and planned character of the area;
 - c. The provision of on -site landscaping, fencing, planting and other measures to lessen any impact the proposed development may have on the character of the area;
 - d. The availability of existing and planned infrastructure and public service facilities;
 - e. The provision of adequate ingress/egress, off street parking and loading facilities, and safe and convenient vehicular circulation;
 - f. The impact of traffic generated by the proposed development on the road network and surrounding land uses;
 - g. The availability of existing or planned, or potential to enhance, public transit and active transportation infrastructure;
 - h. The level of sun-shadowing and wind impact on the surrounding public realm;
 - i. Impacts of the proposed development of surrounding natural features and areas and cultural heritage resources;
 - j. The relationship between the proposed development and any natural or man-made hazards;
 - k. The provision of any facilities, services and matters if the application is made pursuant to Section 37 of the Planning Act. Where applicable, applications for intensification of difficult sites may be subject to Section 19.7; and,
 - l. Residential intensification proposals will be assessed so that the concerns of the community and the need to provide opportunities for residential intensification are balanced.

Section 17.2 of the City's Official Plan generally encourages diversity in housing types and forms. Specifically, Section 17.2.2 encourages a greater mix of housing types and tenure through 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 (i.e. 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 an amended “C3(17)”, Limited General Commercial Special in order to facilitate the development of a multiple dwelling containing a total of 38 residential dwelling units along with institutional, office, and personal service shop uses on the main floor. As noted previously in this report, the rezoning of the lands is also proposed to include site-specific relief in order to provide for a minimum of 29 parking spaces for all uses on the lands along with reduced front and side yard setbacks and a maximum building height of five-storeys.

Department/Agency Review:

The application including relevant accompanying materials has been circulated to all appropriate agencies and departments. Responses received from agencies and departments have been used to assist in evaluating the application and to inform and identify appropriate development standards in 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, Operations, and Transit Services have each advised that they have no concerns from their respective areas of interest.

Building Services notes that site-specific relief will be required with respect to reduced yard setbacks and the minimum number of required parking spaces. Building Services also notes that the submitted Concept Plan does not provide a parking calculation for institutional, office, and personal service shop uses proposed to be located on the main floor of the building. It is further noted that bicycle parking spaces are required and none are depicted in the Concept Plan. Building Services also notes that the development proposal is subject to site plan control and matters related to fire routes, hydrant locations and fire flows are to be provided and verified through the site planning process.

Development Engineering notes that the lands are serviced with municipal water and sanitary sewer infrastructure with the primarily connection point being on Montebello Street. An analysis of the existing water-main and sanitary sewer systems shows that there is sufficient water capacity to service this development, but there are downstream sanitary sewer deficiencies once the proposed flow from the development is added to the municipal system. Development Engineering can advise that approximately 200 m (656.17 ft) of sanitary sewer would need to be replaced in the vicinity of Brady Street and Cedar Street. It should also be noted that all costs associated with the provision of sufficient sanitary capacity would be borne entirely by the owner. Development Engineering further understands the development proposal will be subject to a site plan control agreement and as such, more detailed comment on the site's development will be addressed through the site planning process, including but not limited to water servicing, sanitary sewer servicing, storm-water management and site grading. The replacement of the approximately 200 m (656.17 ft) of sanitary sewer downstream to provide capacity for this development could be achieved through an off-site servicing agreement with construction occurring during the construction of the site.

The City's Drainage Section has no concerns with the proposed rezoning. However, from the perspective of site plan control it should be noted that drainage towards Fairview Avenue will not be allowed due to drainage infrastructure restrictions. As such, the drainage must be directed away from Fairview Avenue and controlled to pre-existing levels for the drainage area directed.

Fire Services advises that the location of fire-fighting connections on the proposed building and distances to nearest fire hydrants need to be determined. Fire hydrant flows and fire routes are also to be determined and in compliance with [Ontario Building Code](#) requirements. These matters are to be fully addressed during the site planning process.

Roads, Traffic and Transportation advises that the sidewalk along the north side of Pearl Street should be extended to the entrance of the lands and a pedestrian connection made from the building to Pearl Street. The owner will also be required to contribute improvements to Pearl Street from the westerly lot line at Pearl Street to the intersection of Montebello Street. Given the nearby proximity of public transit locations, staff has no concerns with the proposed reduction in parking. It is noted that the nearest transit stop to the lands is on Mont Adam Street and is approximately 120 m (400 ft) meters away. The main GOVA Transit Hub (i.e. Downtown Transit Hub) located on Cedar Street is approximately 500 m (1,640 ft) away.

Site Plan Control advises that the lands are subject to site plan control and that a site plan application will be required. The owner is further advised that a pre-consultation meeting with respect to said future site plan application will be required prior to submission of a formal site plan application.

Planning Analysis:

The 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 application 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. The community of Sudbury is an identified settlement area in the City's Official Plan. The development of a multiple dwelling containing a total of 38 residential dwelling units with institutional, office, and personal service shop uses on the main floor in this particular setting and location along Fairview Avenue, Pearl Street and Montebello Street and to the immediate east of Downtown Sudbury should be promoted and is considered to be good land use planning;
2. Staff is of the opinion that the proposed development contributes positively to improving the mix of densities and land uses that would be permitted in this particular area along Fairview Avenue, Pearl Street and Montebello Street in the community of Sudbury. Staff notes that the lands are serviced with municipal water and sanitary sewer from Montebello Street. Access to public transportation is available to the west along Notre Dame Avenue and Paris Street (i.e. Route 1 – Main Line), as well as to the south along Kingsway Boulevard (i.e. Route 2 – Barry Downe/Cambrian) with the Downtown Transit Hub being situated further to the south-west. Active transportation is also an option as there is an existing sidewalk along Pearl Street, which begins immediately to the west of the subject lands and provides a pedestrian connection to Lloyd Street to the south. The development proposal would also offer an opportunity to extend this sidewalk to the entrance of the subject lands and with this, a pedestrian connection could be made from the proposed building to Pearl Street. There are also a number of public open space and community facilities that can be accessed through active transportation infrastructure that exist in the general area. Staff is of the opinion that the proposed rezoning will result in a good intensified use of the subject lands from a good land use planning perspective;
3. Staff is of the opinion that the application to rezone the lands will improve the possible mix of land use patterns in the general area and will serve to encourage and provide for increased housing opportunities in terms of promoting the intensification of an underutilized lot located within the Sudbury settlement area boundary and in close proximity to Downtown Sudbury;

4. Staff is supportive of this opportunity for residential intensification and notes that public transportation is located in close proximity to the subject lands. The proposed residential intensification in this instance would facilitate the development of a multiple dwelling containing 38 residential dwelling units along with institutional, office, and personal service shop uses on the main floor of the proposed building. Staff is satisfied that the multiple dwelling and institutional, office, and personal service shop uses can be reasonably accommodated on the lands with minimal disruption to abutting residential land uses. Suitable infrastructure is also generally available subject to appropriate connections being made and staff would therefore encourage intensification in this location;
5. Staff is of the opinion that appropriate development standards can be achieved through the rezoning process that facilitates good intensification and compact built-form, while avoiding or mitigating risks to public health and safety. Specifically, the amending zoning by-law would limit the permitted use of the lands to that of a multiple dwelling with institutional, office, and personal service shop uses on the ground floor and would remove the current permissions that exist for banquet facilities and restaurant uses. Staff is satisfied that this particular mix of permitted uses is well suited for the lands and further to this, site-specific development standards would also act to ensure that the resulting development is reasonably accommodated and not out of character or excessive in nature given the site context;
6. Staff notes that the subject lands are surrounded by and adjacent to an existing and built-up urban residential area. It is further noted that the lands are also within the City's existing built-boundary. Staff is therefore of the opinion that together the proposed rezoning would facilitate and encourage the possibility of development proceeding in this area with a more compact built-form having a mix of both residential and institutional, office, and personal service shop uses at a density that will utilize the subject lands efficiently from a land, infrastructure and public service facilities perspective. Staff would also generally note that the development proposal will contribute positively to minimum targets for intensification and redevelopment within built-up areas that are identified in the City's Official Plan;
7. With respect to housing policies in the PPS, staff advises that in general the development proposal would contribute positively to the City's range and mix of housing options and densities to meet projected requirements for both current and future residents in Sudbury. The proposed development would also contribute positively to the City's required minimum three year supply of residential units with servicing capacity that are suitably zoned to facilitate residential intensification and redevelopment; and,
8. More specifically, staff would note the following with respect to housing policies:
 - a) The proposed multiple dwelling along with institutional, office, and personal service shop uses would in general provide for an expanded range and potentially mix of housing options and densities in the community of Sudbury. Staff is satisfied that no negative impacts would be generated should the rezoning be approved from a social, health, economic and well-being perspective in terms of those current and future residents living in the local community;
 - b) Staff is generally supportive of the proposed residential intensification and inclusion of institutional, office, and personal service shop uses on the subject lands. It is noted that the multiple dwelling containing 38 residential dwelling units is not considered to be excessive from the perspective of balancing intensification opportunities against ensuring that there are no disruptions to the existing character of this particular urban residential neighbourhood in this part of Sudbury;

- c) Staff is satisfied through their review and circulation of the rezoning application that the proposed new housing option being that of a multiple dwelling containing 38 residential dwelling units can and should be appropriately directed to the subject lands as appropriate levels of infrastructure (e.g. municipal sanitary sewer and water infrastructure, public transportation, etc.) are presently available;
- d) Staff is of the opinion that the development proposal would generally result in the efficient use of land and available municipal infrastructure. It is also noted that the improved housing options in this area would positively contribute to and encourage the use of public transportation in the immediate area;
- e) Staff notes that there are at present no identified issues with respect to prioritization of intensification in the immediate area. The development proposal being that of a multiple dwelling containing 38 residential dwelling units along with institutional, office, and personal service shop uses on the ground floor of the building would not negatively impact other intensification opportunities that may exist in the area; and,
- f) Staff is satisfied that appropriate development standards can be utilized in an amending zoning by-law to accommodate the proposed development of the subject lands without negatively impacting the cost of housing and the existing character of the area. No negative impacts on public health and safety were identified through the review and circulation of the rezoning application.

Staff in general has no concerns with respect to the proposed rezoning conforming to the applicable policies in the Official Plan for the City of Greater Sudbury. Those policies relevant to the development proposal that would permit a multiple dwelling containing a total of 38 residential dwelling units along with institutional, office, and personal service shop uses on the main floor are discussed below.

With respect to general Living Area 1 policies in the Official Plan that are applicable to the subject lands, staff notes that the proposed multiple dwelling having a total of 38 residential dwelling units and a maximum height of five-storeys would yield an overall site density of approximately 72 residential dwelling units per hectare, which is permitted and within the threshold of those medium density residential policies set out and permitted in the City's Official Plan.

Staff notes that the lands have frontage on a Local Road and are directly connected to a Secondary Arterial (i.e. Lloyd Street). The lands are also situated in close proximity to two Primary Arterials (i.e. Notre Dame Avenue-Paris Street & Kingsway Boulevard) that each provide access to public transportation options. There is also an existing commercial area approximately 330 m (1,082.68 ft) to the west of the subject lands in Downtown Sudbury. Staff is of the opinion that sufficient open space areas and community/recreational activities are also available in the general area of the subject lands. Staff notes that the lands are capable of being serviced by municipal water and sanitary sewer infrastructure. It should be noted that Development Engineering has provided comments that the replacement of existing sanitary sewer infrastructure would be necessary in order to properly service the lands.

Staff further notes that the subject lands are identified as being located within the Settlement Area and Built Boundary as delineated in Schedule 3 – Settlement Area and Built Boundary to the City's Official Plan. Staff advises that the proposed multiple dwelling containing 38 residential dwelling units along with institutional, office, and personal service shop uses on the main floor of the building represents an opportunity to make efficient use of existing urban land supply and existing infrastructure and other services that are already provided for within the City's Settlement Area and Built Boundary. Staff is satisfied that a site-specific amending zoning by-law can include development standards that would be appropriate for the subject lands both and those development standards that would be appropriate are described later in this report.

With respect to applicable intensification policies set out under Section 2.3.3 of the Official Plan, staff has the following comments:

1. Staff notes that in general all forms of residential intensification are encouraged in the City's Official Plan. Staff further advises in this instance that the subject lands contain a decommissioned water tank and otherwise form a vacant and underutilized lot within an existing and identified settlement area. Provided that appropriate development standards are applied to the lands, staff is of the opinion that this form of residential intensification can be reasonably accommodated on the subject lands;
2. Staff advises that the development proposal would contribute positively to the City's aim of accommodating 20% of all future residential growth and development through intensification within the Built Boundary;
3. Staff advise that the development proposal does not amount to large or medium scale intensification that would be otherwise directed to strategic core areas, such as the Downtown of Town Centre land use designations. The lands are however designated Living Area 1 and it is noted that intensification is permitted within this land use designation; and,
4. Staff generally have no concerns with respect to the proposed intensification in terms of compatibility with the existing and planned character of the area in terms of the size and shape of the lot, or the siting, coverage, massing, height, traffic, parking, servicing, landscaping and amenity areas of the development proposal that would facilitate construction of a multiple dwelling containing 38 residential dwelling units with institutional, office, and personal service shop uses on the main floor.

In particular, with respect to applicable criteria set out in Section 2.3.3 that are to be considered when evaluating applications that propose intensification, staff has the following comments:

1. Staff are generally of the opinion that the subject lands are of sufficient size and shape to accommodate a multiple dwelling containing 38 residential dwelling units with institutional, office, and personal service shop uses on the main floor of the building. With respect to topography, staff do acknowledge the rocky topography that exists on the lands and as such are amenable to providing for a reduced number of parking spaces in order to decrease the overall physical footprint of the development on the lands. The parking space reduction is supported on the basis that the lands are in close proximity to two main public transit lines and are within a reasonable walking distance of Downtown Sudbury. With respect to soil conditions, the owner was also advised by Building Services during pre-consultation that a Record of Site Condition (RSC) will be required at the time of building permit application. It was recommended to the owner that an RSC be submitted at the time of rezoning, however, the owner's agent has indicated to staff that they will be submitting an RSC instead at the time of building permit application. And with respect to drainage, the City's Drainage Section has reviewed the application and have advised that their areas of concern can be appropriately addressed during the site planning process;
2. Staff have noted in this report that the subject lands are generally surrounded by a mix of urban residential built forms and densities in this particular area of Sudbury. Staff notes in particular that there is a four-storey multiple dwelling to the north-east and a three-storey multiple dwelling to the west on Fairview Avenue. It is on this basis that staff are satisfied that the development proposal would not present any compatibility issues with respect to the existing and planned residential character that exists along Fairview Avenue, Pearl Street and Montebello Street;
3. Staff is satisfied that the lands are capable of providing adequate on-site landscaping, fencing, planting and other measures that will have the effect of lessened any impacts that the development proposal would have on abutting properties or the existing urban residential character that exists along Fairview Avenue, Pearl Street and Montebello Street. Staff advise that the development of the lands would be subject to site plan control and further that the above noted matters are to be specifically addressed in finer detail during the site planning process;

4. The rezoning application was circulated to Development Engineering and they have noted that the lands are serviced with municipal water and sanitary sewer infrastructure from Montebello Street. An analysis of the existing water-main and sanitary sewer systems shows that there is sufficient water capacity to service this development, but there are downstream sanitary sewer deficiencies once the proposed flow from the development is added to the municipal system. While work is required in order to provide sanitary sewer to the development, municipal infrastructure is to be considered available and planned to service the lands;
5. Staff notes that no new driveway entrances are necessary in order to facilitate access to the lands as the proposed development would be accessed via an existing driveway entrance from Pearl Street. The submitted Concept Plan depicts a total of 29 parking spaces, which includes 6 accessible parking spaces. Staff acknowledges that some degree of relief from parking space provisions would be appropriate given the site context referenced throughout this report. There is also no requirement for a loading space, as the multiple dwelling would not contain 50 or more residential dwelling units. Staff also have no concerns at this time with safe and convenient vehicular circulation on the lands and would advise that the site planning process will examine this in further detail;
6. Roads, Traffic and Transportation reviewed the rezoning application and did not express any concerns with respect to any negative impacts related to the traffic that would be generated by the proposed development on the local road network and surrounding land uses;
7. As noted previously in this report, the lands are well accessed by public transportation to the west along Notre Dame Avenue and Paris Street (i.e. Route 1 – Main Line), as well as to the south along Kingsway Boulevard (i.e. Route 2 – Barry Downe/Cambrian) with the Downtown Transit Hub being situated further to the south-west. It is noted that the nearest transit stop to the lands is on Mont Adam Street and is approximately 120 m (400 ft) meters away, while the Downtown Transit Hub located on Cedar Street is approximately 500 m (1,640 ft) away. There is also a sidewalk along the north side of Pearl Street providing an existing active transportation link to Notre Dame Avenue-Paris Street and Kingsway Boulevard via Lloyd Street;
8. Staff do not anticipate that any negative sun-shadowing and/or uncomfortable wind conditions would be generated on surrounding streets, parks and open spaces should the proposed rezoning be approved. It is noted that the proposed building would have a maximum height of five-storeys and sun-shadowing and/or uncomfortable wind conditions are not normally associated with buildings of this particular height;
9. Staff in their review of the application did not identify any areas of concern with respect to negative impacts of the development proposal on surrounding natural features and areas and cultural heritage resources;
10. Staff have no concerns with respect to the relationship between the proposed development and any nearby identified natural or man-made hazards;
11. There are no facilities, services or other matters associated with the development proposal that are subject to Section 37 of the Planning Act; and,
12. Staff generally concludes and would advise that the proposed residential intensification balances the concerns of the local community with the identified need for providing opportunities for residential intensification.

With respect to housing policies established under Section 17.0 of the Official Plan, staff would note that in general, the development proposal would contribute positively to the range of housing types and forms available to both current and future residents of Sudbury. Staff also understands that the proposed multiple dwelling would provide for a range of smaller (i.e. one and two bedroom) units that are capable of accommodating smaller households. The development proposal may also positively contribute to and provide for an additional housing option for senior citizens living in Sudbury.

Staff also advises that the proposed rezoning does not amount to a downzoning of the subject lands. Staff is supportive of the rezoning from a housing perspective on the basis that it would contribute positively to the notion of creating complete communities designed to have a mix of land uses that are supportive of transit development and that offer the opportunity for providing affordable housing to people of all ages and abilities.

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

The owner is requesting that the existing "C3(17)" Zone be replaced with an amended "C3(17)" Zone that would permit a multiple dwelling containing 38 residential dwelling units along with institutional, office, and personal service shop uses on the main floor of the building. Site-specific relief is also requested in order to provide for a minimum of 29 parking spaces for all uses on the lands along with reduced front and corner side yard setbacks and a maximum building height of five-storeys. Staff in general has no concerns with the requested zone category, but would have the following comments:

1. The amending zoning by-law should permit only a multiple dwelling containing 38 residential dwelling units along with institutional, office, and personal service shop uses on the main floor and having a maximum building height of five-storeys and/or 16 m (52.49 ft). Staff advise that this will ensure that the proposed residential intensification of the lands occurs in a well-defined, clear and contextually sensitive manner. Staff would further advise that the applied for "community service uses" is not defined in the City's Zoning By-law and should not be incorporated into the amending zoning by-law as applied for by the owner. Staff did however correspond with the owner's agent and understands that permitting institutional, office, and personal service shops as accessory uses on the main floor of the building will suit the mix of uses that are being sought;
2. The amending zoning by-law should also require a minimum of 29 parking spaces including 6 accessible parking spaces for all permitted uses on the lands;
3. Staff would advise that a floor space maximum be included in the amending zoning by-law given the parking space relief that is being sought. This will act to ensure in part that the mix of uses within the building is appropriate for the parking areas and spaces that are available on the lands. Staff has corresponded with the owner's agent and understands that there would be approximately 560 m² (6,027.79 ft²) of floor space on the main floor dedicated to the proposed institutional, office, and personal service shop uses. Staff would be supportive of ensuring that sufficient floor space is available on the main floor for these uses and would recommend the above noted floor space calculation be rounded up to 575 m² (6,189.25 ft²);
4. For the purposes of clarity, the amending zoning by-law should also define the location of both the front and rear lot lines in order to identify and provide for minimum yard setback requirements that are necessary in order to accommodate the proposed building on the lot. Staff therefore recommends that the front lot line be deemed to be along the Pearl Street frontage from the westerly interior side lot line to Montebello Street and that the rear lot line be deemed to be along Fairview Avenue from the westerly interior side lot line for a length of approximately 50 m (164.04 ft) in a north-easterly direction. The remaining lot lines along Fairview Avenue up to Montebello Street are therefore deemed to be corner side lot lines;
5. Based on the above, the amending zoning by-law is recommended to establish 0 m (0 ft) minimum front yard and corner side yard setbacks in order to accommodate the building as depicted on the Concept Plan;

6. Staff notes that the lands appear capable of providing for a minimum of 19 bicycle parking spaces based on the number of residential dwelling units. Additional bicycle parking spaces may be required depending on the configuration of institutional, office, and personal service shop uses on the main floor. It is anticipated that the site planning process will identify the location most appropriate for the provision of bicycle parking areas. Staff do not recommend any site-specific relief in this regard given the location of the lands in close proximity to Downtown Sudbury and nearby active and public transportation options; and,
7. Staff also notes that a registered survey plan is not required in order to prepare the amending zoning by-law as lands that subject to the rezoning are already described capably and legally as being PINs 02132-1282, 02132-1284 & 02132-0179, Parts 2 & 4 to 18, Plan 53R-17879, Part of Lot 5, Concession 4, Township of McKim.

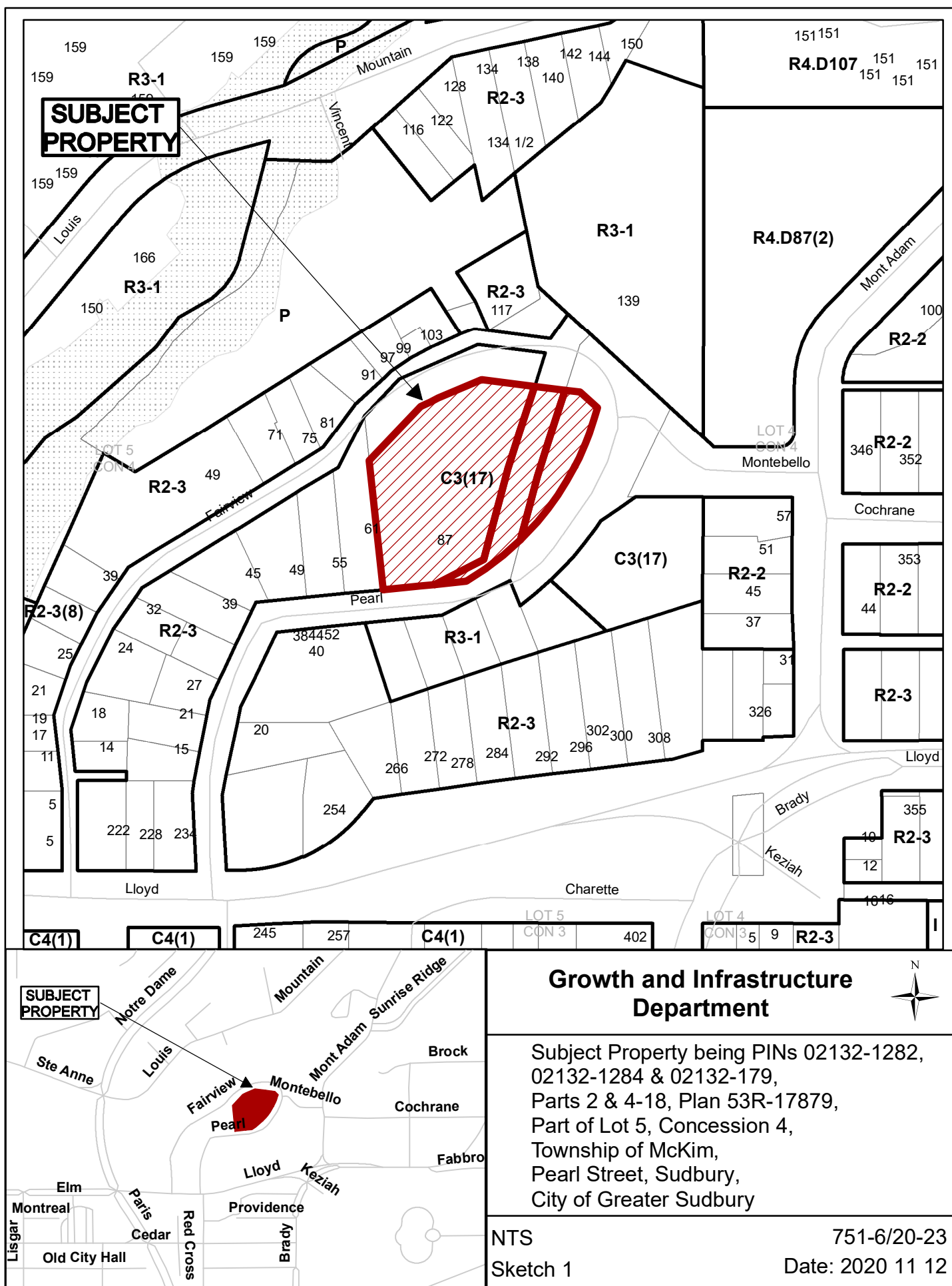
Conclusion

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.

The following are the principles of the proposed and recommended site-specific amending zoning by-law:

- a) That the only permitted uses on the lands be a multiple dwelling containing a total of 38 residential dwelling units along with institutional, office, and personal service shop uses on the main floor;
- b) That institutional, office, and personal service shop uses on the main floor be limited to a maximum gross floor area of 575 m² (6,189.25 ft²);
- c) That a minimum of 29 parking spaces including 6 accessible parking spaces be provided;
- d) That a maximum building height of 16 metres and/or five-storeys be permitted;
- e) That the front lot line be deemed to be situated along the Pearl Street frontage from the westerly interior side lot line to Montebello Street;
- f) That the rear lot line be deemed to be situated along Fairview Avenue from the westerly interior side lot line for a length of approximately 50 m (164.04 ft) in a north-easterly direction; and,
- g) That minimum front and corner side yard setbacks of 0 m (0 ft) be required.

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



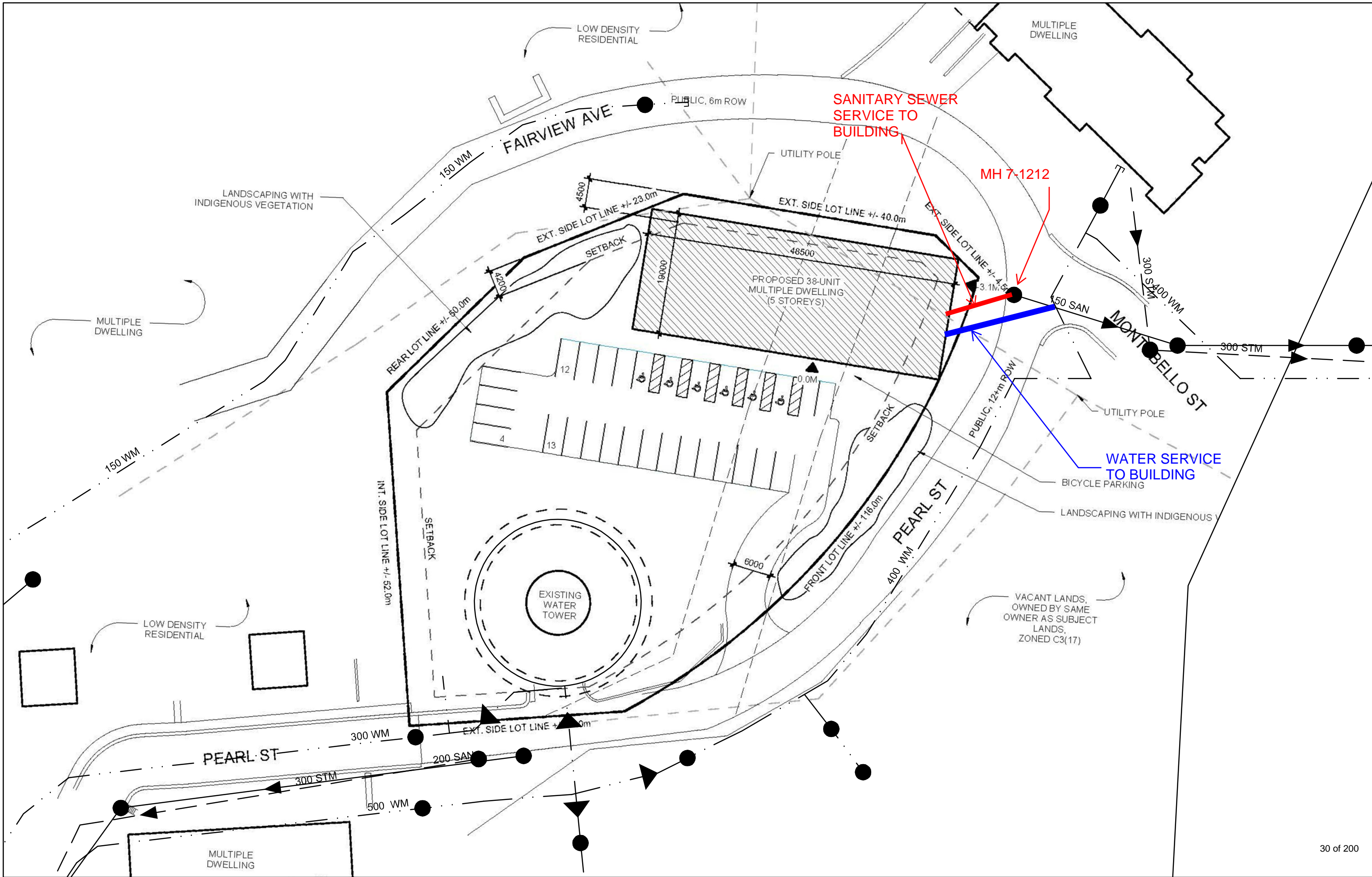




PHOTO #1 – Subject lands with existing driveway entrance as viewed from Pearl Street looking north.



PHOTO #2 – Subject lands and approximate location of proposed building looking west toward existing decommissioned water tank and Downtown Sudbury.



PHOTO #3 – Existing four-storey multiple dwelling situated to the immediate north-east of the subject lands at the intersection of Fairview Avenue, Montebello Street and Pearl Street.



PHOTO #4 – Existing lower density residential built form at lower elevation and situated to the immediate north of the subject lands as viewed from Fairview Avenue.



PHOTO #5 – Existing street townhouse dwelling situated to the immediate southwest of the subject lands as viewed from Pearl Street.



PHOTO #6 – Existing lower density residential built form situated to the immediate west of the subject lands as viewed from Pearl Street.

Sophie Baysarowich - Fwd: Feedback- neighbour of 1 Pearl St. Development

From: Alex Singbush
To: clerks; Sophie Baysarowich; Glen Ferguson
Date: 12/3/2020 11:22 AM
Subject: Fwd: Feedback- neighbour of 1 Pearl St. Development

FYI. Public comment on 751-6/2-023

>>> Kate Barber 12/3/2020 11:18 AM >>>

Hi Alex.

I received correspondence as a neighbour of this project. [REDACTED]

We are supportive, in principle of this development. Our concerns are about the already dangerous traffic conditions on Fairview Ave (especially at the intersection of Fairview and Lloyd, where there is two way traffic coming on and off Lloyd St and a lot of pedestrians, including people with disabilities and children. The roadways is very narrow and does not allow enough room for two cars at the same time without one car driving on the sidewalk. The sidewalk is very narrow, does not meet current standards and does not allow room for a person in a wheelchair or even a stroller. Not to mention the cars driving on it. We have witnessed several car collisions and near misses with pedestrians at that intersection. With increased traffic from the new development, including I assume, more vulnerable pedestrians who will be using that route to access downtown, the safety issues will be exacerbated.

Is there anything in the development plan to improve or mitigate this traffic problem?

How do I express my concern about this issue?

Kate

Kate Barber
 Children Services Planner
 Children Services Section

P: [REDACTED]

F: [REDACTED]

www.greatersudbury.ca/earlylearning



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27 November 2020

Michael Cullen, Futurescape Landscaping <[REDACTED]>
Tim Laderoute, The Birmingham Group <[REDACTED]>
Kimberley Wahamoa, The Dario Zulich Group <[REDACTED]>
Dario Zulich, The Dario Zulich Group <[REDACTED]>

RE: **LETTER OF INTENT
HABITAT FOR HUMANITY ONTARIO GATEWAY NORTH
PARTNERSHIP – SUDBURY PEACE TOWER DEVELOPEMNT**

Dear Leaders of the Sudbury Peace Tower Development,

Congratulations on the progress made to date regarding the Sudbury Peace Tower development project. The aspirations of The Dario Zulich Group to partner with appropriate, local not-for-profit organizations in the development of the Sudbury Peace Tower property, located on Pearl Street in Sudbury Ontario, is of great interest to Habitat for Humanity Ontario Gateway North. The Peace Tower Project very much aligns with the mandate of Habitat for Humanity and as such we're pleased to be a foundational partner in the project. The addition of 38 affordable rental units to the supply in Greater Sudbury will undoubtedly go along way to helping local, vulnerable people achieve a safe and suitable home.

Habitat for Humanity works with local communities to help people build strength, stability and self-reliance through access to a safe, decent, and affordable place to call home. With our help, people are empowered to build a better life for themselves and their families.

Since the start of the organization in 1976, Habitat for Humanity has improved the shelter conditions of 3.6 million people in over 100 countries around the globe, including more than 3,000 families in Canada. Habitat for Humanity Ontario Gateway North (HFHOGN) has already partnered with more than 50 hard-working local families, allowing them to contribute to the community as homeowners when a conventional mortgage was out of their reach. New in 2019, Habitat for Humanity Ontario Gateway North is offering and supporting affordable rental units. It is in this capacity that we are writing to confirm our intent to act as a partner in support of the Sudbury Peace Tower development.

Habitat for Humanity Ontario Gateway North is proud to pledge participation in this exciting development:

- The Habitat brand will bring strength and recognition to the project.
- The Habitat relationship with CMHC will add to the knowledge base of delivering a CMHC-supported project.
- Habitat will advance the project through fundraising and communications mechanisms. Specifically, we are currently designing a potential fundraising campaign, structured as a 50/50 lottery, intended to raise capital money toward the Peace Tower Development.
- The Sudbury ReStore, a Habitat for Humanity social enterprise, will be identified as a public front for the project.

Together we are certain to make a positive and impactful difference to the Sudbury Community through the Sudbury Peace Tower Development, which is so well aligned with our mission.

Sincerely,



Kimberley Woodcock
CEO, Habitat for Humanity Ontario Gateway North



Marc G. Serré

Member of Parliament / Député
Nickel Belt



November 20, 2020

Mr. Steve Jacques
General Manager - Community Development
City of Greater Sudbury
200 Brady St.
Sudbury ON P3A 5P3

Dear Steve,

Please accept this correspondence as confirmation of support for the 38 unit Peace Tower Housing project. This will surely have a very positive impact for some of our most vulnerable residents.

The project aims to provide access to a variety of supports to tenants, such as employment services, life-skills programs, and other health and social services. Housing services are critically important and a pathway to addressing homelessness. Housing should be paired with supports and services to ensure those being housed are able to maximize the opportunity for a more secure and productive future.

As the MP for Nickel Belt I have heard time and time again from community organizations and municipal leaders how dire the need is for more affordable housing and how access to support services has become desperate. Local organizations have backed this project who have the capability to assist in the roll out of the anticipated services.

I support this project as I see the real opportunity that it presents to improve the quality of life and assist those who are exposed to unlivable conditions; while providing the tools required to build skills, offer a brighter future and a much deserved second chance for a good life.

It is for the above mentioned reasons that I fully support this project and look forward to seeing the positive results it will have in our community.

Thank you for your time and consideration.

Sincerely,

Marc G. Serré, M.P.
Nickel Belt

Constituency office:

2914 Hwy 69 N, Unit 5

Val Caron ON P3N 1E3

1-800-267-4829

marc.serre@parl.gc.ca

Feb 10, 2020

Peace Tower Housing

Letter of Support/Collaboration

As we understand, the Peace Tower Housing project will support City of Greater Sudbury residents, creating a homegrown solution to the issue of homelessness in our community. Further, while it is always difficult to ascertain the precise number of individuals affected by homelessness, the 38 units in this project will undoubtedly do much to address this issue in the City of Greater Sudbury.

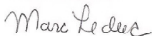
The Blue Door Soup Kitchen is supportive of the scope of this project and its potential contribution to a homelessness solution. Housing, while critically important, is often only the first step in addressing homelessness; housing should be paired with supports and services to ensure those being housed are able to maximize the opportunity for a more secure and productive future.

The proposed Peace Tower Housing project will provide access to a variety of supports to residents of the facility, such as employment services, life-skills programs, and other health and social services.

The Blue Door Soup Kitchen strongly supports the provision of supports and programs to assist residents to transition out of supportive housing and into independence.

For all of the reasons cited above, the scope of this project and its impacts on the City of Greater Sudbury homelessness, the services and supports built into the proposal, and the unique location that minimizes impact on businesses and residents, the Blue Door Soup Kitchen offers its support of the proposed Peace Tower Housing Project.

Blue Door Soup Kitchen



Marc Leduc
President



Centreline Architecture

73 Elm Street, Suite 201
Sudbury, ON P3C 1R7

t: (705) 618.1767
e: info@c-arch.ca

centrelinearchitecture.ca

November 30 2020

RE: PEACE TOWER HOUSING PROJECT – LETTER OF SUPPORT / COLLABORATION

To Whom It May Concern:

The Peace Tower Housing Project, a 38-unit new residence in the downtown, will be a unique and significant contributor to offering a home-grown solution to our community's homelessness crisis – housing with dignity, hope, and a future.

Housing is a basic human right and critical to the wellbeing of our citizens and it is best complimented with the necessary supports and services which would help residents have access to a more secure and productive future. In addition to the 38 residential units, the Peace Tower Housing Project will incorporate employment services, life-skills programs and workshops, and other health and social services. Residents will have 24/7 on-site staff support to provide stability, security, and a familiar face.

As an architecture firm, we bring a myriad of experience to the table. For this project, we offer full-architectural services, feasibility studies, realistic renderings, project management, and master site planning and coordination. Our enthusiasm is why we have been part of the team which developed the early concept design and images for the vision for the Peace Tower Housing Project. Our input encouraged the project to incorporate innovative design elements such as pre-fabricated components for ease and speed in construction, and; a design to meet Passive House standards which would help the building work toward becoming net-zero project.

Our office has decades of combined experience and we're getting recognized for it. Our team has been awarded the Small Enterprise Award by the Sudbury Chamber of Commerce, a 40Under40 award, was a finalist for the Best Place to Work in 2019 again by the Sudbury Chamber, received an Ontario Association of Architects award for design, and a Sudbury Rotary Paul Harris Fellowship.

Centreline Architecture has been, and continues to be a proud supporter and contributor to our community and to this important project – the Peace Tower Housing project. We live and work downtown and understand that though this may not be a route to eradicating homelessness in our city, it would be a new model of housing that provides safe shelter and the help needed for some of our city's least fortunate.

Respectfully,

Kate Bowman OAA
Partner | Architect

Rob Fleury
Partner | Certified Passive House Designer

Dan Guillemette LT.OAA
Partner | Sfr. Technologist





Canadian Mental
Health Association
Sudbury/Manitoulin
Mental Health &
Addiction Services

Association canadienne
pour la santé mentale
Sudbury/Manitoulin
Services de santé mentale
& de toxicomanie

November 29, 2020

Michael Cullen - COO
Futurescape Landscaping
280 McFarlane Lake Road
Sudbury, ON P3G 1M4

RE: Letter of Support – Peace Tower Housing

The Canadian Mental Health Association – Sudbury/Manitoulin (CMHA-S/M) is providing a letter of support for the Peace Tower Housing project in the City of Greater Sudbury. The proposed Peace Tower Housing project will increase affordable housing stock and provide a location close to the downtown which is greatly needed for our most vulnerable population (including those who face a mental illness, substance use disorder, homelessness, etc.).

We support the Peace Tower Housing project given the goal to develop 38 plus units specifically for our homeless and vulnerable citizens. The project aims to provide access to a variety of supports to tenants, such as employment services, life-skills programs, and other health and social services. CMHA-S/M understands that housing, while critically important, is often only the first step in addressing homelessness; housing should be paired with supports and services to ensure those being housed are able to maximize the opportunity for a more secure and productive future. We appreciate that the goal of the Sudbury Peace Tower partners is to engage community partners who have subject matter and expertise to participate in this collaborative model of service opportunities.

CMHA-S/M is strongly in support of this project. As an organization, we see a great benefit of having additional safe and affordable housing for the vulnerable population. We would be pleased to partner with the Peace Town Housing project by providing support services to individuals, as they would greatly benefit from the stability and location of the development.

Sincerely,

Patty MacDonald
Chief Executive Officer

Le 20 février 2020

À qui de droit:

Objet : Appui au Projet de la Tour de Paix sur la rue Pearl à Sudbury

Le Collège Boréal est fier d'appuyer le Projet de la Tour de Paix (Sudbury Peace Tower Project) sur la rue Pearl à Sudbury.

Le Collège Boréal offre plusieurs programmes postsecondaires en santé, services communautaires et métiers qui pourront venir appuyer ce projet, soit par l'entremise de placements pour nos étudiants, la planification du projet, la construction de l'édifice, ou encore au maintien et gestion des unités.

Les résidents de la Ville du Grand Sudbury vont certainement bénéficier de ce nouveau développement novateur. Grâce aux partenaires rattachés à ce projet, nos étudiants auront la chance de vivre des expériences uniques, bénéficiant d'un laboratoire vivant pour appuyer leur apprentissage.

Avec cette lettre, Collège Boréal confirme son intention d'être partenaire dans le projet de la Tour de Paix à Sudbury.

Bien à vous,



Lyne Michaud
Vice-présidente à l'enseignement

Elgin Street Mission
344 Elgin Street
Sudbury, ON P3E 3N9
Phone: 705-673-2163
Fax: 705-673-0560



Director/Chaplain: Pastor Brad Hale
chaplain@themission.ca
Secretary: Cheryl Perreault
administrator@themission.ca
Volunteer Coordinator: Christine
Newbury
kitchenmanager@themission.ca

Feb 20, 2020

**Peace Tower Housing
Letter of Support/Collaboration**

As we understand, the Peace Tower Housing project will support City of Greater Sudbury residents, creating a homegrown solution to the issue of homelessness in our community. Further, while it is always difficult to ascertain the precise number of individuals affected by homelessness, the 38 units in this project will undoubtedly do much to address this issue in the City of Greater Sudbury.

The Elgin Street Mission is supportive of the scope of this project and its potential contribution to a homelessness solution. Housing, while critically important, is often only the first step in addressing homelessness; housing should be paired with supports and services to ensure those being housed are able to maximize the opportunity for a more secure and productive future. The proposed Peace Tower Housing project will provide access to a variety of supports to residents of the facility, such as employment services, life-skills programs, and other health and social services.

The Elgin Street Mission strongly supports the provision of supports and programs to assist residents to transition out of supportive housing and into independence.

For all of the reasons cited above, the scope of this project and its impacts on the City of Greater Sudbury homelessness, the services and supports built into the proposal, and the unique location that minimizes impact on businesses and residents, the Elgin Street Mission offers its support of the proposed Peace Tower Housing Project.

Elgin Street Mission

Signature

A handwritten signature in black ink, appearing to read 'Brad Hale', written over a horizontal line.

Director/Chaplain



1700381 Ontario Inc. o/a
FUTUREScape LANDSCAPING

280 McFarlane Lake Rd
Sudbury, ON P3G 1M4

Office: 705-522-1511

Fax: 705-522-1154

Toll Free: 1-888-261-0963

November 30, 2020
Peace Tower Housing Project

Letter of Support/Collaboration

The Peace Tower Housing Project will support City of Greater Sudbury residents, creating a homegrown solution to the issue of homelessness in our community. Further, while it is always difficult to ascertain the precise number of individuals affected by homelessness, the 38 units in this project will undoubtedly do much to address this issue in the City of Greater Sudbury.

Futurescape Landscaping has a well-established history of community engagement and is pleased to offer this letter of support & collaboration that is in keeping with our internal values of an all-inclusive community that is built on a strong foundation that mutually shares ideas, passion and the open willingness to see others prosper as the result of doing what is right for others above all else.

Our commitment towards the Sudbury Peace Tower Housing Project has been in place for some time with recent in-kind steering committee work, advisory capacity, community engagement/consultation and will continue well into the final planning and housing of the tenants. Furthermore, we pledge to commit our property management resources and expertise in landscape design, planning and delivery so that all who reside post construction will have a safe, comfortable, culturally aware and inspiring place to call home.

For all of the reasons cited above, the scope of this project and its impacts on the City of Greater Sudbury homelessness, the services and supports built into the proposal, and the unique location that minimizes impact on businesses and residents, ***Futurescape Landscaping*** offers its support of the proposed Peace Tower Housing Project.

Sincerely,

Michael Cullen
Chief Operating Officer
Futurescape Landscaping

I Believe Network

February 20, 2020

Re: Peace Tower Housing Project

The Peace Tower Housing project will support City of Greater Sudbury residents, creating a homegrown solution to the issue of homelessness in our community. Further, while it is always difficult to ascertain the precise number of individuals affected by homelessness, the 38 units in this project will undoubtedly do much to address this issue in the City of Greater Sudbury.

The I Believe Network (IBN) is supportive of the scope of this project and its potential contribution to a homelessness solution. Housing, while critically important, is often only the first step in addressing homelessness; housing should be paired with supports and services to ensure those being housed are able to maximize the opportunity for a more secure and productive future.

IBN is a not-for-profit charity, founded by the late Pastor of All Nations Church - Jeremy Mahood and me. Throughout Jeremy's lifetime we were involved in many community programs including inter-generational housing for seniors and families (The Landmark); The Living Nativity – providing an opportunity for the community to celebrate Christmas. Also, he was the life coach and chaplain of the Sudbury Wolves, and thoroughly enjoyed attending games and supporting the young hockey players and coaches.

Today, I am continuing our community focussed work as the vice-chair of The All Nations Family Housing Corporation (ANFHC), known as the Landmark. This 64-unit building (32 seniors / 32 families) provides 52 rent geared to income and 12 market rent units. And, as President of the I Believe Network, I managed the IBN program, First Steps, for many years which provided supportive transition to people in need and was funded by the federal government's Community Chaplaincy Program and donations. It encouraged positive changes in people's lives and assisted them to find safe, affordable housing navigate the social services system and become productive members of society through a job training program. Part of the IBN purpose is to continue do social good in the community.

For all of the reasons cited above, the scope of this project and its impacts on the City of Greater Sudbury homelessness, the services and supports built into the proposal, and the unique location that minimizes impact on businesses and residents, the I Believe Network offers its unconditional support of the proposed Peace Tower Housing Project.

Sincerely,



Eileen Mahood

December 3, 2020

VIA EMAIL

SW Water Tower Ltd.
874 Lapointe Street
Sudbury, ON P3A 5N8

Re: Sudbury Peace Tower Housing Project – Funding application to Canada Mortgage and Housing

Public Health Sudbury & Districts is pleased to write in support of the application to Canada Mortgage and Housing for the Sudbury Peace Tower Housing Project. The project consists of a supportive housing model that includes 38-units of affordable housing combined with coordinated services. Lack of affordable housing, including supportive housing, is a widely recognized, longstanding and growing critical gap in our community.

The Sudbury Peace Tower Housing Project has already received endorsement from Greater Sudbury including securing \$5.7 million of provincial funding through the Home for Good project. The housing project is focused on supportive services including the integration of services that provide life skills training and support, employment readiness training and social support. The proposed project is strongly aligned with the successful Circles Sudbury project, run by Public Health Sudbury & Districts since 2017 in partnership with agencies across Greater Sudbury. Circles Sudbury supports service navigation for individuals living in low income and provides added social supports while participants work on plans to exit poverty through employment and education pathways. Discussions are underway to explore how Circles Sudbury can be integrated into this future housing project.

Affordable and safe housing is a key determinant of health. Further, the integration of affordable housing with supportive services allows community members struggling with mental or physical health issues to access appropriate services and supports. This investment in stable housing reduces the future costs of social, safety and health risks. Supportive housing reduces health inequities in the community by improving health outcomes and decreasing health care costs of residents.

Sudbury

1300 rue Paris Street
Sudbury ON P3E 3A3
t: 705.522.9200
f: 705.522.5182

Elm Place

10 rue Elm Street
Unit / Unité 130
Sudbury ON P3C 5N3
t: 705.522.9200
f: 705.677.9611

Sudbury East / Sudbury-Est

1 rue King Street
Box / Boîte 58
St.-Charles ON POM 2W0
t: 705.222.9201
f: 705.867.0474

Espanola

800 rue Centre Street
Unit / Unité 100 C
Espanola ON P5E 1J3
t: 705.222.9202
f: 705.869.5583

Île Manitoulin Island

6163 Highway / Route 542
Box / Boîte 87
Mindemoya ON POP 1S0
t: 705.370.9200
f: 705.377.5580

Chapleau

101 rue Pine Street E
Box / Boîte 485
Chapleau ON POM 1K0
t: 705.860.9200
f: 705.864.0820

toll-free / sans frais

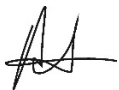
1.866.522.9200

phsd.ca



The Sudbury Peace Tower Project is aligned with our longstanding agency commitment to reduce health inequities and create opportunities for all members of our community to achieve their full health potential regardless of their social and economic circumstances. Public Health Sudbury & Districts fully endorses this initiative and unequivocally provides its support. For further information, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to be 'Penny Sutcliffe', with a stylized, cursive script.

Penny Sutcliffe, MD, MHSc, FRCPC
Medical Officer of Health and Chief Executive Officer



344 Elgin St.
Sudbury, ON P3E 3N9

Feb 10, 2020

Peace Tower Housing

Letter of Support/Collaboration

As we understand, the Peace Tower Housing project will support City of Greater Sudbury residents, creating a homegrown solution to the issue of homelessness in our community. Further, while it is always difficult to ascertain the precise number of individuals affected by homelessness, the 38 units in this project will undoubtedly do much to address this issue in the City of Greater Sudbury.

The Samaritan Centre is supportive of the scope of this project and its potential contribution to a homelessness solution. Housing, while critically important, is often only the first step in addressing homelessness; housing should be paired with supports and services to ensure those being housed are able to maximize the opportunity for a more secure and productive future.

The proposed Peace Tower Housing project will provide access to a variety of supports to residents of the facility, such as employment services, life-skills programs, and other health and social services. In addition, we understand there will be 24/7 on-site staffing to provide immediate supports for residents and to provide stability and security at the site.

The Samaritan Centre strongly supports the provision of supports and programs to assist residents to transition out of supportive housing and into independence.

For all of the reasons cited above, the scope of this project and its impacts on the City of Greater Sudbury homelessness, the services and supports built into the proposal, and the unique location that minimizes impact on businesses and residents, The Samaritan Centre offers its support of the proposed Peace Tower Housing Project.

Lisa D. Long,

Executive Director,
The Samaritan Centre
(705) 669-0111 (office)
(705) 475-8209 (mobile)

November 2020

Spark Employment Services
435 Notre Dame Ave, Suite 102
Sudbury, ON P3C 5K6

To whom it may concern,

RE: Sudbury Peace Tower Housing Project

Spark Employment Services strongly supports the Sudbury Peace Tower Housing Project and its vision of developing a 38-unit affordable housing community for homeless or at-risk of homelessness individuals through the development of an on-site collaborative holistic service delivery model. We believe Spark Employment Services' programs align well with the intent of the project and are very interested in exploring partnership opportunities.

Spark Employment Services is a non-profit organization that aims to provide employment and education services to individuals of Greater Sudbury to help them enhance their employability and secure employment utilizing a motivational approach to service delivery based on the principals of motivational psychology and Stages of Change Theory. Through assessments and programming including Contemplating Change, a Motivational Enhancement Training Program, we believe individuals will obtain the skills, strategies and confidence required to gain meaningful employment. Current services offered include: Employment Counseling and Career Development Services, Resume and Cover Letter Preparation, Online Training & Certifications, Job Matching & Wage Subsidies, GED Preparation, Workshops & E-Learning, and more. Our focus is to ensure clients receive access to support, training and tools necessary in developing new skills that are essential to a successful career.

Presently, Spark Employment Services is also seeking to secure funding for the delivery of the **Circles®** program. The purpose of the Circles® initiative is to support individuals living in poverty while they work on their personal action plans to transition into economic self-sufficiency through education and employment pathways. Circles® offers support with service navigation, added layers of social support, and community connections. It is vastly important to create a safe space for highly barriered individuals experiencing poverty and homelessness to come together and receive coordinated services. This will increase social capital and enhance social inclusion by connecting participants with significant resources, supports and relationships. Spark proposes to facilitate a wrap-around model through the delivery of the Circles® program to assist individuals. This model will connect individuals living in poverty to the services they need and equip them to persevere and attain their employment goals moving them into economic self-sufficiency.

We, as a partnering organization, are committed to collaborating with the Sudbury Peace Tower Housing Project and partner agencies and collaboratively provide the supports necessary to meet the needs of the most vulnerable population in our city. Through this collaboration, we are interested in exploring opportunities to deliver on-site programming that will ensure the tenants have direct access to education and employment services.

We are providing the Sudbury Peace Tower Housing Project this letter in support of their vision to develop an all-inclusive, innovative housing model. We believe our collaboration on the Sudbury Peace Tower Housing Project's proposed initiatives will allow us to meet the needs of homeless or at-risk of homelessness individuals and equip them to have the skills necessary to enhance their employability outcomes and ultimately flourishes in the community of their choice .

Sincerely,

A handwritten signature in black ink, appearing to read "Chantal Makela".

Chantal Makela
Chief Executive Officer



December 7, 2020

Sudbury Peace Tower Housing Project
c/o 874 Lapointe Street
Sudbury, ON P3A 5N8

**RE: LETTER OF SUPPORT FROM THE SUDBURY WOMEN'S CENTRE – SUDBURY
PEACE TOWER DEVELOPEMNT**

Dear Mr. Zulich:

The Sudbury Women's Centre (SWC) respectfully submits a letter of support for the Peace Tower Housing project in the City of Greater Sudbury. The Peace Tower Housing could go a long way in meeting the need in helping our vulnerable population in securing safe and stable housing.

The Sudbury Women's Centre (SWC) is a non-profit, charitable organization that provides support services to women impacted by difficult life situations. Support services offered to women include programming, peer support, referrals, and access to basic needs. The Sudbury Women's Centre is a part of Sudbury women's lives, supporting them to thrive! SWC supports this project's aim to provide a variety of supports to tenants, such as employment services, life-skills programs, and other health and social services. SWC sees the benefits of such services among our clientele, and know this project will help those struggling in our community.

We would be pleased to partner with the Peace Town Housing project by continuing to provide support services to its tenants: women in our community living on a low income and experiencing other barriers to a safe and secure wellbeing. Helping women on a low income also helps their families such as their children and partners.

We are grateful to be included in discussions on this project, which we know is much needed among our largely shared community clientele. SWC serves 100-200 women per week, and a 38-unit housing development would be most welcome by a large number of these women in need of safe and secure housing.

Sincerely,



Giulia Carpenter
Executive Director
gcarpenter@sudburywc.ca
(705) 673-1916 x 103

November 27, 2020

Peace Tower Housing Project

Letter of Support/Collaboration

The Peace Tower Housing Project will support City of Greater Sudbury residents, creating a homegrown solution to the issue of homelessness in our community. Further, while it is always difficult to ascertain the precise number of individuals affected by homelessness, the 38 units in this project will undoubtedly do much to address this issue in the City of Greater Sudbury.

SWSE (SW Sports & Entertainment Ltd.) is supportive of the scope of this project and its potential contribution to a homelessness solution. Housing, while critically important, is often only the first step in addressing homelessness; housing should be paired with supports and services to ensure those being housed are able to maximize the opportunity for a more secure and productive future.

SWSE will be an active participant in the development and sustainability of the Peace Tower Housing Project by offering the following infrastructure support.

- Through our partnership with **Habitat for Humanity Gateway North** the 50/50 proceeds from the 21/22/23/24 Sudbury Wolves & Sudbury 5 seasons will be dedicated to the Peace Tower Housing Project to support both overhead, operational and internal support systems for the tenants, families and individuals. Over a 2 year season this revenue may be in the range of \$3-400,00.00 in net revenue.

For all of the reasons cited above, the scope of this project and its impacts on the City of Greater Sudbury homelessness, the services and supports built into the proposal, and the unique location that minimizes impact on businesses and residents, SWSE offers its support of the proposed Peace Tower Housing Project.

Sincerely,



Scott Lund, CEO



Request for Decision

17-19 Main Street East, Chelmsford

Presented To:	Planning Committee
Presented:	Monday, Jan 11, 2021
Report Date	Monday, Dec 14, 2020
Type:	Public Hearings
File Number:	751-5/20-4 & 701-5/20-4

Resolution

Resolution regarding the Official Plan Amendment:

THAT the City of Greater Sudbury approves the application by C. Enfield Inc. to amend the City of Greater Sudbury Official Plan by permitting a maximum net residential density of 144 units per hectare whereas a maximum net residential density of 60 units per hectare is permitted in the Town Centre land use designation, on those lands described as PIN 73351-0385, Part of Block A & Part of Lot 14, Plan M-4, Parcel 27303, Lot 2, Concession 4, Township of Balfour, as outlined in the report entitled “17-19 Main Street East, Chelmsford”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on January 11, 2021.

Resolution regarding the Zoning By-law Amendment:

THAT the City of Greater Sudbury approves the application by C. Enfield Inc. to amend By law 2010 100Z being the Zoning By-law for the City of Greater Sudbury by changing the zoning classification on the subject lands from “C6(1)”, Downtown Commercial Special to “C6(S)”, Downtown Commercial Special on those lands described as PIN 73351-0385, Part of Block A & Part of Lot 14, Plan M-4, Parcel 27303, Lot 2, Concession 4, Township of Balfour, as outlined in the report entitled “17-19 Main Street East, Chelmsford”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on January 11, 2021, subject to the following condition:

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

- a) That the only permitted uses on the subject lands be two multiple dwellings having a total of nine residential dwelling units along with permitted accessory uses;
- b) That the location of the existing multiple dwelling on the easterly portion of the lands shall be permitted;

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed Dec 14, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Dec 14, 20

Recommended by the Division

Kris Longston
Manager of Community and Strategic Planning
Digitally Signed Dec 14, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Dec 17, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Dec 17, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Dec 18, 20

- c) That a minimum of six parking spaces be provided;
- d) That a parking area be permitted to be located within 0 metres of a public road;
- e) That a minimum court of 12 metres be provided between the opposing walls of the two multiple dwellings;
- f) That no landscaping strip be required along the rear lot line from a point measuring 8.9 metres from the easterly extent of the rear lot line; and,
- g) That a privacy fence having a minimum height of 1.5 metres be required along the rear lot line where no landscaping strip is provided.

Relationship to the Strategic Plan / Health Impact Assessment

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

Report Summary

This report reviews applications for Official Plan Amendment and Zoning By-law Amendment that together would facilitate the development of a new two-storey multiple dwelling containing four residential dwelling units in addition to the existing two-storey multiple dwelling containing five residential dwelling units.

The application to amend the City's Official Plan proposes to provide for a site specific exception to Section 4.2.3(3) of the Official Plan in order to permit a maximum net residential density of 144 units per hectare whereas a maximum net residential density of 60 units per hectare is permitted in the Town Centre land use designation.

The proposed rezoning is intended to change the zoning classification of the subject lands from "C6(1)", Downtown Commercial Special to "C6(S)", Downtown Commercial Special. The rezoning of the lands is also proposed to include site-specific relief with respect to recognizing the location of the existing building, residential density, parking rates, planting strips, minimum court distances between two multiple dwellings with opposing walls, and to allow for parking areas to be situated and immediately abutting Main Street East.

Staff is 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 that the applications for Official Plan Amendment and Zoning By-law Amendment be approved in accordance with the Resolution section of this report.

Financial Implications

If the rezoning is approved, staff estimates approximately \$13,000 in taxation revenue, based on the assumption of 4 dwelling units at an estimated assessed value of \$275,000 per dwelling unit at the 2020 property tax rates.

Currently, this property is within the Chelmsford Designated Exempt Area for development charges. Therefore, no development charges would be applicable based on the existing DC by-law in effect.

Staff Report

Proposal:

The applications for Official Plan Amendment and Zoning By-law Amendment together would facilitate the development of a new two-storey multiple dwelling containing four residential dwelling units in addition to the existing two-storey multiple dwelling containing five residential dwelling units.

The application to amend the City's Official Plan proposes to provide for a site specific exception to Section 4.2.3(3) of the Official Plan in order to permit a maximum net residential density of 144 units per hectare whereas a maximum net residential density of 60 units per hectare is permitted in the Town Centre land use designation.

The proposed rezoning is intended to change the zoning classification of the subject lands from "C6(1)", Downtown Commercial Special to "C6(S)", Downtown Commercial Special. The rezoning of the lands is also proposed to include site-specific relief with respect to recognizing the location of the existing multiple dwelling on the lands, overall site residential density, parking rates, planting strips, minimum court distances between two multiple dwellings with opposing walls, and to allow for parking areas to be situated and immediately abutting Main Street East.

The owner submitted an application for pre-consultation that was considered by the Sudbury Planning Application Review Team (SPART) on November 27, 2019 (File # PC2019-084). The owner met with staff following the SPART Meeting and signed their Pre-Consultation Understanding Agreement (PCUA) on December 20, 2019, and the owner's agent has subsequently now submitted Official Plan Amendment and Zoning By-law Amendment applications to the City for consideration.

The above noted applications were submitted to the City on August 7, 2020, and deemed to be complete on September 25, 2020 following the submission of additional required information. The applications included a Planning Justification Report and a Concept Plan. Details with respect to the owner's public consultation strategy ahead of a public hearing at the Planning Committee was also provided.

Existing Official Plan Designation: Town Centre

The Town Centre designation permits retail, offices, institutional and other related community services and activities. Medium density residential uses up to a maximum of 30 residential dwelling units per building may be permitted, provided that the net residential density does not exceed 60 residential dwelling units per hectare subject to servicing capacity.

Requested Official Plan Designation: Exception to Town Centre – Permitted Residential Use Policy

The development proposal seeks an exception from Town Centre residential density policy contained within the City's Official Plan as described above and found under Section 4.2.3(3) in order to facilitate development of a new two-storey multiple dwelling containing four residential dwelling units in addition to the existing multiple dwelling containing five residential dwelling units that already exists on the subject lands. The resulting net residential density on the subject lands would be 144 residential dwelling units per hectare representing an increase of 84 residential dwelling units per hectare.

Title: C. Enfield Inc.

Date: December 9, 2020

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

The “C6(1)” Zone permits a multiple dwelling limited to a maximum of 30 residential dwelling units per building and a maximum net residential density of 60 residential dwelling units per hectare with or without permitted non-residential uses provided that the lot is a fully serviced lot. Boarding houses are not permitted. The “C6(1)” Zone also has no minimum building height and a maximum building height of 15 m (49.21 ft) and a maximum gross floor area per lot of two times the lot area. Mixed use buildings in the “C6(1)” Zone must also have residential uses located above non-residential uses. Section 5.5.2(b) with respect to the conversion of a building, or part thereof, in the standard “C6” Zone that is five years of age or older to dwelling units, boarding house dwellings or shared housing not requiring any parking spaces is also not applicable within the “C6(1)” Zone.

Based on the above density provisions, the existing “C6(1)” Zone applicable to the subject lands would permit a multiple dwelling having three residential dwelling units, which would result in a net residential density of approximately 47 residential dwelling units per hectare. To provide context, a multiple dwelling having four residential dwelling units would yield an approximate net residential density of 62 residential dwelling units per hectare. The existing multiple dwelling having five residential dwelling units therefore currently yields a legal non-complying net residential density of approximately 78 residential dwelling units per hectare.

Requested Zoning: “C6(S)”, Downtown Commercial Special

The proposed rezoning to “C6(S)” is intended to facilitate the development of a new two-storey multiple dwelling containing four residential dwelling units in addition to the existing two-storey multiple dwelling containing five residential dwelling units. The rezoning of the lands is also proposed to include site-specific relief with respect to the following development standards:

1. To recognize the location of the existing multiple dwelling on the lands as being permitted;
2. To permit 144 residential dwelling units per hectare whereas 60 residential dwelling units per hectare is permitted;
3. To permit 0.66 parking spaces per residential dwelling unit whereas 1 parking space per residential dwelling units is required;
4. To permit a minimum court of 12 m (39.37 ft) between the two opposing walls of the multiple dwellings whereas 15 m (49.21 ft) is required;
5. To permit no landscape strip along the rear lot line for a length of 8.88 m (29.13 ft) beginning from the easterly extent of the rear lot line whereas a 3 m (9.84 ft) planting strip is required where a non-residential lot abuts a residential lot or residential zone; and,
6. To permit a parking area to be situated within 0 m (0 ft) of a public road having a width of more than 10 m (32.81 ft) whereas no parking areas within 3 m (9.84 ft) is permitted.

Location and Site Description:

The subject lands are located on the north side of Main Street East and to the east of Errington Aveune in the community of Chelmsford. The lands have a total lot area of approximately 647 m² (6,969 ft²) with approximately 30 m (98.43 ft) of public road frontage on Main Street East. The easterly portion of the lands contain an existing two-storey multiple dwelling containing five residential dwelling units. The portion of the lands to the west of the existing multiple dwelling consists of a gravel-surfaced parking area. The existing driveway access onto the lands is situated to the west of the existing multiple dwelling.

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Surrounding Land Uses:

- North: Low density urban residential land uses with the predominant built form being single-detached dwellings, a mixed use commercial and medium density residential building at Errington Avenue and Lorne Street, and an elementary school.
- East: General commercial uses consisting of retail and office uses fronting Main Street East with some buildings containing urban residential dwelling units on second floors, low and medium density urban residential land uses further to the east, and a small “tot-lot” park use to the east of Lawrence Street.
- South: General commercial uses consisting of retail and office uses fronting Main Street East and Errington Avenue, and low density urban residential land uses further to the south fronting local streets to the east of Errington Avenue.
- West: Institutional use (i.e. church), general commercial uses at the intersection of Errington Avenue and Main Street East, a mix of low and medium density residential land uses, the Whitson River and a municipal park and trail.

The existing zoning and location map are attached to this report and together indicate the location of the lands subject to the Official Plan Amendment and Zoning By-law Amendment request, as well as the applicable zoning on other parcels of land in the immediate area.

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 September 25, 2020. The statutory Notice of Public Hearing dated December 9, 2020, was provided to the public by newspaper and to nearby landowners and tenants located within 120 m (400 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. Staff understand from the owner’s agent that no public consultation ahead of the public hearing before the City’s Planning Committee was conducted; however, staff do acknowledge that it was not advisable to hold in-person public meeting held by the owner due to the ongoing Covid-19 global pandemic.

At the time of writing this report, the Planning Services Division has received several phone calls seeking clarification on the development proposal. Staff can advise that in general there were no positions of support or opposition expressed or offered by said residents who did place phone calls to the Planning Services Division.

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;](#)
- [Nodes and Corridors Strategy;](#)
- [Chelmsford Community Improvement Plan;](#)
- [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 2020 PPS. The following PPS policies are applicable to the applications for Official Plan Amendment and Zoning By-law Amendment:

1. With respect to Settlement Area policies, Section 1.1.3.1 outlines that settlement areas shall be the focus of growth and development;
2. Section 1.1.3.2 outlines that land use patterns within settlement areas shall have a mix of densities and land uses that efficiently use land and resources, 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, minimize negative impacts to air quality and climate change and promote energy efficiency, prepare for the impacts of a changing climate, are supportive of active transportation, are transit-supportive where transit is planned, exists or may be developed, and are freight-supportive;
3. Section 1.1.3.2 further outlines that land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment;
4. Section 1.1.3.3 outlines that intensification is to be promoted and opportunities for transit-supportive development, accommodating for a supply and range of housing options through intensification while taking into account existing building stock or areas, and the availability of suitable existing or planned infrastructure and public service facilities to accommodate needs are encouraged;
5. Section 1.1.3.4 outlines that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety;
6. Section 1.1.3.5 outlines that local municipalities are to establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions;
7. Section 1.1.3.6 outlines that 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;
8. With respect to Housing Policies, Section 1.4 generally requires municipalities to provide for an appropriate range and mix of housing options and densities to meet projected requirements for current and future residents of the regional market area. This is to be achieved in part by maintaining at all times a three year supply of residential units with servicing capacity that are suitably zoned to facilitate residential intensification and redevelopment. This is also applicable to lands within draft approved or registered plans of subdivision;
9. Section 1.4.3 further 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 by:
 - a) 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;

- b) Directing 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;
 - c) Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of active transportation and transit in areas where it exists or is to be developed;
 - d) Requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and,
 - e) Establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety;
10. Section 1.5.1 outlines that healthy and active communities should be promoted by planning public streets, spaces and facilities to be safe, that meet the needs of pedestrians, that foster social interaction and that facilitate active transportation and community connectivity;
11. Section 1.6.6.1 outlines that planning for sewer and water services shall accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing municipal water and sanitary sewer infrastructure;
12. Section 1.6.6.2 further outlines that municipal water and sanitary sewer infrastructure are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety, and further that within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services;
13. Section 1.6.7.4 outlines that land use patterns, densities and mixing 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; and,
14. Section 1.7.1 outlines that long term economic prosperity should be supported by:
- a) Promoting opportunities for economic development and community investment-readiness;
 - b) Encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;
 - 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 main-streets; and,
 - 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.

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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 applications for Official Plan Amendment and 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 application to amend the City's Official Plan seeks a site specific exception to Section 4.2.3(3) of the Official Plan in order to permit a maximum net residential density of 144 units per hectare whereas a maximum net residential density of 60 units per hectare is permitted in the Town Centre land use designation. Those policies in the Official Plan that are relevant in considering the above noted request are outlined below.

The Town Centre land use designation recognizes existing and historic commercial areas in local communities. Town Centres provide for the development of commercial uses that service local communities and surrounding residential neighbourhoods and Rural Areas. Town Centres are to 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. Development that is supportive of active transportation and transit are also to be encouraged.

Permitted uses in Town Centre designation may include retail, offices, institutional and other related community services and activities. 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. Servicing capacity must also be available for medium density residential development.

When considering rezoning applications for new or expanded uses in a Town Centre, ensuring that the proposed use preserves the character of the area and is harmonious with adjacent uses and their buildings is of particular importance. Assessment of rezoning applications must also have regard for parking requirements, traffic impacts and road access. Parking requirements for new development in a Town Centre may be reduced where off-street municipal or privately owned communal parking facilities already exist and can accommodate additional automobiles.

Section 2.3.2 notes that the subject lands are within both a Settlement Area and the City's Built Boundary as delineated in Schedule 3 – Settlement Area and Built Boundary. Settlement Area land use patterns are to be based on densities and land uses that make the most efficient use of land, resources, infrastructure and public service facilities, minimize negative impacts on air quality and climate change, promote energy efficiency and support public transit, active transportation and the efficient movement of goods. Intensification and development within the Built Boundary is to be encouraged, while development outside of the Built Boundary may be considered in accordance with the policies of the Official Plan.

Section 2.3.3 of the Official Plan generally acknowledges that intensification of a property at a higher density than what currently exists through the development of vacant or underutilized lots is encouraged throughout the City. Intensification is considered to be essential to completing communities, making the most efficient use of land, resources, infrastructure and public service facilities, minimizing negative impacts on air quality and climate change, promoting energy efficiency and supporting public transit, active transportation and the efficient movement of goods. The key to intensification is to ensure that it occurs in a context sensitive manner. Intensification must be compatible with and reinforced the existing and planned character of an area.

Specifically, Section 2.3.3 includes the following applicable intensification policies:

1. All forms of intensification are encouraged in accordance with the policies of the Official Plan;
2. The City will aim to accommodate 20% of future residential growth and development through intensification within the Built Boundary;
3. Large scale intensification and development is permitted in strategic core areas such as the Downtown, Regional Centres and major public institutions, in accordance with the policies of the Official Plan;
4. Medium scale intensification and development is permitted in Town Centres and Mixed Use Commercial corridors, in accordance with the policies of the Official Plan;
5. Intensification will be encouraged on sites that are no longer viable for the purpose for which they were intended such as former commercial, industrial and institutional sites. It will also be encouraged where the present use is maintained but the addition of residential uses can be added in a complementary manner;
6. Intensification will be encouraged on sites with suitable existing or planned infrastructure and public service facilities;
7. Intensification will be compatible with the existing and planned character of an area in terms of the size and shape of the lot, as well as the siting, coverage, massing, height, traffic, parking, servicing, landscaping and amenity areas of the proposal;
8. The following criteria, amongst other matters, may be used to evaluate applications for intensification:
 - a. The suitability of the site in terms of size and shape of the lot, soil conditions, topography and drainage;
 - b. The compatibility proposed development on the existing and planned character of the area;
 - c. The provision of on -site landscaping, fencing, planting and other measures to lessen any impact the proposed development may have on the character of the area;
 - d. The availability of existing and planned infrastructure and public service facilities;
 - e. The provision of adequate ingress/egress, off street parking and loading facilities, and safe and convenient vehicular circulation;
 - f. The impact of traffic generated by the proposed development on the road network and surrounding land uses;
 - g. The availability of existing or planned, or potential to enhance, public transit and active transportation infrastructure;
 - h. The level of sun -shadowing and wind impact on the surrounding public realm;
 - i. Impacts of the proposed development of surrounding natural features and areas and cultural heritage resources;
 - j. The relationship between the proposed development and any natural or man - made hazards; and,
 - k. The provision of any facilities, services and matters if the application is made pursuant to Section 37 of the Planning Act. Where applicable, applications for intensification of difficult sites may be subject to Section 19.7; and,
 - l. Residential intensification proposals will be assessed so that the concerns of the community and the need to provide opportunities for residential intensification are balanced.

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Section 17.2 of the City's 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 (i.e. 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.

City of Greater Sudbury Nodes and Corridors Study:

The Chelmsford Town Centre Community Improvement Plan that is discussed in further detail below was developed as part of the Nodes and Corridors Strategy, which aims to ensure that Downtown Sudbury is better connected to revitalized Town Centres, other strategic commercial and core areas by allowing for mixed uses, connecting citizens across Greater Sudbury, while providing excellent public transit. The Nodes and Corridors Strategy in other words is therefore intended to help create new and distinctive corridors and centres, all featuring mixed uses, public realm improvements and public transit. The Chelmsford Town Centre was identified as a priority in 2017-2018 and continues to be an area of important focus with respect to the City's desire to encourage revitalization in Town Centres.

Chelmsford Town Centre Community Improvement Plan:

The Chelmsford Town Centre Community Improvement Plan (Chelmsford CIP) was developed and adopted in 2018 and is intended to address challenges facing the Town Centre by introducing strategies to further their economic development, physical improvement and to promote private sector investment. The Chelmsford CIP identifies and provides for a series of goals and actions for the Town Centre, including the provision of good active transportation options, as well as providing for and focusing on redevelopment and streetscape improvement opportunities. In particular, Section 4.0 of the Chelmsford CIP also specifically notes that increasing the amount of housing in Town Centres helps to ensure the availability of a local labour force for all types of commercial activity, supports the retail environment and spurs additional community investment. Having diverse housing opportunities promotes other land use planning goals by helping to curb urban sprawl and support intensification. Development that occurs within existing built up areas where infrastructure is already in place and underutilized can also save taxpayers and residents money.

Zoning By-law 2010-100Z:

The owner is requesting that the subject lands be rezoned to "C6(S)", General Commercial Special in order to facilitate the development of a new two-storey multiple dwelling containing four residential dwelling units in addition to the existing two-storey multiple dwelling containing five residential dwelling units. As previously noted in this report, the rezoning of the lands is also proposed to include site-specific relief with respect to recognizing the location of the existing multiple dwelling, overall residential density, parking rates, planting strips, minimum court distances between two multiple dwellings with opposing walls, and to allow for parking areas to be situated and immediately abutting Main Street East.

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Department/Agency Review:

The applications 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 applications and to inform the content of Official Plan Amendment enactment documents, as well as appropriate development standards in an amending zoning by-law should the applications 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, Site Plan Control and Transit Services have each advised that they have no concerns from their respective areas of interest.

The Ministry of Municipal Affairs and Housing was also circulated the application for Official Plan Amendment and have not expressed any concerns.

Building Services confirms that the proposed multiple dwelling containing four residential dwelling units will require a building permit. It is further noted that site-specific relief appears to be required in order to permit a density maximum of 144 dwelling units per hectare to provide for a minimum of 6 parking spaces, to allow for parking spaces to be situated within 0 m (0 ft) of the front lot line, to permit a minimum court between opposing building walls of 12 m (39.37 ft) and to permit reduced landscaping strips where the lands abut a low density residential zone.

Development Engineering has no concerns with the application to amend the City's Zoning By-law. The lands are serviced with municipal water and sanitary sewer infrastructure. Development Engineering also notes that the development of the lands are subject to site plan control.

Roads, Traffic and Transportation also note that through site plan control the existing westerly driveway entrance to the lands is to be removed and the curb, sidewalk and boulevard are to be reinstated. It is also noted that the proposed parking area is currently being used by the existing multiple dwelling containing five residential dwelling units. It is further noted that only six parking spaces are shown on the submitted on the Concept Plan and that the rezoning would result in the lands having a total of nine residential dwelling units. Roads, Traffic and Transportation advise that there is short-term parking near the lands (i.e. 4 hours maximum), however, there are no longer term parking available in close proximity to the lands.

PLANNING ANALYSIS:

The 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 Official Plan Amendment and rezoning is consistent with the PPS for the following reasons:

1. The community of Chelmsford is an identified settlement area in the City's Official Plan. The proposed development of a new two-storey multiple dwelling containing four residential dwelling units in addition to the existing two-storey multiple dwelling containing five residential dwelling units in this location and setting along Main Street East should be promoted and is considered to be good land use planning;

2. Staff is of the opinion that the proposed development contributes positively to improving the mix of densities and land uses that would be permitted in this particular area to the east of Errington Avenue along Main Street East in the community of Chelmsford. Development Engineering has noted that municipal water and sanitary sewer infrastructure is available on Main Street East and that the servicing of the lands will be further reviewed and facilitated through the site planning process. With respect to active transportation and public transit, staff notes that there are sidewalks on both sides of Main Street East and a public transit route is available along Errington Avenue and Main Street East (i.e. Route 104 – Azilda/Chelmsford). The closest public transit stop is directly to the west at a distance of approximately 12 m (39.37 ft) from the westerly lot line of the subject lands. It should be further noted that the Chelmsford Mobility Hub is located to the south-east of the subject lands at the Place Bonaventure Mall. Should the rezoning be approved, staff are also of the opinion that the larger mix of land uses and densities that would result within the Chelmsford settlement area offers an opportunity to minimize or mitigate negative impacts associated with air quality and climate change and to promote development that is energy efficient;
3. Staff is of the opinion that the development proposal seeking to permit a multiple dwelling containing four residential dwelling units at the density proposed will improve the possible mix of land use patterns in the general area and will serve to encourage and provide for increased opportunities in terms of promoting the intensification within the Chelmsford settlement area and in particular within an area of Chelmsford designated as being the Town Centre. The lands represent an underutilized lot within this context and the opportunity for the reasonable intensification of the lands is apparent;
4. Staff is of the opinion that the development proposal will promote and be supportive of existing active transportation and public transit options that exist in the area and it would provide for a better mix of housing options through intensification while taking into account existing building stock or areas and balancing these competing forces against each other. The available municipal infrastructure is suitable and capable of supporting the proposed additional multiple dwelling containing four residential dwelling units and access to public services that could be or are already located in the Town Centre would be improved as more people would have the opportunity to live nearby;
5. Staff is of the opinion that appropriate development standards can be utilized through the rezoning process that facilitates intensification and compact built-form, while avoiding or mitigating risks to public health and safety. Specifically, the amending zoning by-law is proposed to limit development to that of two multiple dwellings having a total of nine residential dwelling units along with permitted accessory uses. Other site-specific development standards relating to the minimum number of parking space and the location of parking areas would also be utilized to ensure that the lands are developed in a manner that balances the desire to accommodate intensification in the Chelmsford Town Centre with the existing character and mix of uses that presently exists along Main Street East. In addition, staff would note that this further development of the lands would be subject to site plan control and staff is confident that the above can be appropriately addressed in finer detail through the site planning process;
6. Staff notes that with respect to establishing minimum targets for intensification and redevelopment within built-up areas, the City's Official Plan includes a target that 20% of future residential growth and development will be accommodated through intensification within built-up areas. Staff can advise that the development proposal would contribute to this target as the lands are situated within the built-up Chelmsford Town Centre;

7. Staff notes the subject lands directly abut an existing built-up commercial area (i.e. restaurant to the west and a mixed-use building to the east) and are entirely within the identified Chelmsford Town Centre. The lands themselves already contain a two-storey multiple dwelling containing five residential dwelling units. Staff are also of the opinion that the additional multiple dwelling that is being proposed is of compact built-form and would provide for the efficient use of the land, as well as available municipal infrastructure and nearby public service facilities;
8. With respect to Housing Policies in the PPS, staff has the following comments:
 - a) Staff is generally of the opinion that the development proposal would increase and contribute positively to ensuring that an appropriate range and mix of housing options and densities to meet projected requirements for current and future residents living in the Chelmsford Town Centre. 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;
 - b) Development Engineering has indicated that existing municipal infrastructure can be utilized to service the additional multiple dwelling that is proposed on the lands. Accordingly, staff is satisfied that the development proposal would contribute positively to the City's maintenance of a minimum three year supply of residential units with servicing capacities that are suitably zoned to facilitate residential intensification and redevelopment;
 - c) Staff would advise that the development proposal represents an opportunity to facilitate residential intensification and by extension provide new housing in an identified settlement area (i.e. Chelmsford Town Centre) where appropriate infrastructure (e.g. servicing and public transit) and public service facilities are available. The development can also be viewed as being transit-supportive given the lands close proximity to existing public transit routes. Staff therefore advises that in general the residential density being proposed is contextually appropriate in this particular Town Centre setting; and,
 - d) As mentioned above, staff are confident that appropriate development standards can be utilized in an amending zoning by-law that will balance reasonable residential intensification with the existing character and built form that exists along Main Street East. Further to this, the use of appropriate development standards will facilitate infill residential development that can be expected to contribute toward the identified policy of minimizing the cost of providing new housing and compact built form while maintaining appropriate levels of public health and safety.
9. With respect to Public Spaces, Recreation, Parks, Trails and Open Space policies in the PPS, staff would in general note that the development proposal would contribute positively to the identified policy of promoting and supporting health and active communities. The subject land have ready access to commercial shops and services located in the Chelmsford Town Centre, as well as having access to public transit, active transportation options and nearby parks and trails. Staff are of the opinion that the proposed overall development of the lands represents an opportunity to improve the public realm through the lens of promoting a healthy and active Chelmsford Town Centre;
10. With respect to Infrastructure and Public Service Facilities policies in the PPS, staff notes that the subject lands containing the existing multiple dwelling is serviced by existing municipal water and sanitary sewer infrastructure. The proposed new multiple dwelling would also connect to the above noted municipal infrastructure. Development Engineering has no concerns with the new multiple dwelling connecting to the existing municipal infrastructure that exists along Main Street East.

The development proposal would result in the provision of new housing options via residential intensification in the Chelmsford Town Centre, while at the same time making efficient use of existing municipal infrastructure that does not require the uneconomical extension of said municipal infrastructure. Staff would further note that the resulting land use pattern, density and mix of uses in the Chelmsford Town Centre will serve to promote the minimization of length and number of vehicular trips those living in the Town Centre will need to make, while at the same time encouraging the easily accessible use of public transit and active transportation options available from Main Street and Errington Avenue; and,

11. With respect to Long-Term Economic Prosperity policies in the PPS, staff understands that the owner intends on accessing further Chelmsford CIP programs and related interest-free loan programs, and further the proposed additional multiple dwelling containing four residential dwelling units will in part act to promote economic development and community-investments in the Chelmsford Town Centre going forward. Staff is also satisfied that the resulting development of the lands would maintain and enhance the vitality and viability of the Chelmsford Town Centre, which is an identified priority for ensuring long-term economic prosperity. Staff is further of the opinion that the development proposal will act to promote a sense of place and good built residential form in the Chelmsford Town Centre. Additionally, it is noted that through the review of the applications, there are no anticipated negative impacts on any built heritage resources or cultural heritage landscapes. It is also acknowledged in the PPS that encouraging residential uses that respond to housing market needs, supply and options are necessary in terms of attracting and maintaining a diverse workforce in both Chelmsford and other parts of the City of Greater Sudbury.

With respect to the City's Official Plan, staff in general are supportive of both the Official Plan Amendment and Zoning By-law Amendment requests. Those policies relevant to the development proposal that would facilitate the development of a new two-storey multiple dwelling containing four residential dwelling units in addition to the existing two-storey multiple dwelling containing five residential dwelling units on the subject lands are discussed below.

With respect to the Town Centre policies under Section 4.2.3 of the Official Plan, staff notes that a multiple dwelling is a permitted use and would contribute positively to ensuring that a diverse mix of land uses and appropriate range of housing types is available in the Chelmsford Town Centre. The development proposal would also result in two multiple dwellings fronting Main Street East that would have easy access to stores, services and recreational opportunities, as well as active transportation and public transit options that are located in the Chelmsford Town Centre.

Specifically, staff is supportive of the proposed net residential density increase given the unique site context that exists along this portion of Main Street East. The lots to the east of Errington Avenue along Main Street East are of varying lot areas, lot depths and lot frontages, along with a number of irregularly shaped lots. Municipal Property Assessment Corporation (MPAC) data also indicates that the building stock along this portion of Main Street also generally ranges from the 1940s to 1980s. The result being that staff has identified a number of legal non-complying buildings, parking areas, and so on, when set against currently applicable development standards within the standard "C6" and "C6(1)" Zone. Staff is therefore of the opinion that the proposed net residential density increase would not be out of character and would be complimentary to the lots, buildings and land uses that already exist along this portion of Main Street East within the Chelmsford Town Centre.

The above observation is important to keep in mind when considering permitting additional density in a Town Centre in terms of ensuring that the character of the area is preserved and is compatible with adjacent uses and their buildings. The intensification policies contained in the City's Official Plan will be utilized later in this report to provide for an analysis of parking requirements, traffic impacts and road access as it related to the development proposal.

Staff would note, however, that at this point that the Town Centre does have shorter-term on-street visitor parking opportunities on Main Street East. The parking reduction being sought also amounts to 0.66 parking spaces per unit whereas 1 parking space per unit is required in the Town Centre through the applicable “C6”(1)” Zone (i.e. Downtown Commercial). Staff is of the opinion that the parking spaces that are proposed balances the need for providing some on-site parking against the site constraints, presence of alternative transportation options, and the character that exists along this portion of Main Street East.

With respect to Section 2.3.2, staff notes that the subject lands are within the identified Chelmsford Settlement Area and located within the Built Boundary as depicted on Schedule 3 – Settlement Area and Built Boundary of the City’s Official Plan. Staff are of the opinion that the development proposal proposes an additional residential land use permission in the form of a multiple dwelling containing four residential dwelling units that would make efficient use of the lands given the Town Centre context. The development proposal would also make good use of existing infrastructure and public service facilities, while minimizing negative impacts on air quality and climate change, and promoting energy efficiency and access to available public transit and active transportation options. Staff would also note that Section 2.3.2 encourages intensification and development within the Built Boundary wherever possible. It is also noted that the application for Official Plan Amendment would not have the effect of expanding urban-related land use designations into an area that is outside of an identified Settlement Area.

With respect to applicable intensification policies set out under Section 2.3.3 of the Official Plan, staff has the following comments:

1. Staff notes that the subject lands represent an underutilized lot within the Town Centre context that exists along Main Street East and are within an existing and identified settlement area where all forms of intensification are encouraged;
2. Staff have previously noted in this report that the development proposal would contribute to the stated target of accommodating 20% of future residential growth through intensification within built-up areas as the lands are situated within the built-up Chelmsford Town Centre;
3. Staff advises that the increased net residential density that is proposed given the site context, along with the rezoning to permit a new multiple dwelling having four residential dwelling units on the westerly portion of the lands would together facilitate a broader range of options and possibilities for intensification in this location and is to be encouraged;
4. Staff is also of the opinion that given the Town Centre context that exists along Main Street East that the applications do not amount to large-scale intensification that would be better directed to the Downtown or Regional Centre land use designation. There would be a total of nine residential dwelling units within two multiple dwellings being two-storeys each in height. Staff notes that given the unit count and the lot fabric and characteristics that exist along Main Street east, it would be better generalized as being medium scale intensification, which is permitted in the Town Centre designation;
5. Staff is generally satisfied that the additional multiple dwelling having four residential dwelling units can be added to the subject lands in a manner that is complimentary to both the lot itself, as well as the immediately surrounding area. There have been no issues identified with respect to providing municipal servicing to the additional multiple dwelling that is proposed. It is also expected that site plan control will positively contribute toward ensuring that the additional use is accommodate properly on the lands in a manner that is complimentary to other uses in the Chelmsford Town Centre; and,

6. The submitted Planning Justification Report did provide some analysis with respect to densities that are already present on other lots in the general area along Main Street East. Staff has reviewed the analysis and agrees that on Main Street East the existing net residential densities range from as low as 39 residential dwelling units per hectare (i.e. 23 Main Street East) up to 130 residential dwelling units per hectare (i.e. 61 Main Street). While the proposed Official Plan Amendment would allow for 144 residential dwelling units per hectare, staff is satisfied that this form of residential intensification will be compatible with the existing character of the Chelmsford Town Centre in terms of the size and shape of the lot, as well as the siting, coverage, massing, height, traffic, parking, servicing, landscaping and amenity areas of the proposal.

Specifically, with respect to the applicable criteria set out in Section 2.3.3 of the Official Plan that are be considered when evaluating applications that propose intensification, staff has the following comments:

1. Staff is satisfied that the subject lands can be viewed as being suitable in terms of the size and shape of the lot, as well as soil conditions, topography and drainage for the purposes of accommodating a second multiple dwelling with four additional residential dwelling units within the Chelmsford Town Centre. Staff also has noted that the accommodation of the additional use on the land can reasonably be addressed through the site planning process that would be applicable once the owner chooses to proceed with development;
2. Should the applications be approved, staff is satisfied that the increase in permitted net residential density in this particular site and area context will not negatively affect abutting properties. The request is not viewed as being excessive or otherwise damaging from a good land use planning perspective to the overall planned character of the Chelmsford Town Centre;
3. Staff advises that the site planning process will be utilized to ensure that the provision of appropriate on-site landscaping, fencing, planting and other measures that will lessen any impacts that the resulting two multiple dwelling containing a total of nine residential dwelling units would have on the general area are achieved. Staff notes in particular that the introduction of a new multiple dwelling use on the lands would occur on the westerly portion of the lands and would immediately abut a restaurant use to the west. It should also be noted that portions of the proposed new multiple building would abut a municipally-owned park block of land in the rear and not a residential lot or building;
4. Development Engineering has noted that municipal water and sanitary sewer infrastructure is available on Main Street East, and that the servicing of the lands will be further refined and facilitated through the site planning process. No concerns were raised in the review of the applications with respect to municipal servicing should the increased net residential density be approved as proposed;
5. Staff also have no concerns with respect to the capabilities of the site planning process to address matters such as the provision of adequate ingress/egress, off street parking spaces and areas, and the safe and convenient vehicular circulation that can be accommodated on the lands. Roads, Traffic and Transportation did provide comment that through site plan control the existing westerly driveway entrance to the lands is to be removed and the curb, sidewalk and boulevard are to be reinstated. It was also noted that parking constraints exist on the lands that will require attention;
6. Roads, Traffic and Transportation reviewed the applications and did not express any concerns with respect to negative impacts related to the traffic that would be generated by the proposed development on the road network and surrounding land uses;
7. Staff has noted in this report that the lands are well serviced with both public transit and active transportation options. Staff also circulated the applications to Transit Services and no concerns were raised with respect to the proposed net residential density increase and site-specific zoning permissions that would facilitate the addition of a second multiple dwelling on the lands;

8. Staff are satisfied that no sun shadowing and wind impacts are of concern given the scale of new development that is being proposed is a two-storey multiple dwelling containing four residential dwelling units. The scale of intensification being proposed does not warrant the submission of sun-shadowing or wind impact studies;
9. Staff in their review of the applications did not identify any areas of concern with respect to negative impacts of the development proposal on surrounding natural features and areas and cultural heritage resources;
10. Staff in their review of the applications did not identify any areas of concern with respect to negative impacts on any relationships between the proposed development and any natural or man-made hazards;
11. Staff advises the applications do not involve, or have any impacts, on the provision of any facilities, services and matters pursuant to Section 37 of the Planning Act. It is noted for information purposes that Section 37 of the Planning Act permits the City to authorize increases in permitted height and/or density through the zoning by-law in return for community benefits, provided that there are related Official Plan policies in place allowing it to do so (e.g. Section 19.7 – Comprehensive Planned Units Development policies in the City's Official Plan); and,
12. Staff would conclude based on the above review and analysis that this particular residential development proposal does balance the concerns of the local community against the need to provide for opportunities for residential intensification.

With respect to housing policies set out under Section 17.2 of the Official Plan, staff notes that the proposed two-storey multiple dwelling containing four residential dwelling units in general represents an opportunity to provide for a greater mix of housing types and tenure in the community of Chelmsford. Specifically, staff would have the following comments:

1. Staff has noted previously in this report that the development proposal would result in two multiple dwellings having a total of nine residential dwelling units on the subject lands that are situated within Chelmsford's Town Centre. Staff would therefore advise that the additional multiple dwelling 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 Chelmsford;
2. Staff understands from the owner that consideration will be given to providing residential dwelling units within the proposed new multiple dwelling that have two bedrooms or less, and as such these dwelling units would be reasonably expected to provide for an attractive housing option for those with smaller household sizes living in Chelmsford;
3. Staff are satisfied that in general the proposed built-form will contribute positively to ensuring that a range of suitable housing types are available to meet the needs of senior citizens living in Chelmsford. Staff would also note that the entrances to each of the proposed residential dwelling units as shown on the Concept Plan appears to be from outside the building and at existing grade;
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 multiple dwelling on the lands and would certainly increase the diversity of housing options available in Chelmsford; and,
5. Overall, staff is satisfied that the development proposal is supportive of and would contribute positively to the planned and designated function of the Chelmsford Town Centre. Staff would add that the development proposal would contribute positively to the notion of creating complete communities that are designed to have a mix of land uses, are supportive of public transit, and that provide for a full range of housing, including affordable housing, inclusive of all ages and abilities.

Staff is therefore supportive of the request to provide for a site-specific exception to Section 4.2.3(3) of the City's Official Plan in order to permit a maximum net residential density of 144 units per hectare whereas a maximum net residential density of 60 units per hectare is permitted in the Town Centre land use designation.

With respect to the Chelmsford CIP, staff have the following comments:

1. Staff advises that the façade of the existing multiple dwelling containing five residential dwelling units on the easterly portion of the lands was renovated in mid-2020 and was funded in part through the City's Main Street Revitalization Initiative; and,
2. Staff further advises that prior to submitting the planning application that are the subject of this report the owner obtained additional approvals through the Chelmsford CIP for a multiple dwelling having three residential dwelling units on the easterly portion of the subject lands. Since this time, the owner has amended their application for additional funding sources potentially made available through the Chelmsford CIP related to developing a multiple dwelling containing four residential dwelling units.

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 "C6(S)", Downtown Commercial Special in order to permit two multiple dwellings having a total of nine residential dwelling units. The rezoning is also proposed to include site-specific relief with respect to recognizing the location of the existing multiple dwelling on the lands, overall site residential density, parking rates, minimum court distances between two multiple dwellings with opposing walls, and to allow for parking areas to be situated and immediately abutting Main Street East;
2. In order to provide for the above noted development, staff can advise that the amending zoning by-law should include the follow site-specific development standards:
 - a) That the only permitted uses on the subject lands be two multiple dwellings having a total of nine residential dwelling units along with permitted accessory uses;
 - b) That the location of the existing multiple dwelling on the easterly portion of the lands shall be permitted;
 - c) That a minimum of six parking spaces be provided;
 - d) That a parking area be permitted to be located within 0 m (0 ft) of a public road;
 - e) That a minimum court of 12 m (39.37 ft) be provided between the opposing walls of the two multiple dwellings;
 - f) That no landscaping strip be required along the rear lot line from a point measuring 8.9 m (29.20 ft) from the easterly extent of the rear lot line; and,
 - g) That a privacy fence having a minimum height of 1.5 m (5 ft) be required along the rear lot line where no landscaping strip is provided.
3. Staff would recommend that the minimum required five bicycle parking spaces be provided on the lands given the reduction in vehicular parking spaces that are being proposed. The reduction in vehicular parking spaces is largely supported due to the lands being situated within a Town Centre where active transportation options are available, or where the opportunity exists to encourage active transportation options such as the provision of bicycle parking areas. Staff would further advise that the site planning process will be utilized accordingly to identify the most appropriate location on the lands for bicycle parking spaces, however, they are at present depicted adjacent to the snow storage area on the Concept Plan;

4. 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 73351-0385, Part of Block A & Part of Lot 14, Plan M-4, Parcel 27303, Lot 2, Concession 4, Township of Balfour.

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.

The following are the principles of the proposed Official Plan Amendment and Zoning By-law Amendment:

- The Official Plan Amendment is site-specific to the lands and would provide for an exception to Section 4.2.3(3) of the Official Plan in order to permit a maximum net residential density of 144 units per hectare whereas a maximum net residential density of 60 units per hectare is permitted in the Town Centre land use designation. The site-specific exception to the above noted policy would be added under Section 21 – Site Specific Policies and also be denoted on Schedule 2c – Site Specific Amendments in the City's Official Plan;
- The amending zoning by-law would contain the following site-specific provisions:
 - That the only permitted uses on the subject lands be two multiple dwellings having a total of nine residential dwelling units along with permitted accessory uses;
 - That the location of the existing multiple dwelling on the easterly portion of the lands shall be permitted;
 - That a minimum of six parking spaces be provided;
 - That a parking area be permitted to be located within 0 m (0 ft) of a public road;
 - That a minimum court of 12 m (39.37 ft) be provided between the opposing walls of the two multiple dwellings;
 - That no landscaping strip be required along the rear lot line from a point measuring 8.9 m (29.20 ft) from the easterly extent of the rear lot line; and,
 - That a privacy fence having a minimum height of 1.5 m (5 ft) be required along the rear lot line where no landscaping strip is provided.

The Planning Services Division therefore recommends that the applications for Official Plan Amendment and Zoning By-law Amendment be approved in accordance with the Resolution section of this report.

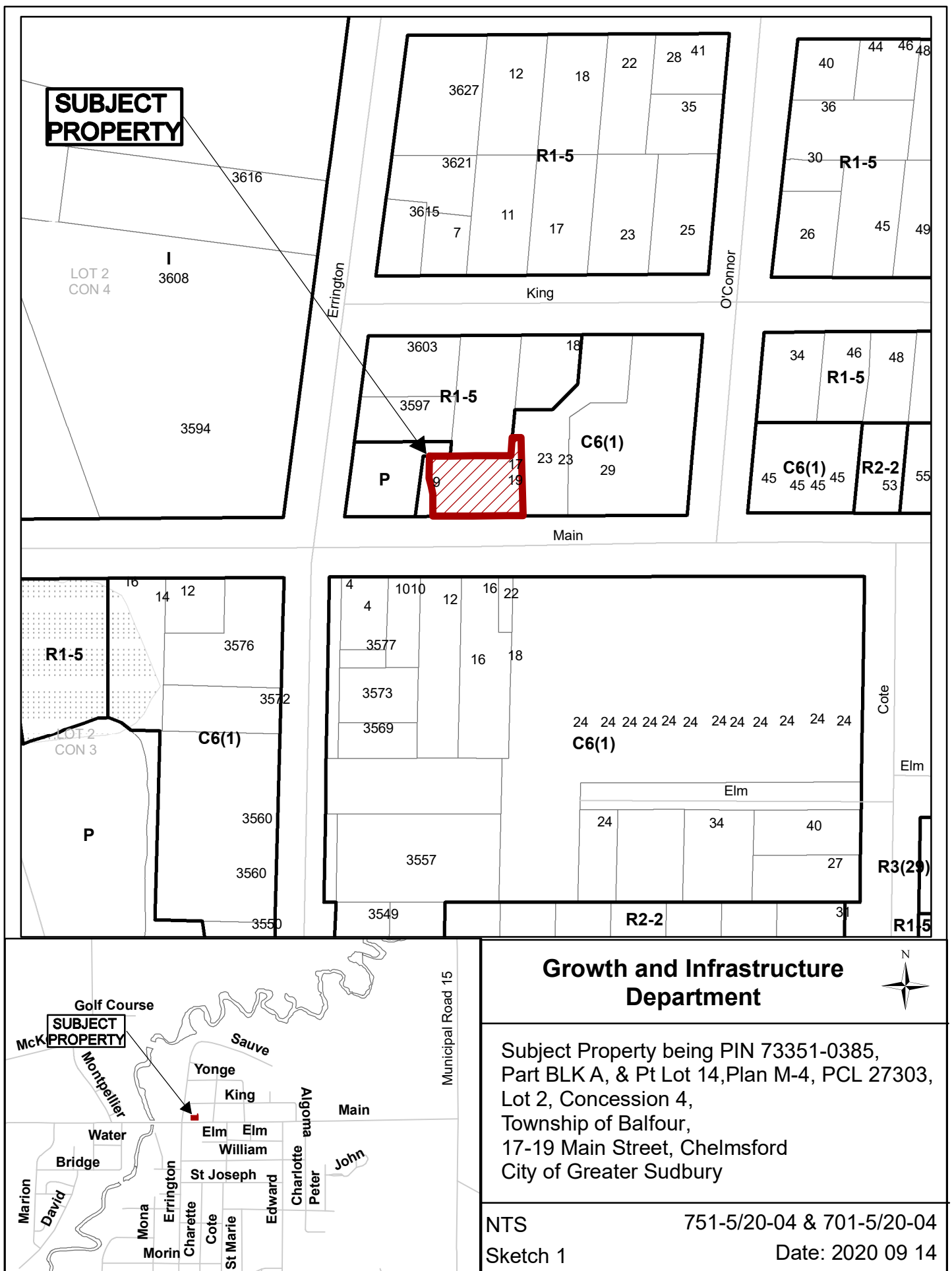




PHOTO #1 – Subject lands and abutting restaurant use as viewed from Main Street East looking north.



PHOTO #2 – Existing multiple dwelling containing five residential dwelling units on the subject lands along with abutting mixed use commercial and residential buildings as viewed from Main Street East looking east.



PHOTO #3 – Existing commercial and mixed use residential and commercial buildings to the immediate south of the lands as viewed from Main Street East looking south.



PHOTO #4 – Mixed use commercial and residential uses as viewed from Main Street East looking west toward Errington Avenue.

Request for Decision

1381 Vermilion Lake Road, Chelmsford

Presented To:	Planning Committee
Presented:	Monday, Jan 11, 2021
Report Date	Friday, Dec 11, 2020
Type:	Routine Management Reports

Resolution

THAT the City of Greater Sudbury approves the request by Ron & Lisa Gosselin to allow Consent Applications B0067/2020, B0068/2020 and B0069/2020 on those lands described as PIN 73368-0328, Part 5, Plan 53R-20628, Part 3, Plan 53R-21130, Lot 12, Concession 6, Township of Creighton, to proceed by way of the consent process, as outlined in the report entitled "1381 Vermilion Lake Road, Chelmsford", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on January 11, 2021.

Relationship to the Strategic Plan / Health Impact Assessment

The request to create two rural waterfront lots and one non-waterfront rural lot in addition to the fourteen rural waterfront lots already created by way of the consent process as opposed to a plan of subdivision is an operational matter under the Planning Act to which the City is responding.

Report Summary

This report reviews a request by the owners to create a further two rural waterfront lots and one non-waterfront rural lot in addition to the fourteen rural waterfront lots already created by way of the consent process as opposed to a plan of subdivision. Section 20.4.1 of the Official Plan requires that all proposals, which have the effect of creating more than three new lots, be processed as applications for a plan of subdivision unless in Council's opinion a plan of subdivision is not necessary for the proper development of the area. The Planning Services Division is recommending that the request be approved to proceed through the consent process, as a plan of subdivision is not recommended.

Financial Implications

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed Dec 11, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Dec 11, 20

Recommended by the Division

Kris Longston
Manager of Community and Strategic Planning
Digitally Signed Dec 13, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Dec 17, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Dec 17, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Dec 18, 20

This report has no financial implications.

Title: Ron & Lise Gosselin

Date: November 26, 2020

Staff Report

Applicants:

Ron & Lise Gosselin

Location:

PIN 73368-0328, Part 5, Plan 53R-20628, Part 3, Plan 53R-21130, Lot 12, Concession 6, Township of Creighton (1381 Vermilion Lake Road, Chelmsford)

Official Plan and Zoning By-law:

[Official Plan](#)

The subject lands are designated Rural in the Official Plan for the City of Greater Sudbury.

Section 5.2.2(2) of the City's Official Plan establishes criteria for the creation of new non-waterfront rural lots that are not situated on a waterbody or watercourse. Specifically, for new rural lots not located on a waterbody or watercourse, the following lot creation policies apply:

1. The severed parcel and the parcel remaining must have a minimum size of 2 hectares (5 acres) and a minimum public road frontage of 90 m (295 ft); and,
2. Regardless of the size and frontage of the parent parcel, no more than three new lots may be created from a single parent rural parcel based on the date of the adoption of this Plan in existence as of June 14, 2006.

Section 5.2.2(4) of the City's Official Plan establishes criteria for the creation of new rural waterfront lots located on a lake or watercourse. Specifically, for new rural lots located on a waterbody or watercourse, the following lot creation policies apply:

1. Excluding those waterbodies or watercourses situated within an identified Special Policy Area, new lots on waterbodies or watercourses in will have a minimum lot areas of 0.8 hectare (2 acres) and have a minimum water frontage of 45 m (148 ft), unless detailed waterbody studies indicate a change in the standard;
2. New lots for permanent waterfront residential use must front onto a public road that is maintained year-round;
3. New lots for seasonal waterfront residential uses are permitted on waterbodies or watercourses with public water access with adequate off-street parking and boat docking facilities; and,
4. Residential dwellings and accessory buildings must be set back to appropriate levels based on individual waterbody or watercourse conditions and regulations set out in the City's Zoning By-law.

Further to the above noted rural lot creation policies, Section 20.4.1 of the Official Plan outlines that, "... all proposals which have the effect of creating more than three new lots shall be considered as applications for a plan of subdivision, unless in Council's opinion a plan of subdivision is not necessary for the proper development of the area.

Title: Ron & Lise Gosselin

Date: November 26, 2020

Zoning By-law

The subject lands are presently zoned “RU”, Rural under By-law 2010-100Z being the Zoning By-Law for the City of Greater Sudbury. 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.

The request from the owner would not change the zoning classification of the subject lands.

Site Description & Surrounding Land Uses:

The subject lands are located on the south side of Vermilion Lake Road and to the north of the Vermilion River in the community of Chelmsford. The lands have a total approximate lot area of 11.01 ha (27.21 acres) with approximately 351 m (1,151.57 ft) of lot frontage on Vermilion Lake Road. The lands are vacant. Surrounding uses are predominantly rural in nature with a number of large rural residential lots and vacant rural lots being located in the immediate vicinity of the subject lands.

Application:

In accordance with Section 20.4.1 of the Official Plan, the Consent Official has referred the subject applications for consent to the Planning Committee and Council in order to determine whether the proposed lot creations should be permitted to proceed by the way of the consent process, or alternatively if a plan of subdivision is required.

Proposal:

The owners are seeking approval from the Consent Official to create two additional new rural waterfront lots with each having a minimum of 45 m (147.63 ft) of water frontage onto the Vermilion River and approximately 30 m (100 ft) of public road frontage on Vermilion Lake Road. The third rural lot that is proposed to be created is a non-waterfront lot and would have a minimum lot area of 2 ha (5 acres) along with approximately 90 m (295 ft) of public road frontage on Vermilion Lake Road. The owners have previously applied for and received approval to create fourteen rural waterfront lots fronting onto Vermilion Lake Road since January 2009.

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 consent referral request and to formulate a resolution with respect to whether or not the proposed rural lot creations should proceed by way of the consent process, or in the alternative if a plan of subdivision should be required.

Date: November 26, 2020

During the review of the consent referral request, comments provided by circulated agencies and departments included the following:

1. Active Transportation, Conservation Sudbury, the City's Drainage Section, Environmental Planning Initiatives, Fire Services, Leisure Services, Operations, Roads, Traffic and Transportation, and Transit Services have each advised that they have no comments or have no concerns from their respective areas of interest;
2. Building Services has no concerns with the consent referral request, but has noted and cautions the owners that a geotechnical report will be required at the time of building permit application;
3. Development Engineering has noted that the subject lands are not serviced with municipal water or sanitary sewer infrastructure. Development Engineering further advises that the owners must provide sufficient proof that adequate quantity of potable water is available for each of the lots being created; and,
4. Water/Wastewater notes that the subject lands are located in the "non-critical" Vermilion Intake Protection Zone 3 with a Vulnerability Score of 7. Concerning the proposed creation of new lots at 1381 Vermilion Lake Road, there is no significant threat to the drinking water source identified at this time.

Planning Considerations:

The lands have been the subject of fourteen previous rural lot creations (Files # B0184/2008 to B0186/2008, B0125/11 to B0127/11, B0086/15 to B0088/15, B0127/2015 to B0129/2015 & B0037/2018 to B0039/2018) and the current applications for consent would permit an additional two rural waterfront lots and one non-waterfront rural lot with each having public road frontage on Vermilion Lake Road and two of the above noted lots also having water frontage on the Vermilion River.

With respect to Section 20.4.1 of the Official Plan, staff has circulated the consent referral request in order to determine whether the rural waterfront lot creations should be permitted to proceed by way of the consent process, or alternatively, if a plan of subdivision should be required. Staff advises that in general those agencies and departments circulated on the request have not identified any concerns with respect to the proposed rural waterfront lot creations proceeding by way of the consent process. Staff further advises that no land use planning matters which would prescribe the subdivision planning process as the preferred method for lot creation in this case have been identified during the review of the request.

Summary:

Staff has reviewed the consent referral request and advises that in general there are no land use planning matters, which would prescribe the subdivision planning process as the preferred method for lot creation in this case. It is on this basis that staff recommends that it would be appropriate for the proposed new rural waterfront lots to be created by way of the consent process.

**SUBJECT
PROPERTY**

LOT 1
CON 1

LOT 12
CON 1
1426

1476

1462

1446

RU

1408

Vermilion Lake

1370 1374

1392

1465 1455

LOT 1
CON 6

LOT 12
CON 6

P

Gordon Lake

Vermilion River

Stobie Dam

1381

1377

1373

1369

1365

LOT 12
CON 6

RU

LOT 1
CON 6

Simmons

Pilon

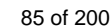
144

McKenzie Creek
McKenzie Creek

Consent Application

84 of 200





Hand-drawn map of a proposed lot split. The map shows three numbered lots (1, 2, 3) and a larger area labeled "LAND RETAINED". Dimensions are given in feet and acres.

Dimensions and Area:

- Top boundary: 100', 100', 295'
- Left boundary: 390' ±
- Bottom boundary: 167' ±, 167' ±
- Right boundary: 240' ±, 336' ±
- Area 1: 3.9' ± ACRES
- Area 2: 3.9' ± ACRES
- Area 3: 5 ACRES ±
- LAND RETAINED: 13 ACRES ±

North Arrow: Indicated by a vertical line with a crossbar and a diagonal line.

Text at bottom right: RON & ROSE GOSSELIN, PROPOSED LOT SPLIT

RON & SE COSELMAN
PROPOSED LOT SPLIT
1301 VERMILION LK. RD.
PART OF LOT 12 CONC. 6
TOWNSHIP OF CREIGHTON
DATED SEPT. 24/2020

Request for Decision

Greenvalley Drive, Sudbury – Declaration of Surplus Vacant Land

Presented To:	Planning Committee
Presented:	Monday, Jan 11, 2021
Report Date	Tuesday, Dec 15, 2020
Type:	Routine Management Reports

Resolution

THAT the City of Greater Sudbury declare surplus to the City's needs the vacant land north of Greenvalley Drive, Sudbury, legally described as part of PIN 73475-1295(LT), being part of Part 1 on Plan 53R-17994, Township of Broder;

AND THAT the vacant land be offered for sale to the abutting property owner pursuant to the procedures governing the sale of limited marketability surplus land as outlined in the report entitled "Greenvalley Drive, Sudbury - Declaration of Surplus Vacant Land", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on January 11, 2021.

Relationship to the Strategic Plan / Health Impact Assessment

This report refers to an operational matter.

Report Summary

This report will recommend that the City declare surplus vacant land north of Greenvalley Drive, Sudbury, and offer the land for sale to the abutting property owner.

Financial Implications

This report has no financial implications.

Signed By

Report Prepared By

Tanya Rossmann-Gibson
Property Administrator
Digitally Signed Dec 15, 20

Manager Review

Keith Forrester
Manager of Real Estate
Digitally Signed Dec 15, 20

Recommended by the Division

Shawn Turner
Director of Assets and Fleet Services
Digitally Signed Dec 16, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Dec 16, 20

Recommended by the Department

Kevin Fowke
General Manager of Corporate Services
Digitally Signed Dec 16, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Dec 18, 20

Greenvalley Drive, Sudbury – Declaration of Surplus Vacant Land

Presented: January 11, 2021

Report Date: December 18, 2020

Background

The subject land measures approximately 182 square meters in size and is zoned “R1-5 – Low Density Residential One”. The location of the land is identified on the attached Schedule ‘A’.

In 2006, the City of Greater Sudbury purchased the subject land as part of a larger parcel of land for the Countryside Drainage Project.

The City is designing the drainage works in the area, and has determined the subject land is not required for the project. The City does require additional lands from the abutting property owner. The subject land was circulated to all City departments with a view of declaring surplus and offering for sale to the abutting property owner as part of a land exchange.

The following response was received:

The Nickel District Conservation Authority (Conservation Sudbury) does not object to the sale of this portion of land, as it is part of a larger land exchange to allow for the construction of municipal drainage works. However, the prospective purchaser should be advised that the parcel is entirely within an area regulated by Ontario Regulation 156/06 and that the developable area has not yet been demonstrated. As such, development on this parcel will require a permit pursuant to Section 28 of the *Conservation Authorities Act* which will ensure the proposal is consistent with the appropriate legislation, regulations, and policy.

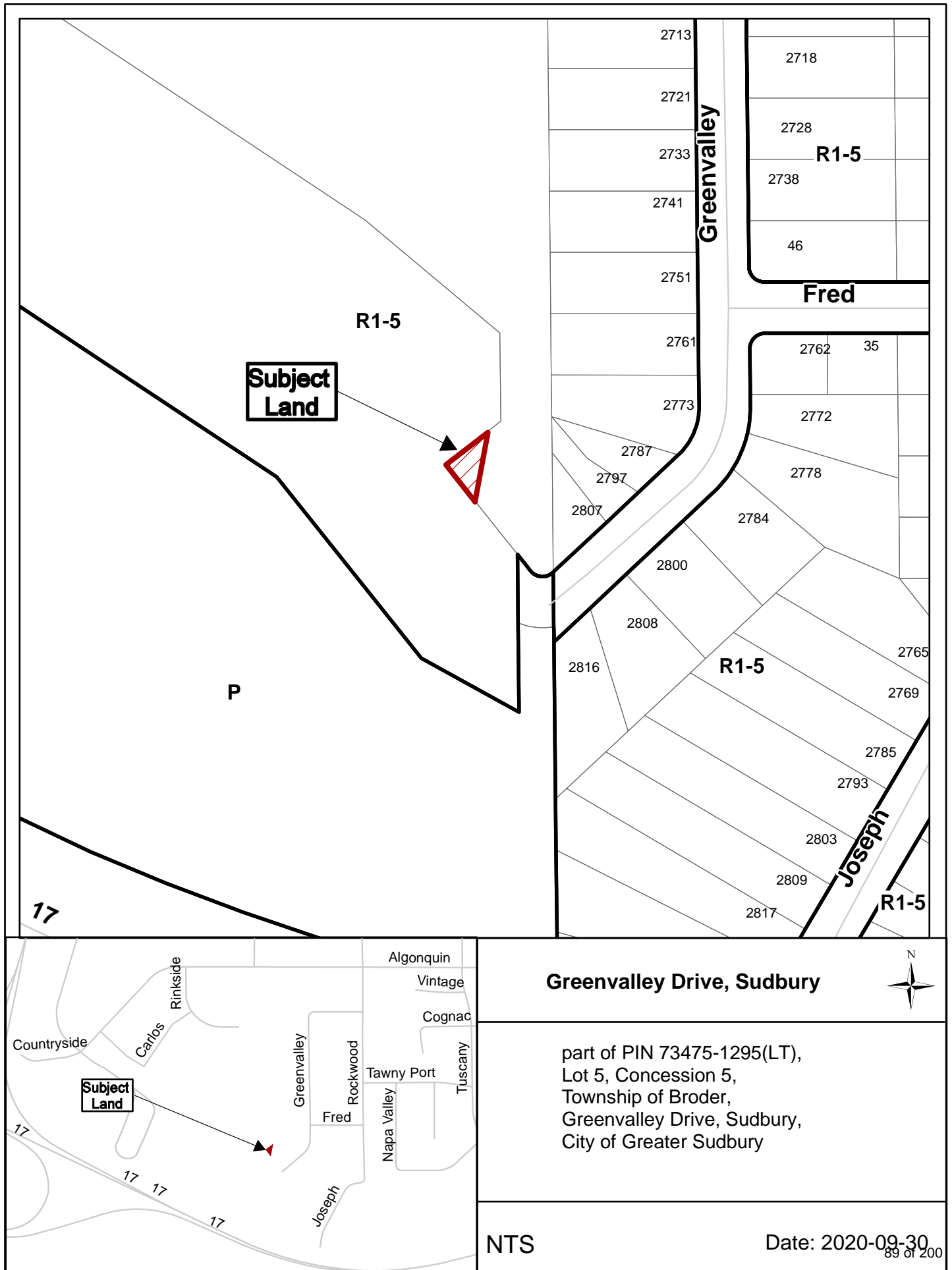
No further comments were received.

Recommendation

It is recommended that the subject land north of Greenvalley Drive, Sudbury, be declared surplus to the City’s needs and offered for sale to the abutting property owner.

If approved, a further report will follow with respect to the sale transaction.

SCHEDULE 'A'



Greenvalley Drive, Sudbury



part of PIN 73475-1295(LT),
Lot 5, Concession 5,
Township of Broder,
Greenvalley Drive, Sudbury,
City of Greater Sudbury

NTS

Date: 2020-09-30
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Request for Decision

Municipal Road #80, Hanmer

Presented To:	Planning Committee
Presented:	Monday, Jan 11, 2021
Report Date	Friday, Dec 11, 2020
Type:	Routine Management Reports

Resolution

THAT the City of Greater Sudbury approves the request by Normand & Ronald Thibert to allow Consent Application B0073/2020 on those lands described as PIN 73503-1644, Part 1, Plan 53R-14043, Part 2, Plan 53R-20539, Lot 1, Concession 3, Township of Hanmer, to proceed by way of the consent process, as outlined in the report entitled "Municipal Road #80, Hanmer", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on January 11, 2021.

Relationship to the Strategic Plan / Health Impact Assessment

The request to create one additional urban residential lot in addition to the three urban residential lots already proposed to be created by way of the consent process, as opposed to a plan of subdivision, is an operational matter under the Planning Act to which the City is responding.

Report Summary

This report reviews a request by the owners to create one additional urban residential lot in addition to the three urban residential lots fronting Municipal Road #80 that are already proposed to be created by way of the consent process as opposed to a plan of subdivision. There is a draft approved urban residential subdivision (i.e. Thibert Subdivision) which separates the three proposed urban residential lots fronting Municipal Road #80 from the fourth lot to be created to the north of the draft approved plan of subdivision. Section 20.4.1 of the Official Plan requires that all proposals, which have the effect of creating more than three new lots, be processed as applications for a plan of subdivision unless in Council's opinion a plan of subdivision is not necessary for the proper development of the area. The Planning Services Division is recommending that the request be approved to proceed through the consent process as a plan of subdivision is not recommended.

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed Dec 11, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Dec 11, 20

Recommended by the Division

Kris Longston
Manager of Community and Strategic Planning
Digitally Signed Dec 13, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Dec 17, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Dec 14, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Dec 18, 20

Financial Implications

This report has no financial implications.

Title: Normand & Ronald Thibert

Date: December 7, 2020

Staff Report

Applicants:

Ronald Thibert & Normand Thibert

Location:

PIN 73503-1644, Part 1, Plan 53R-14043, Part 2, Plan 53R-20539, Lot 1, Concession 3, Township of Hanmer (6040 Municipal Road #80, Hanmer)

Official Plan and Zoning By-law:

[Official Plan](#)

The subject lands are designated Living Area 1 in the Official Plan for the City of Greater Sudbury.

The Living Area 1 land use designation includes residential areas that are fully serviced by municipal water and sewer and are to be the primary focus of residential development. Living Area 1 is seen as areas of primary focus for residential development given the desire to utilize existing sewer and water capacity and reduce the impacts of un-serviced rural development. New residential development must be compatible with the existing physical character of established neighborhoods, with consideration given to the size and configuration of lots, predominant built form, building setbacks, building heights and other provisions applied to nearby properties in the City's Zoning By-law.

Further to the above noted rural lot creation policies, Section 20.4.1 of the Official Plan outlines that, "... all proposals which have the effect of creating more than three new lots shall be considered as applications for a plan of subdivision, unless in Council's opinion a plan of subdivision is not necessary for the proper development of the area.

[Zoning By-law](#)

At present, the subject lands are zoned "FD", Future Development under By-law 2010-100Z being the Zoning By-Law for the City of Greater Sudbury. The "FD" Zone permits limited land uses in the form of a single-detached dwelling provided it is located on a legal existing lot and/or a park.

There is a related and conditionally approved rezoning application that would rezone the subject lands to "FD(S)", Future Development Special, "R1-5", Low Density Residential One, "R3", Medium Density Residential and "RU" Rural (File # 751-7/16-3). The rezoning approval is conditional upon the owners submitting a registered survey plan describing the individual portions of the subject lands to be rezoned to the above noted zones.

The request from the owners would not change the zoning classification of the subject lands.

Site Description & Surrounding Land Uses:

The subject lands are located on the north side of Municipal Road #80 and to the east of Centennial Drive and to west of Notre Dame Avenue in the community of Hanmer. The lands have a total lot area of approximately 19.25 ha (47.58 acres) with existing lot frontages of approximately 101 m (331.36 ft) onto Municipal Road #80 and approximately 20 m (65.62 ft) onto both St. Isidore Street and Collette Street. The lands are well vegetated and presently contain a number of trails in the middle and rear portions of the lands. The lands also at present contain an existing single-detached dwelling with an access driveway onto Municipal Road #80.

Date: December 7, 2020

Application:

In accordance with Section 20.4.1 of the Official Plan, the Consent Official has referred the subject applications for consent to the Planning Committee and Council in order to determine whether the proposed urban residential lot creation should be permitted to proceed by the way of the consent process, or alternatively if a plan of subdivision is required.

Proposal:

The owners are seeking approval from the Consent Official to create one additional urban residential lot having a minimum of 20 m (65.62 ft) of public road frontage on Colette Street. The owners have concurrently applied for approval from the City's Consent Official to create three urban residential lots having frontage on Municipal Road #80 (Files # B0070/2020, B0071/2020 & B0072/2020).

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 consent referral request and to formulate a resolution with respect to whether or not the proposed urban residential lot creation should proceed by way of the consent process, or in the alternative if a plan of subdivision should be required.

During the review of the consent referral request, comments provided by circulated agencies and departments included the following:

1. Active Transportation, the City's Drainage Section, Environmental Planning Initiatives, Fire Services, Leisure Services, Operations, Roads, Traffic and Transportation, and Transit Services have each advised that they have no comments or have no concerns from their respective areas of interest;
2. Building Services has no concerns with the consent referral request, but has noted that the amending zoning by-law to rezone the lands to "FD(S)", Future Development Special has not yet been enacted by Council and that geotechnical reports will be required to be submitted by the owners at the time of building permit application;
3. Development Engineering has noted that the subject lands are capable of being serviced with municipal water or sanitary sewer infrastructure that is available within the Collette Street right-of-way and that any required costs associated with the upgrading of municipal water and sewer infrastructure to service the lands will be borne entirely by the owner. Development Engineering further advises that additional comments will be provided through the normal consent application commenting process; and,
4. Water-Wastewater previously noted through their review of the associated rezoning and draft plan of subdivision applications that the subject lands are located within a source water protection area and as such are subject to a review under Section 59 of the [Clean Water Act](#). The lands are identified in the City's [Source Protection Plan](#) as being within a Vulnerable Area and in close proximity to a Well Head Protection Area. Water-Wastewater has reviewed the applications and advise that no activity or activities engaged in or proposed to be engaged in on the subject lands are considered to be significant drinking water threats. The owner's agent was therefore advised that they may proceed with appropriate land use planning applications and building permit applications as they are neither prohibited or restricted under Part IV of the Clean Water Act.

Planning Considerations:

As noted previously in the report, the lands are the subject of three related and concurrently submitted consent applications (Files # B0070/2020, B0071/2020 & B0072/2020) and the fourth application for consent that is the subject of this report would permit a fourth urban residential lot that would be accessed via Colette Street.

For background purposes, staff would note that there is a draft approved urban residential subdivision (i.e. Thibert Subdivision) which separates the three proposed urban residential lots fronting Municipal Road #80 from the fourth lot to be created to the north of the draft approved plan of subdivision. Staff advises that the related and now conditionally approved rezoning “FD(S)”, Future Development Special, on the portion of lands subject to this fourth consent application would allow for the construction of one single-detached dwelling on a lot that is to be created. Staff would also further advise that per Planning Committee and Council’s decision on the related rezoning application, that the future amending zoning by-law that would apply to this portion of the subject lands will include a site-specific provision and that the site plan control be applicable to the lands in order to ensure that the development of a single-detached dwelling on the lands does not compromise future urban residential development.

With respect to Section 20.4.1 of the Official Plan, staff has circulated the consent referral request in order to determine whether the creation of the fourth urban residential lot should be permitted to proceed by way of the consent process, or alternatively, if a plan of subdivision should be required. Staff advises that in general those agencies and departments circulated on the request have not identified any concerns with respect to the above noted and proposed urban residential lot creation proceeding by way of the consent process. Staff further advises that no land use planning matters which would prescribe the subdivision planning process as the preferred method for lot creation in this case have been identified during the review of the request.

Summary:

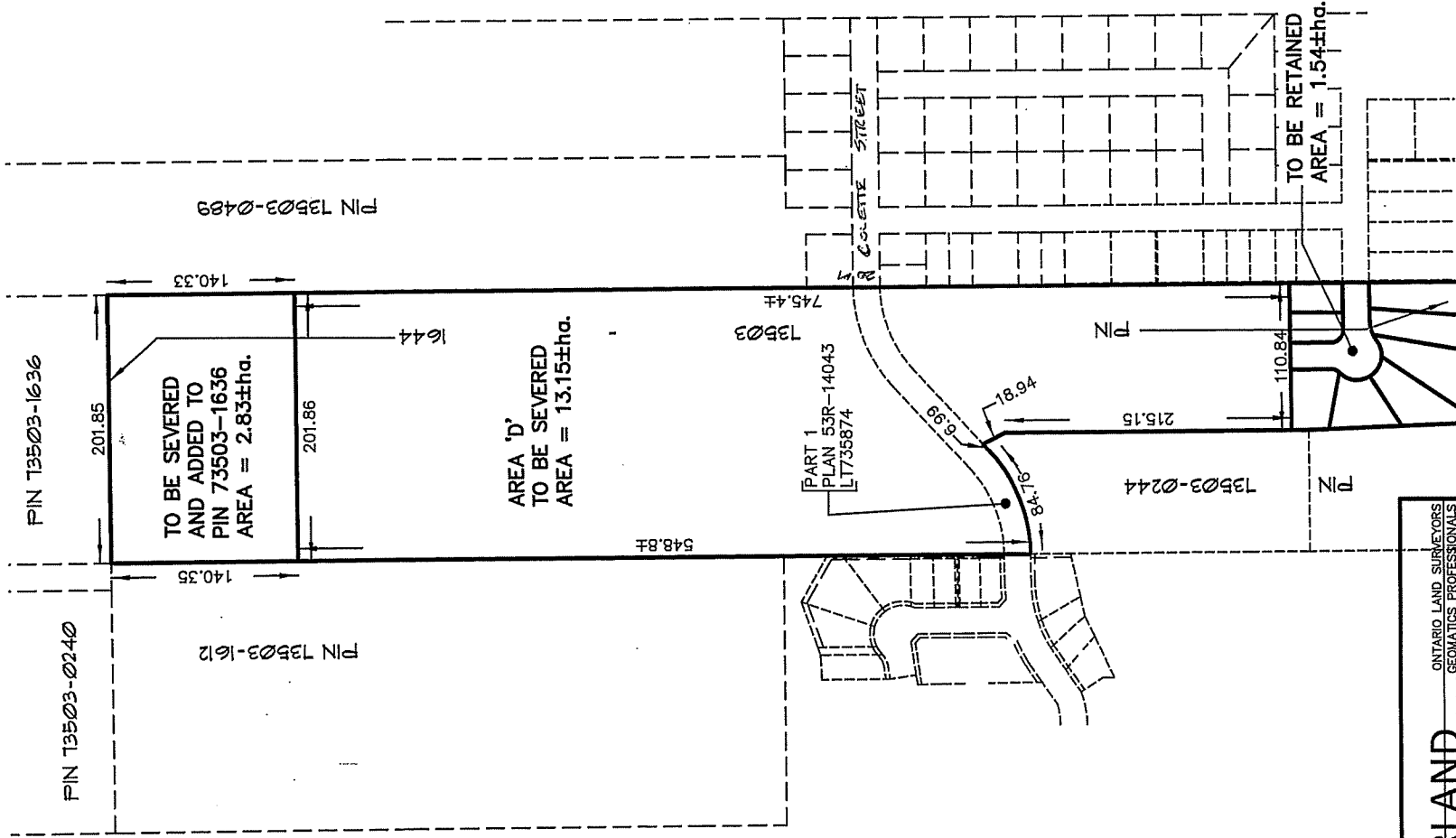
Staff has reviewed the consent referral request and advises that in general there are no land use planning matters which would prescribe the subdivision planning process as the preferred method for lot creation in this particular case. It is on this basis that staff recommends that it would be appropriate for the proposed new urban residential lot to be created by way of the consent process.

REQUIRED SKETCH
PART OF LOT 1
CONCESSION 3

GEOGRAPHIC TOWNSHIP OF HANMER
CITY OF GREATER SUDBURY
DISTRICT OF SUDBURY

NOTE

THIS IS NOT A PLAN OF SURVEY AND
SHOULD ONLY BE USED FOR THE PURPOSE
STATED IN THE TITLE BLOCK.



D.S. **DORLAND** LIMITED
ONTARIO LAND SURVEYORS
GEOMATICS PROFESSIONALS
298 LARCH STREET
SUDBURY, ONTARIO, P3B 1M1
PHONE (705) 673-2556 FAX (705) 673-1051
WWW.DORLANDLIMITED.CA

PREPARED BY : WJM
CHECKED :
DATE : OCTOBER 20, 2020
SCALE : 1:4000 METRIC
CAD FILE : 17321 DRAFT4.dwg
P.S. TAB : REQUIRED SKETCH Oct 20 2020

B73/2020
Sketch 2

Request for Decision

Raft Lake Subdivision, Sudbury

Presented To:	Planning Committee
Presented:	Monday, Jan 11, 2021
Report Date	Monday, Dec 14, 2020
Type:	Routine Management Reports
File Number:	780-6/96003

Resolution

THAT the City of Greater Sudbury's delegated official be directed to amend the conditions of draft approval for a plan of subdivision on those lands described as Part of Parcel 9502 SES, Lot 2, Concession 3, Township of Broder, File # 780-6/96003, in the report entitled "Raft Lake Subdivision, Sudbury", from the General Manager of Growth and Infrastructure, presented at the meeting on January 11, 2021, as follows:

1. By deleting Condition #16 and replacing it with the following:

"16. The owner shall prepare and submit a storm-water management report that has been prepared by a professionally qualified engineer all to the satisfaction of the General Manager of Growth and Infrastructure. The storm-water management report must address the following requirements:

i. For the subject area draining north-west towards South Lane Road under the existing conditions a minor storm discharge from the subject development must be limited to the existing pre-development site runoff resulting from a 5 year design storm. Any resulting post-development runoff in excess of this permissible discharge rate must be controlled and detained within this area of plan of subdivision;

ii. The overland flow system within this part of plan of subdivision must be designed to accommodate and/or convey the major storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 100 year design storm or Regional storm event, whichever is greater, without causing damage to proposed and adjacent public and private properties. The permissible major storm discharge from the subject development in this area must be limited to the existing predevelopment runoff resulting from a 100 year design storm or Regional storm event, whichever is greater;

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed Dec 14, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Dec 14, 20

Recommended by the Division

Kris Longston
Manager of Community and Strategic Planning
Digitally Signed Dec 14, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Dec 17, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Dec 17, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Dec 18, 20

- iii. “Enhanced” level must be used for the design of storm-water quality controls as defined by the Ministry of the Environment, Conservation and Parks;
- iv. For the subject area draining south-east towards the Little Raft Lake and Raft Lake under the existing conditions, an “enhanced” level must be used for the design of storm-water quality controls as defined by the Ministry of the Environment, Conservation and Parks;
- v. For all drainage areas, the drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any storm-water management plan;
- vi. The final grading of the lands shall be such that the surface water originating on or tributary to the said lands, including roof water from buildings and surface water from paved areas, will be discharged in a manner satisfactory to the General Manager of Growth and Infrastructure;
- vii. Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties;
- viii. Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted; and,
- ix. The drainage generated within the separate drainage areas shall not cross the watershed boundaries for minor and major storm events.

2. By adding the following words at the end of Condition #17:

“A lot grading agreement, if required, shall be registered on title to the satisfaction of the Director of Planning Services and the City Solicitor. The owner shall be responsible for the legal costs of preparing and registering any required lot grading agreement.”

3. By deleting Condition #22 and replacing it with the following:

“22. That this draft approval shall lapse on March 14, 2024.”

4. By adding the following words at the end of Condition #25:

“The geotechnical engineer will be required to address Ontario Regulation 406/19: On-Site and Excess Soil Management when the regulation comes into force.”

5. By deleting Condition #27 and replacing it with the following:

“27. The owner shall provide to the City, as part of the submission of servicing plans a Sediment and Erosion Control Plan detailing the location and types of sediment and erosion control measures to be implemented during the construction of each phase of the project. Said plan shall be to the satisfaction of the General Manager of Growth and Development and the Nickel District Conservation Authority. The siltation control shall remain in place until all disturbed areas have been stabilized. All sediment and erosion control measures shall be inspected daily to ensure that they are functioning properly and are maintained and/or updated as required. If the sediment and erosion control measures are not functioning properly, no further work shall occur until the sediment and/or erosion problem is addressed.”

6. By deleting Condition #37 and replacing it with the following:

“37. Within three years prior to the registration of the subdivision plan or a portion thereof, the owner shall retain a qualified professional to undertake an Ecological Site Assessment to determine if the Eastern Whip-poor-will, which is protected by the Endangered Species Act, occurs on the subject lands. If the Assessment reveals the presence of the Eastern Whip-poor-will and its habitat, the owner shall, to the satisfaction of the Director of Planning Services, demonstrate that all requirements set out by the Ministry of

the Environment, Conservation and Parks under the Endangered Species Act have been satisfied prior to any site alteration or development taking place on the subject lands.”

Relationship to the Strategic Plan / Health Impact Assessment

The application to extend this draft plan of subdivision approval is an operational matter under the Planning Act to which the City is responding.

Report Summary

The owner has requested an extension to the draft plan of subdivision approval of the Raft Lake draft approved plan of subdivision in the community of Sudbury for a period of three years until March 14, 2024. The Planning Services Division has reviewed the request to extend the draft approval and have no objections to the requested extension for a period of three years. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approval.

Building Services has requested that Condition #25 be updated to reflect the development having regard for Ontario Regulation 406/19 with respect to on-site and excess soil management. Conservation Sudbury has requested that Condition #27 be updated to reflect current standard condition verbiage relating to the requirement for the owner to prepare an Erosion and Sediment Control Plan to the satisfaction of the Nickel District Conservation Authority (NDCA). The City’s Drainage Section has requested that the existing condition addressing storm-water management be updated to reflect current standard draft approval condition practices in terms of the infrastructure that will be required to facilitate the development of the Raft Lake subdivision. Environmental Initiatives has requested that Condition #37 be amended to specifically require that an Ecological Site Assessment be completed prior to registration of the draft plan or a portion thereof in order to determine if the Eastern Whip-poor-will, an endangered species, is present and occurring on the subject lands. If the presence of the Eastern Whip-poor-will is detected, the owner would be required to satisfy the City that all requirements set out by the Ministry of the Environment, Conservation and Parks under the Endangered Species Act have been satisfied prior to any site alteration or development taking place on the subject lands. Other housekeeping changes where necessary are included and outlined in the Resolution section of this report.

The Planning Services Division is recommending approval of the application to extend the draft approved plan of subdivision for a period of three years until March 14, 2024. Amendments to the conditions of draft approval where necessary have been identified and are included in the Resolution section of the report.

Financial Implications

If approved, staff estimates approximately \$187,000 in taxation revenue, based on the assumption of 28 single detached dwelling units at an estimated assessed value of \$500,000 per dwelling unit at the 2020 property tax rates.

In addition, this development would result in total development charges of approximately \$510,000 based on the assumption of 28 single detached dwelling units and based on the rates in effect as of this report.

Date: December 7, 2020

Staff Report

Applicant:

Alom Corporation

Location:

Part of Parcel 9502 SES, Lot 2, Concession 3, Township of Broder (Raft Lake Subdivision)

Application:

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on March 14, 1997. The draft approval was most recently extended by the City's Planning Committee on September 10, 2018, through Resolution PL2018-159, which was ratified by Council on November 20, 2018.

Proposal:

The owner is requesting that the draft approval conditions for the above noted lands be extended for a period of three years until March 14, 2024.

Background:

The City received a written request via email and letter mail from Alom Corporation on November 2, 2020, to extend the draft approval on a plan of subdivision for a period of three years on those lands described as Part of Parcel 9502 SES, Lot 2, Concession 3, Township of Broder. The draft approved plan of subdivision was initially approved by Council for a total of 28 single-detached dwelling lots to south of South Lane Road and to the north of Raft Lake and Little Raft Lake in the community of Sudbury. At the time of writing this report, there have been no phases completed or lots registered within the draft approved plan of subdivision. The lands are intended to be accessed via South Lane Road, which is situated to the north of the subject lands.

The draft approval is set to expire again on March 14, 2021. Staff has circulated the request to relevant agencies and departments and is now bringing forward this report to extend the draft approval to March 14, 2024.

Departmental & Agency Circulation:

Active Transportation, Fire Services, Leisure Services, Operations, Roads, Traffic & Innovation and Transit Services have each advised that they have no concerns from their respective areas of interest.

Building Services has requested that the geotechnical requirements set out in Condition #25 be updated to reflect the development having regard for [Ontario Regulation 406/19](#) with respect to on-site and excess soil management. The owner will be required to address on-site and excess soil management as per above noted O.Reg. 406/19 when it comes into full force and effect.

- To be added to the geotechnical requirements of Condition #25: "The geotechnical engineer will be required to address On-site and Excess Soil Management when O. Reg. 406/19 comes into force.

Date: December 7, 2020

Canada Post has not requested any changes to the draft approval conditions. Canada Post did however note in an emailed letter their requirements and expectations for providing mail service to the subdivision. The above noted letter is attached to this report for the owner's information and for reference purposes.

Conservation Sudbury has requested that Condition #27 be updated to reflect the current standards relating to the requirement for the owner to prepare an Erosion and Sediment Control Plan to the satisfaction of the Nickel District Conservation Authority (NDCA). Conservation Sudbury is also requesting that three conditions be added which would properly address the placement of fill, alteration of grades and construction activities on the portion of the subject lands that are regulated under [Ontario Regulation 156/06](#). Conservation Sudbury also advises if the owner should discover a regulated natural hazard as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury directly. Regulated natural hazards include floodplains, watercourses, shorelines, wetlands, valley slopes. Conservation Sudbury also generally notes that any works occurring within a regulated area will require a permit pursuant to Section 28 of the [Conservation Authorities Act](#).

Development Engineering has noted that no phases of the Raft Lake Subdivision have been registered since the initial draft approval was granted on March 14, 1997. Development Engineering further advises that no submissions relating to the registration of part, or the whole, of the draft approved plan of subdivision have been received for review.

The City's Drainage Section has requested that Condition #16 be deleted and replaced with one comprehensive and modernized condition addressing the requirement for a storm-water management report and associated plans. The comprehensive condition will act to provide clarity in the draft approval document in terms of what is required from a storm-water management perspective. It is noted that existing Condition #36 addresses arrangements for the provision of any required storm-water management facilities and the dedication of land associated with said facilities.

Environmental Initiatives has requested that Condition #37 be amended to specifically require that an Ecological Site Assessment be completed prior to registration of the draft plan or a portion thereof in order to determine if the Eastern Whip-poor-will, an endangered species, is present and occurring on the subject lands. If the presence of the Eastern Whip-poor-will is detected, the owner would be required to satisfy the City that all requirements set out by the Ministry of the Environment, Conservation and Parks under the [Endangered Species Act](#) have been satisfied prior to any site alteration or development taking place on the subject lands. Environmental Initiatives further advises and cautions that the owner is solely responsible for ensuring that activities relating to vegetation removal, site alteration and development undertaken on the subject lands do not result in a contravention of the Endangered Species Act. The owner is further advised to consult with the Province's Ministry of the Environment, Conservation and Parks (MECP).

Planning Considerations:

[Planning Act](#)

Section 51 of the Planning Act has established two land use planning principles with respect to the initial approval of a draft plan of subdivision and how extensions to an existing draft approved plan of subdivision can be addressed.

First, Section 51(32) allows for a municipality to provide a lapsing date on a draft approved plan of subdivision of not less than three years and the draft approval is considered to have lapsed at the end of the specified time period.

Date: December 7, 2020

In practice, where a draft plan of subdivision has lapsed there is nothing preventing a landowner from filing another draft plan of subdivision application for consideration. The re-application is treated as a new application and all requirements under Section 51 are applicable (e.g. a public hearing would be required). Section 51(33) allows for a municipality to extend draft approval beyond the initial period for a time specified by the municipality.

Lapsing conditions are imposed by a municipality to ensure that once they are approved, development will proceed in an expeditious manner. The municipality is most typically concerned that development takes place within the current policy and regulatory framework and especially where scarce services or capacity to service development have been committed to the draft approved plan of subdivision. Three years is generally considered to be sufficient time to clear conditions of draft approval and proceed to registering a plan of subdivision. Section 51(33) allows for some flexibility whereby some additional time can be afforded to a landowner where they are actively pursuing the clearing of draft approval conditions.

Second, Section 51(44) on the other hand allows for a municipality to withdraw draft approval of a plan of subdivision at its discretion or to change the conditions of a draft approval at any time before the registration of a plan of subdivision.

Appeal rights in both cases noted above are found in Section 51, should a landowner or interested party wish to appeal a refusal to extend a lapsing date, a change of conditions or the complete withdrawal entirely of a draft approval by a municipality.

[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 PPS. Settlement areas, employment areas, housing and housing supply, provision of public spaces, sewage and water capacities, transportation, natural heritage areas, natural hazards and human-made hazards are some examples of areas of provincial interest that a draft approved plan of subdivision may impact and should be considered when an initial approval is granted as well as when an extension to an existing draft approval is granted. The PPS is updated from time-to-time by the Province, and any draft approval extension should be considered within the context of the in-force PPS at the time an extension request is made.

[Official Plan](#)

Section 19.4.2 of the Official Plan for the City of Greater Sudbury addressing draft plan of subdivision approvals outlines that Council will not extend or recommend the extension of a draft plan approval, beyond the statutory limitation of three years, unless the owner has demonstrated to the satisfaction of Council that they are making a reasonable effort to proceed in meeting the conditions of draft approval. At the time of an extension request, Council is to review the draft plan conditions and may make appropriate modifications.

Staff notes that this particular draft plan approval was originally approved by Council on March 14, 1997, and at the time of writing this report, there have been no phases or lots registered within the Raft Lake Subdivision. Staff advises therefore that all 28 lots that were originally draft approved by Council on March 14, 1997, remain as such at this time within the draft approved Raft Lake Subdivision.

The owner did note in their draft approval extension request that they remain committed to fully developing the subdivision and are optimistic that market conditions will allow them to soon proceed with the development of the Raft Lake Subdivision.

Date: December 7, 2020

Planning Analysis:

With respect to the City's Official Plan, staff advises that Phase 2 of the City's Official Plan review is, in part, examining issues related to water and waste-water capacities and demands. Section 19.4.2 in particular has been identified as being a policy requiring an update to address these capacities and demand issues. Staff through this process will consider the embedding of criteria into this section to strengthen the policy position and clarification around what constitutes reasonable effort on behalf of a landowner when they seek to extend a draft approved plan of subdivision. Internal procedures and application requirements for extension requests are also under review and a stronger "landowner onus" approach will be applied to extension requests in the future once said procedures are established. It is on the above noted basis that staff is supportive of the current draft approval extension request. The owner is cautioned that future draft approval extensions may be subject to review under strengthened criteria embedded in the Official Plan through the City's Phase 2 Official Plan Review.

Draft Approval Conditions

Condition #22 should be deleted entirely and replaced with a sentence referring to March 14, 2024, as the revised date on which the subject draft plan of subdivision approval shall lapse.

Building Services has requested that Condition #25 be updated to reference the development having regard for [Ontario Regulation 406/19](#) with respect to on-site and excess soil management.

Conservation Sudbury has requested that Condition #27 be updated to reflect current standard condition verbiage relating to the requirement for the owner to prepare an Erosion and Sediment Control Plan to the satisfaction of the Nickel District Conservation Authority (NDCA). Conservation Sudbury is also requesting that three conditions be added which would properly address the placement of fill, alteration of grades and construction activities on the portion of the subject lands that are regulated under [Ontario Regulation 156/06](#). Staff has reviewed the three additional conditions pertaining to the placement of fill, alteration of grades and construction activities on the portion of the subject lands that are regulated and would recommend that they more appropriately be addressed through the subdivision registration process.

The City's Drainage Section has requested that Condition #16 be deleted and updated as a modernized and comprehensive drainage condition addressing storm-water management infrastructure needs for the Raft Lake Subdivision. This requested change is reflected in the Resolution section of this report through the deletion of Condition #16 in favour of the above noted modernized draft approval condition.

No other administrative and housekeeping changes to the draft approval documents are required at this time. No other changes beyond those described in this report to the draft approval documents have been requested either by the owner or by circulated agencies and departments.

The existing draft approval conditions are attached to this report along with a copy of the draft approved plan of subdivision for reference purposes.

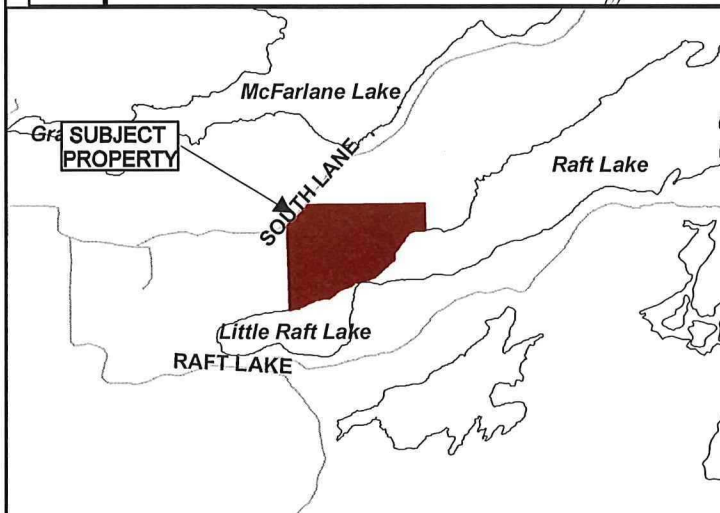
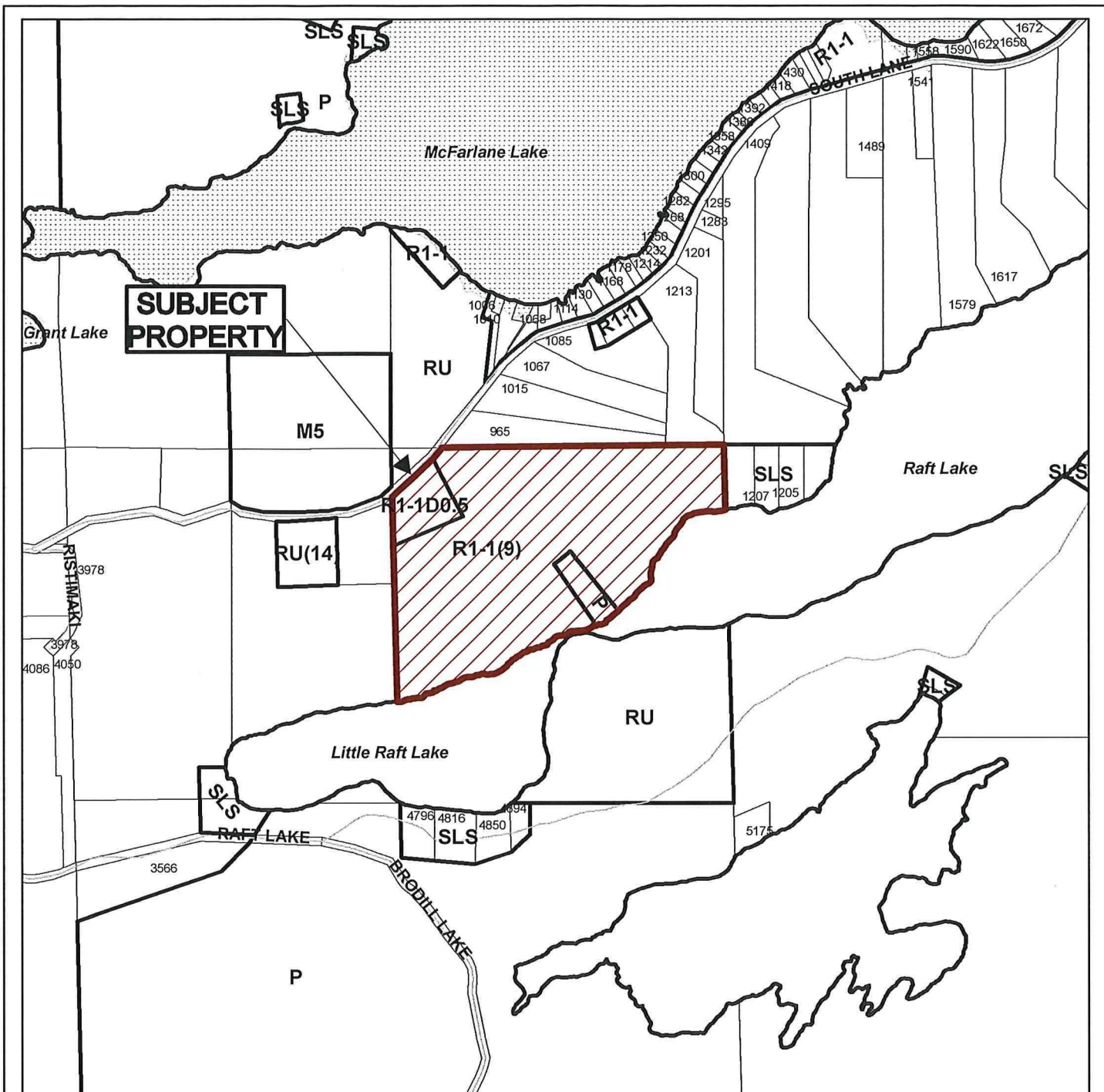
Processing Fees

The owner has provided the applicable processing fee in the amount of \$1,804.50. This amount was calculated as per [By-law 2020-26](#) being the Miscellaneous User Fees for Certain Services By-law that was in effect at the time the request to extend the draft approval was made by the owner.

Date: December 7, 2020

Summary:

The Planning Services Division have reviewed the request to extend the subject draft approval and have no objections to the requested extension for a period of three years. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approval of the subdivision. Appropriate changes where identified and explained within this report have been included in the Resolution section of this report and would now form part of the draft plan approval if approved by Council. The owner is also cautioned that future draft approval extensions may be subject to review under strengthened criteria embedded in the Official Plan through the City's Phase 2 Official Plan Review. The Planning Services Division therefore recommends that the application to extend the draft approval for the Raft Lake Subdivision for a period of three years until March 14, 2024, be approved as outlined in the Resolution section of this report.



Growth and Development Department



Subject Property being part of PIN 73477-0216, part of Pcl 9502 SES, Lot 2, Concession 3, Township of Broder, South Lane Road, Sudbury, City of Greater Sudbury

Sketch 1
NTS

751-6/02-6 & 780-6/96003

Date: 2012 01 26

**COUNCIL'S CONDITIONS APPLYING TO THE APPROVAL OF THE FINAL PLAN
FOR REGISTRATION OF THE SUBJECT SUBDIVISION ARE AS FOLLOWS:**

1. That this draft approval applies to the draft plan of subdivision of Part of Parcel 9502 S.E.S., Lot 2, Concession 3, Township of Broder, City of Sudbury, as shown on a plan prepared by Peter M. Bull, O.L.S., dated February 19th, 1996 and as revised June 5th, 1996.
2. That the street(s) shall be named to the satisfaction of the Municipality.
3. That any dead-ends or open sides of road allowances created by this plan of subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the Municipality and held in trust by the Municipality until required for future road allowances or the development of adjacent land.
4. That prior to the signing of the final plan, the Planning Services Division shall be advised by the Ontario Land Surveyor responsible for preparation of the final plan, that the lot areas, frontages and depths appearing on the final plan do not violate the requirements of the Restricted Area By-laws of the Municipality in effect at the time such plan is presented for approval.
5. That the subdivision agreement be registered by the Municipality against the land to which it applies, prior to any encumbrances.
6. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
7. That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Greater Sudbury, concerning the provision of roads, walkways, street lighting, sanitary sewers, watermains, storm sewers and surface drainage facilities.
8. That the subdivision agreement contain provisions whereby the owner agrees that all the requirements of the subdivision agreement including installation of required services be completed within 2 years after registration.
9. Deleted.
10. That 5% of the land included in the subdivision be deeded to the City of Greater Sudbury for municipal park purposes in accordance with Section 51.1(1) of The Planning Act.
11. That Lots 11, 13, 14 and 15 be consolidated with Lot 12 into one lot on the final plan to the satisfaction of the Director of Planning Services. Should the Planning Services Division be advised by the Sudbury and District Health Unit that these lots are suitable for development on subsurface sewage disposal systems then the consolidation of these lands shall not be required.

12. That a Notice of Agreement be placed on title to all lots having water frontage whereby the owner shall agree that a natural vegetation buffer be maintained along the water's edge, to be measured horizontally 30 metres back from the normal high water mark. The existing vegetation and natural soil mantle within this buffer strip will be maintained in a natural state, except where traversed by access paths or walkways, or to accommodate a sewage disposal system in accordance with the requirements of a Certificate of Approval for a subsurface sewage disposal system.
13. That a Notice of Agreement be placed on title to all lots whereby the owner shall agree:
 - i) that any sewage system proposal made at the time of application for a Certificate of Approval be designed by a consulting engineer to the satisfaction of the Sudbury and District Health Unit.
 - ii) that they shall not demand municipal sewer and water services as specified by the General Manager of Growth and Infrastructure.
14. That all roadway design and final construction be established to the satisfaction of the General Manager of Growth and Infrastructure.
15. Deleted.
16. The owner shall be responsible to have a stormwater management report prepared to assess how the quality and quantity of stormwater will be managed for the subdivision development, in addition to the flows generated from upstream lands. The report shall establish how the quantity of stormwater generated within the subdivision will be controlled to pre-development levels for the 1:5, 1:100 and regional storm events. The owner shall be required to submit a comprehensive drainage plan of the subject property, and any upstream areas draining through the subdivision. The quality of the stormwater must meet an "enhanced" level of protection as defined by the Ontario Ministry of the Environment.
17. That prior to signing of the final plan the developer shall submit a detailed Lot Grading Plan and subsequently enter into a Lot Grading Agreement which shall be registered on title of the property, to the satisfaction of the General Manager of Growth and Infrastructure. The detailed lot grading plan is to be prepared, signed, sealed, and dated by a professional civil engineer with a valid certificate of authorization for the proposed lots as part of the submission of construction plans. This plan must show finished grades around new houses, retaining walls, side yards, swales, slopes and lot corners as well as any required setbacks or buffer zones. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties and show the stormwater overland flow path.

18. That the subdivision agreement provide for improvements to South Lane Road adjacent to the proposed subdivision, including surface improvement, widening and street lighting to the satisfaction of the General Manager of Growth and Infrastructure. The developer will be responsible for 50% of the improvement cost to a maximum of \$50,000.00. The execution of the road work shall be determined by the General Manager of Growth and Infrastructure. Cost recovery shall be on a per lot basis at the time of lot transfer.
19.
 - i) Where it is the intent to provide potable water from an adjoining waterbody, the developer is to provide a report prepared by a professional engineer, licensed in the province of Ontario and experienced in drinking water systems, detailing the required treatment to provide potable water from a surface water source. The developer is required to establish a Potable Water Agreement for each property capable of using surface water as a potable water source referencing the recommendations put forth in the report to the satisfaction of the General Manager of Growth and Infrastructure.
 - ii) Where it is the intent to provide potable water from a well, the developer shall prove to the satisfaction of the General Manager of Growth and Infrastructure that an adequate quantity of potable water is available, and if water can only be made potable by treatment, an agreement with the City must be placed on title to clear this condition. Wells are to meet the requirements of Ministry of Environment Procedure D5-5 as a minimum as well as the following:
 - a. Prior to the signing of the final plan the owner is required to provide a deposit for corrective measures should groundwater supplies of adjacent properties be affected as a result of this subdivision. The deposit is to be calculated by the owner's engineer to the satisfaction of the General Manager of Growth and Infrastructure.
20. The final plan shall be integrated with the City of Greater Sudbury Control Network to the satisfaction of the Coordinator of the Surveying and Mapping Services. The survey shall be referenced to NAD83(CSRs) with grid coordinates expressed in UTM Zone 17 projection and connected to two (2) nearby City of Greater Sudbury Control Network monuments. The survey plan must be submitted in an AutoCAD compatible digital format. The submission shall be the final plan in content, form and format and properly geo-referenced.
21. That prior to the signing of the final plan the City is to be advised by the owner that all provisions of the Environmental Assessment Act have been complied with.
22. That this draft approval shall lapse on March 14, 2021.
23. That prior to the signing of the final plan the Planning Services Division is to be advised by the Director of Legal Services/City Solicitor that Conditions 2., 3., 5., 6., 7., 8., 10., 11., 12, 13., 14., 15., 16., 17., 18., 19., 20., 24., 25. and 26. have been complied with to her/his satisfaction.

24. The revised draft plan shall be amended to show both cul-de-sacs with a 20 metre radius right-of-way.
25. Prior to the submission of servicing plans, the applicant/owner shall, to the satisfaction of the General Manager of Growth and Infrastructure, provide a soils report prepared by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the groundwater conditions within the proposed development. Also, the report should include design information and recommend construction procedures for the following items: storm and sanitary sewers, storm water management facilities, watermains, 20 -year design standard for roads, the mass filling of land, surface drainage works including erosion control, slope stability (if applicable), and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official. A soils caution agreement, if required, shall be registered on title, to the satisfaction of the Chief Building Official and the City Solicitor.
26. Prior to the signing of the final plan the owner shall undertake to provide a source of water on the subject lands for fire protection purposes to the satisfaction of the Fire Chief, Fire Division/Emergency Services Department.
27. The owner shall develop a siltation control plan for the subdivision construction period to the satisfaction of the Director of Planning Services and the Nickel District Conservation Authority.
28. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
29. The owner will be required to ensure that the corner radius for all intersecting streets is to be 9.0m.
30. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Greater Sudbury Hydro Plus or Hydro One, Bell, Union Gas, and Eastlink. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.
31. The developer will be required to provide a geotechnical report on how the work related to blasting shall be undertaken safely to protect adjoining structures and other infrastructure. The geotechnical report shall be undertaken by a blasting consultant defined as a professional engineer licensed in the Province of Ontario with a minimum of five (5) years experience related to blasting.
32. The blasting consultant shall be retained by the developer and shall be independent of the contractor and any subcontractor doing blasting work. The blasting consultant shall be required to complete specified monitoring recommended in his report of vibration levels and provide a report detailing those recorded vibration levels. Copies of the recorded ground vibration documents shall be provided to the contractor and contract administration weekly or upon request for this specific project.

33. The geotechnical report will provide recommendations and specifications on the following activity as a minimum but not limited to:
- i. Pre-blast survey of surface structures and infrastructure within affected area;
 - ii. Trial blast activities;
 - iii. Procedures during blasting;
 - iv. Procedures for addressing blasting damage complaints;
 - v. Blast notification mechanism to adjoining residences; and,
 - vi. Structural stability of exposed rock faces.

The above report shall be submitted for review to the satisfaction of the Chief Building Official prior to the commencement of any removal of rock by blasting.

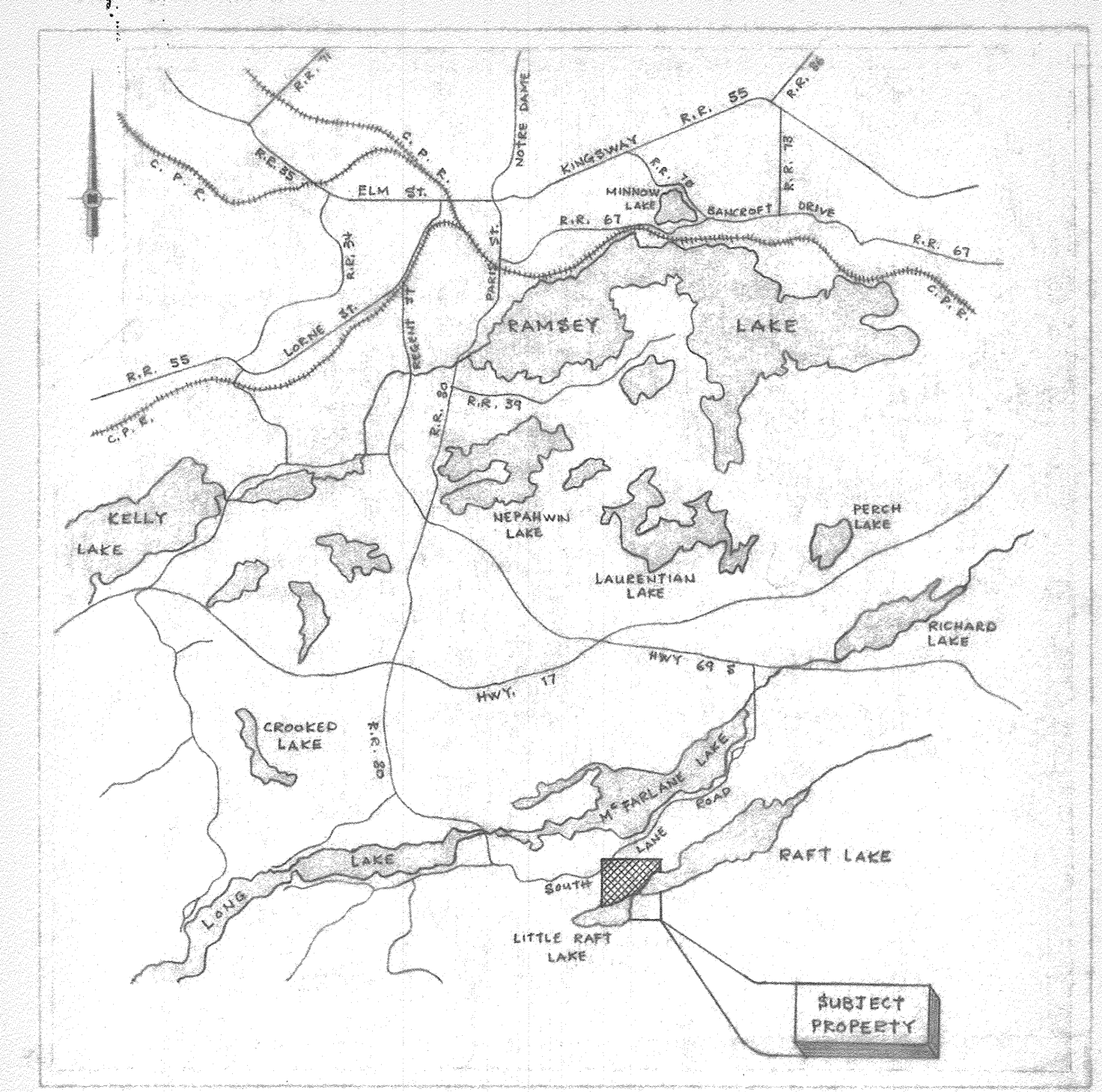
34. Should the developer's schedule require to commence blasting and rock removal prior to the final subdivision plan having been signed, a site alteration permit shall be required under the City of Greater Sudbury's By-law #2009-170 and shall require a similar geotechnical report as a minimum prior to its issuance.
35. As part of the submission of servicing plans, the owner shall have slope treatments designed by a geotechnical engineer licensed in the Province of Ontario incorporated into the lot grading plans if noted as required at locations required by the Director of Planning Services. Suitable provisions shall be incorporated into the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the Director of Planning Services.
36. The owner shall be required to have all stormwater management facilities constructed and approved by the City prior to initial acceptance of roads and sewers or at such time as the Director of Planning Services may direct. The owner shall provide lands for said facilities as required by the City.
37. That prior to the signing of the final plan, the owners/applicants shall contact the Ministry of Natural Resources and Forestry (MNRF), Sudbury District Office, and satisfy all requirements set out by the MNRF under the Endangered Species Act. In addition, the owners/applicants shall, to the satisfaction of the Director of Planning Services, demonstrate that all requirements set out by the MNRF under the Endangered Species Act have been satisfied prior to any site alteration or development taking place on the subject lands.
38. That in accordance with Section 59(4) of the Development Charges Act, a notice of agreement shall be registered on title to ensure that persons who first purchase the subdivided land after registration of the plan of subdivision are informed, at the time the land is transferred, of all development charges related to development.

39. Final approval for registration may be issued in phases to the satisfaction of the Director of Planning Services, provided that:
 - i) Phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure and other essential services; and,
 - ii) All agencies agree to registration by phases and provide clearances, as required, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
40. That the owner shall have completed all major outstanding infrastructure deficiencies that are critical to the overall function of the subdivision in previous phases of the plan that have been registered, or have made arrangements for their completion, prior to registering a new phase of the plan, to the satisfaction of the General Manager of Growth and Infrastructure.
41. That the owner will provide an environmental impact study to determine whether the proposed development will have negative impacts on the water quality and aquatic ecology of Little Raft Lake. The report will identify whether the negative impacts can be mitigated and, if so, will recommend measures that should be followed to achieve the desired impact mitigation. The environmental study must include, but not be limited to, a lakeshore capacity assessment following provincial guidance.



DRAFT PLAN
OF PROPOSED SUBDIVISION ON
PARCEL 9502 S.E.S.
PART OF LOT 2, CONCESSION 3
TOWNSHIP OF BRODER
CITY OF SUDBURY
REGIONAL MUNICIPALITY OF SUDBURY
DISTRICT OF SUDBURY

CONTOUR INTERVAL = 2 m



KEY PLAN

Subject to the conditions, if any set forth
in our letter dated March 14th, 1997
this draft plan is approved under section
51 of The Planning Act, R.S.O. 1990 this
14th day of March, 1997
D.P. La Thall
By-law # B3-140

RECEIVED
JUNO 7 1996
Planning and Development Department

ADDITIONAL INFORMATION

- AS REQUIRED BY SECTION 51 (17) OF THE 1994 PLANNING ACT
- a) AS SHOWN ON PLAN
 - b) AS SHOWN ON PLAN
 - c) AS SHOWN ON PLAN
 - d) LOW DENSITY RESIDENTIAL ESTATE LOTS AREA = 1.0 HECTARES MINIMUM.
AREA = 2.0 HECTARES MINIMUM WHERE FRONTING ON EXISTING PUBLIC ROADS.
 - e) ESTABLISHED LOW DENSITY R-1 USES AND CROWN LAND TO THE NORTH, SOUTH WEST AND EAST.
ESTABLISHED M-5 COMMERCIAL TO THE NORTH WEST.
 - f) AS SHOWN ON PLAN
 - g) AS SHOWN ON PLAN
 - h) PRIVATE WATER SUPPLY
 - i) SHALLOW TEST HOLES INDICATE THAT THERE IS AT LEAST A 450 mm TO 600 mm DEPTH OF SILTY SAND, TILL OVERLYING BEDROCK OR BOULDERS.
 - j) AS SHOWN ON PLAN
 - k) GARBAGE COLLECTION, FIRE PROTECTION, POLICE, ETC
 - l) AS SHOWN ON PLAN

OWNER'S CERTIFICATE

I HEREBY CONSENT TO THE MANNER IN WHICH THE LANDS SHOWN ON THIS PLAN ARE PROPOSED TO BE SUBDIVIDED AND REQUEST THE APPROVAL OF THE REGIONAL MUNICIPALITY OF SUDBURY.

Feb 19/96 [Signature]
DATE OWNER

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.

February 15, 1996 [Signature]
DATE ONTARIO LAND SURVEYOR

JUNE 5, 1996		1	ROAD ALLOWANCES ADJUSTED	K.M.S.
DATE	REV. No.	DESCRIPTION		BY
RAFT LAKE SUBDIVISION				
SOUTH LAKE ROAD SUDBURY, ONTARIO				
Scale: AS SHOWN	Approved By: JCN	Job No: 95200	Drawn By: K.M.S.	
Date: JAN 1996			Revised:	
DRAFT PLAN OF SUBDIVISION				
SPRIET ENGINEERS		ASSOCIATES ARCHITECTS		SUDBURY LONDON
Drawing Number				112 of 200

SITE PLAN
SCALE 1:2000

November 10, 2020

Alex Singbush
Manager of Development Approvals
City of Greater Sudbury

Reference: File # 780-6/96003—Raft Lake Subdivision

Dear Mr. Singbush,

Thank you for contacting Canada Post regarding plans for a new subdivision in the City of Greater Sudbury.

Please see Canada Post's feedback regarding the proposal, below.

Service type and location

1. Canada Post will provide mail delivery service to the subdivision through centralized Community Mail Boxes (CMBs).
2. Given the number and the layout of the lots in the subdivision, we have determined that 2 CMB(s) will be installed on 1 site(s). I recommend that the site be installed at the location below:
 - a. **Side of lot 4**

Municipal requirements

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this subdivision application be approved, please provide notification of the new civic addresses as soon as possible.

Developer timeline and installation

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB(s).


Please see Appendix A for any additional requirements for this developer.

Regards,

RAY THERIAULT

Ray Theriault
Delivery Services Officer | Delivery Planning

PO BOX 8037 Ottawa T CSC
Ottawa, ON, K1G 3H6



Appendix A

Additional Developer Requirements:

- The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.
- The developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
- The developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
- The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.
- The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
 - Any required walkway across the boulevard, per municipal standards
 - Any required curb depressions for wheelchair access, with an opening of at least two meters (consult Canada Post for detailed specifications)

Request for Decision

Corsi Hill Subdivision, Sudbury

Presented To:	Planning Committee
Presented:	Monday, Jan 11, 2021
Report Date	Friday, Dec 11, 2020
Type:	Routine Management Reports
File Number:	780-6/16002

Resolution

That the City of Greater Sudbury's delegated official be directed to amend the conditions of draft approval for a plan of subdivision on those lands known as PIN 73588-0987, Part 1, Plan 53R-14036 Except Pt. 1, Plan 53R-17900 & Plan 53M 1356, Lot 8, Concession 2, Township of McKim, File 780-6/16002, as outlined in the report entitled "Corsi Hill Subdivision, Sudbury", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on January 11, 2021, as follows:

a) By replacing the reference to 'Director of Planning' or 'Director of Planning Services of the City of Greater Sudbury' with 'Director of Planning Services' in Condition #2 and #30.

b) By replacing the reference to the 'General Manager of Infrastructure' or the 'General Manager of Infrastructure Services' or the 'General Manager of Public Works' with the 'General Manager of Growth and Infrastructure' in Condition #3, #20, and #24.

c) By replacing the reference to the 'Municipality' or 'City of Greater Sudbury' with the 'City' in Condition #4, #5, #6, #7, and #9.

d) By replacing Condition #11 with the following:

"11. That this draft approval shall lapse on January 15, 2024."

e) By replacing Condition #13 with the following:

"13. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the Director of Planning Services, provide an updated geotechnical report prepared, signed, sealed, and dated by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommend construction procedures for any proposed storm and sanitary sewers,

Signed By

Report Prepared By

Wendy Kaufman
Senior Planner
Digitally Signed Dec 11, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Dec 11, 20

Recommended by the Division

Kris Longston
Manager of Community and Strategic Planning
Digitally Signed Dec 11, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Dec 17, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Dec 14, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Dec 18, 20

stormwater management facilities, watermain, roads to a 20 year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. Included in this report must be details regarding the removal of substandard soils (if any) and placement of engineered fill (if required) for the construction of homes. Also, the report must include an analysis illustrating how the groundwater table will be lowered to a level that will not cause problems to adjacent boundary housing and will, in conjunction with the subdivision grading plan, show that basements of new homes will not require extensive foundation drainage pumping. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services and the Nickel District Conservation Authority. A soils caution agreement, if required, shall be registered on title, to the satisfaction of the Chief Building Official and City Solicitor.”

f) By replacing Condition #15 with the following:

“15. The owner shall provide a detailed lot grading plan prepared, signed, sealed, and dated by a professional civil engineer with a valid certificate of authorization for the proposed lots as part of the submission of servicing plans. This plan must show finished grades around building envelopes, retaining walls, swales, slopes and lot corners. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties and show the overland flow path. A lot grading agreement, if required, shall be registered on title, to the satisfaction of the Director of Planning Services and the City Solicitor, and the Nickel District Conservation Authority.”

g) By replacing Condition #16 with the following:

“16. A stormwater management report and associated plans must be submitted by the Owner’s Consulting Engineer for approval by the City. The report must address the following requirements:

- The underground storm sewer system within the plan of subdivision must be designed to accommodate and/or convey the minor storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City’s 5 year design storm. The permissible minor storm discharge from the subject development must be limited to the existing pre-development site runoff resulting from a 5 year design storm. Any resulting post development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision.
- The overland flow system within the plan of subdivision must be designed to accommodate and/or convey the major storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City’s 100 year design storm or Regional storm event, whichever is greater, without causing damage to proposed and adjacent public and private properties. The permissible major storm discharge from the subject development must be limited to the existing pre-development runoff resulting from a 100 year design storm or Regional storm event, whichever is greater.
- “Enhanced” level must be used for the design of stormwater quality controls as defined by the Ministry of the Environment, Conservation and Parks.
- Stormwater management must follow the recommendations of the Junction Creek Subwatershed Study.
- The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any stormwater management plan.
- The final grading of the lands shall be such that the surface water originating on or tributary to the said lands, including roof water from buildings and surface water from paved areas, will be discharged in a manner satisfactory to the General Manager of Growth and Infrastructure.
- Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties.
- Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted.

The owner shall be responsible for the design and construction of any required stormwater management works to the satisfaction of the General Manager of Growth and Infrastructure as part of the servicing plans for the subdivision and the owner shall dedicate the lands for stormwater management works as a condition of this development.”

h) By replacing the reference to ‘developers’ or ‘developers/owners’ with ‘owner’ in Conditions #14, 19, #29(a), (b) and (e), and #30(a)(ii).

i) By adding Note #1 following the Conditions of Draft Approval, for the owner’s information: “1. Please be advised that the Nickel District Conservation Authority regulates the hazards associated with natural features and uses the attached mapping as a tool to identify those hazards for the public. Although the Nickel District Conservation Authority makes every effort to ensure accurate mapping, regulated natural hazards may exist on-site that have not yet been identified. Should a regulated natural hazard be discovered as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury directly at 705.674.5249. Regulated natural hazards include floodplains, watercourses, shorelines, wetlands, valley slopes.”

Relationship to the Strategic Plan / Health Impact Assessment

The application to extend draft plan of subdivision approval is an operational matter under the Planning Act to which the City is responding.

Report Summary

The owner has requested an extension to the draft plan of subdivision approval of File # 780-6/16002, Corsi Hill, for a period of three years to January 15, 2024. The Planning Services Division is recommending approval of the application.

The Planning Services Division has reviewed the request to extend the draft approval and have no objections to the requested extension for a period of three years. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approval. Amendments to the conditions of draft approval where necessary have been identified and are included in the Resolution section of the report.

Financial Implications

If approved, staff estimates approximately \$60,000 in taxation revenue, based on the assumption of 9 single detached dwelling units at an estimated assessed value of \$500,000 per dwelling unit at the 2020 property tax rates.

In addition, this development would result in total development charges of approximately \$164,000 based on the assumption of 9 single detached dwelling units and based on the rates in effect as of this report.

Once development has occurred and the subdivision infrastructure has been transferred to the City, there will be additional on-going costs for future annual maintenance and capital replacement of the related infrastructure (ie. Roads, water/wastewater linear pipes, etc).

Title: J. Corsi Developments Inc.

Date: December 7, 2020

Staff Report

Applicant:

J. Corsi Developments Inc.

Location:

PIN 73588-0987, Part 1, Plan 53R-14036, Except Part 1, 53R-17900 & Plan 53M-1356, Lot 8, Concession 2, Township of McKim

Application:

To extend the draft approval of the nine-lot 2017 Corsi Hill subdivision plan. The subdivision is scheduled to lapse on April 15, 2021 and this is the first time an extension has been requested.

Proposal:

The owner is requesting that the draft approval for the above noted plan of subdivision be extended for a period of three years until January 15, 2024.

Background

J. Corsi Developments Inc. is the owner of the draft approved plan of subdivision on lands located at the north end of Corsi Hill in Sudbury. The City received a request from J. Corsi Developments Inc. on October 8, 2020 to extend the draft approval for a period of three years on those lands described as PIN 73588-0987, Part 1, Plan 53R-14036, Except Part 1, 53R-17900 & Plan 53M-1356, Lot 8, Concession 2, Township of McKim. The draft approved plan of subdivision includes a total of 9 lots for single detached dwellings and two (2) blocks for open space use (Block 11 is to be transferred to the City).

The lands within the plan of subdivision are designated Parks & Open Space and are identified as a Comprehensive Planned Unit Development area. The lands are currently zoned 'OSP', Open Space Private.

The original concurrent rezoning application lapsed, File 751-6/16-21. A subsequent rezoning application, File 751-6/20-10, has recently been conditionally approved on the basis of the owner providing a survey that identifies the lands to be developed for single residential and open space purposes. Lots 1 to 9 are to be zoned 'R1-5(S)', Low Density Residential One Special with a site-specific provision requiring the lands to be subject to site plan control, Block 11 is to be zoned 'OSC', Opens Space Conservation, and Block 10 is to retain the current zoning.

The subdivision was revised in 2019 to reduce the parkland block to be dedicated to the City (Block 11), on the basis that the proposal would continue to preserve the natural landscape and would still exceed the City's minimum parkland dedication requirements. The most recent conditions of approval and the approved draft plan are attached.

A three-month extension was provided in order to accommodate the review of the proposed extension of draft plan approval. Staff has circulated the request to relevant agencies and departments for comment and is now bringing forward this report to extend the draft approval to January 15, 2024.

Title: J. Corsi Developments Inc.

Date: December 7, 2020

Departmental & Agency Circulation

Infrastructure and Capital Planning Services, Building Services, Transit, Fire Services, Development Engineering, Conservation Sudbury, and Environmental Planning Initiatives have each advised that they have no objections from their respective areas of interest. In some cases, they have recommended technical updates or revisions.

Planning Considerations:

[Official Plan](#)

Section 19.4.2 of the Official Plan for the City of Greater Sudbury addressing draft plan of subdivision approvals outlines that Council will not extend or recommend the extension of a draft plan approval, beyond the statutory limitation of three years, unless the owner has demonstrated to the satisfaction of Council that they are making a reasonable effort to proceed in meeting the conditions of the draft approval. At the time of an extension request Council will review draft plan conditions and may make appropriate modifications.

Over 2019 and 2020 the owner has worked to redraft the subdivision and rezone the lands. Staff are satisfied that the owner is making reasonable efforts towards developing the subdivision.

[Draft Approval Conditions](#)

Condition #11 should be deleted entirely and replaced with a sentence referring to January 15, 2024, as the revised date on which the subject draft plan approval shall lapse.

Conservation Sudbury has requested updating Condition #13 and #15 to clarify that certain required reports are subject to their review and approval, updating the title of a report in Condition #25, and requesting a Note be added at the end of the Conditions of Draft Approval to advise that there may be hazard(s) on-site that are identified during site development.

Infrastructure and Capital Planning Services has requested that Condition #16 regarding storm water management facilities be replaced with an updated condition requiring a storm water management report and associated plans to be prepared in accordance with specific criteria.

Housekeeping changes are recommended to ensure consistency in terminology when referring to the Director of Planning Services, the City, the owner, and the General Manager of Growth and Infrastructure.

No other changes to the draft approval documents have been requested either by the owner or by circulated agencies and departments. The draft conditions are attached to this report along with sketches of the draft approved plan of subdivision for reference purposes.

Title: J. Corsi Developments Inc.

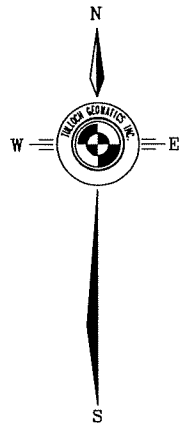
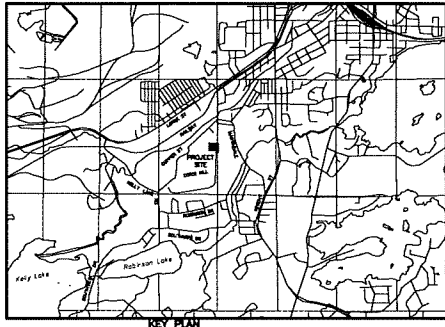
Date: December 7, 2020

Summary

The Planning Services Division has reviewed the request to extend the subject draft approval and have no objections to the requested extension for a period of three years. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approval of the subdivision. Appropriate changes where identified have been included in the Resolution portion of this report and will now form part of the draft plan approval if approved by Council.

The Planning Services Division therefore recommends that the application to extend draft approval for the Corsi Hill subdivision for a period of three years until January 15, 2024, be approved as outlined in the Resolution section of this report.

DRAFT PLAN OF SUBDIVISION OF
PART OF LOT 8, CONCESSION 2
AND
BLOCKS 27 & 28
REGISTERED PLAN 53M-1356
GEOGRAPHIC TOWNSHIP OF McKIM
CITY OF GREATER SUDBURY
DISTRICT OF SUDBURY
TERRY DEL BOSCO, O.L.S.
JUNE 3, 2019



PART 4
PLAN 53R-14036

BLOCK B
REGISTERED PLAN M-99

OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83 (CSRS) (2010.0). COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O. REG. 216/10		
POINT ID	NORTHING	EASTING
ORP A	N 5146221.062	E 498541.228
ORP B	N 5146220.288	E 498635.595
001643124	N 5148330.992	E 501986.975
001643110	N 5144937.191	E 497553.203

COORDINATES CANNOT, IN THEMSELVES, BE USED TO
RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B,
BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM 17, NAD83 (CSRS) (2010.0).
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY
THE COMBINED SCALE FACTOR OF 0.99956045.

ADDITIONAL INFORMATION

AS REQUIRED BY SECTION 51(17) OF THE PLANNING ACT

- A) AS SHOWN
B) AS SHOWN
C) AS SHOWN
D) NORTH: EXISTING R1 & VACANT LAND
E) SOUTH: EXISTING R1 AND PARKLAND
F) WEST: EXISTING R1 & VACANT LAND
G) EAST: VACANT LAND
H) AS SHOWN
I) AS SHOWN
J) EXISTING MUNICIPAL SUPPLY
K) SANDY SOILS, HEAVILY COVERED WITH MOSTLY
CONIFEROUS TREES AND SOME OPEN AREAS
L) AS SHOWN
M) SANITARY SEWER, MUNICIPAL WATER, POLICE, FIRE,
AMBULANCE ETC.
N) NONE

AREA OF LOTS 1 TO 9: 1.75±HECTARES
AREA OF BLOCK 10: 4.13±HECTARES
AREA OF BLOCK 11: 1.42±HECTARES
AREA OF APPLICATION = 7.30 ± HECTARES

LEGEND

- DENOTES SURVEY MONUMENT FOUND
□ DENOTES SURVEY MONUMENT SET
SIB DENOTES STANDARD IRON BAR
SSIB DENOTES SHORT STANDARD IRON BAR
IB DENOTES IRON BAR
RB DENOTES ROCK BAR
RPL DENOTES ROCK PLUG
M DENOTES MEASURED
S DENOTES SET
NYM DENOTES NO VISIBLE MARKINGS
WT DENOTES WITNESS MONUMENT
PROP DENOTES PROPORTIONED
PIN DENOTES PROPERTY IDENTIFIER NUMBER
1655 DENOTES TERRY DEL BOSCO, O.L.S.
107 DENOTES R. T. LAKE, O.L.S.
943 DENOTES D.W. ENDLEMAN, O.L.S.
1542 DENOTES J. A. COLE, O.L.S.
1655 DENOTES REGISTERED PLAN 53M-1356
1655 DENOTES NOT TO SCALE

ONTARIO LAND SURVEYOR

TERRY DEL BOSCO, O.L.S.
TULLOCH GEOMATICS
1942 REGENT STREET, UNIT L
SUDBURY, ONTARIO
P3E 5Y5

SURVEYOR'S CERTIFICATE

I CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE
SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS
ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.

DATE _____ TERRY DEL BOSCO, O.L.S.

OWNER

J. CORSI DEVELOPMENTS INC
1360 KELLY LAKE ROAD
SUDBURY, ONTARIO
P3E 5P4

OWNER'S CERTIFICATE

I HEREBY CONSENT TO THE MANNER IN WHICH THE LAND
SHOWN ON THIS PLAN IS PROPOSED TO BE SUBDIVIDED AND
REQUEST THE APPROVAL OF THE CITY OF GREATER SUDBURY.

DATE _____ JOHN CORSI, PRESIDENT
J. CORSI DEVELOPMENTS INC
I HAVE THE AUTHORITY TO BIND THE CORPORATION



1942 REGENT STREET SUDBURY, ONTARIO
UNIT L P3E 5Y5 705-671-2295
FILE 192511 DRAFT PLAN JUNE 3, 2019

NOTE: DISTANCES SHOWN HEREON ARE IN METRES AND CAN
BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SCALE 1 : 750



**CITY COUNCIL'S CONDITIONS APPLYING TO THE APPROVAL OF THE FINAL
PLAN FOR REGISTRATION OF THE SUBJECT SUBDIVISION ARE AS FOLLOWS:**

1. That this draft approval applies to the draft plan of subdivision of PIN 73588-0987, Part 1, Plan 53R-14036, Except Part 1, Plan 53R-17900 & Plan 53M-1356, Lot 8, Concession 2, Township of McKim, as shown on a plan of subdivision prepared by Tulloch Geomatics Inc. and dated June 3, 2019.
2. Final approval for registration may be issued in phases to the satisfaction of the Director of Planning, provided that:
 - i. phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure and other essential services; and
 - ii. all agencies agree to registration by phases and provide clearances, as required, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
3. That the owner shall have completed all major outstanding infrastructure deficiencies that are critical to the overall function of the subdivision in previous phases of the plan that have been registered, or have made arrangements for their completion, prior to registering a new phase of the plan, to the satisfaction of the General Manager of Infrastructure Services.
4. That the street(s) shall be named to the satisfaction of the Municipality.
5. That any dead-ends or open sides of road allowances created by this plan of subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the Municipality and held in trust by the Municipality until required for future road allowances or the development of adjacent land.
6. That prior to the signing of the final plan, the Planning Services Division shall be advised by the Ontario Land Surveyor responsible for preparation of the final plan, that the lot areas, frontages and depths appearing on the final plan do not violate the requirements of the Restricted Area By-laws of the Municipality in effect at the time such plan is presented for approval.
7. That the subdivision agreement be registered by the Municipality against the land to which it applies, prior to any encumbrances.

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8. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
9. That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Greater Sudbury, concerning the provision of roads, walkways, street lighting, sanitary sewers, watermains, storm sewers and surface drainage facilities.
10. That the subdivision agreement contain provisions whereby the owner agrees that all the requirements of the subdivision agreement including installation of required services be completed within 3 years after registration.
11. That this draft approval shall lapse on April 15, 2021.
12. The final plan shall be integrated with the City of Greater Sudbury Control Network to the satisfaction of the Coordinator of the Surveying and Mapping Services. The survey shall be referenced to NAD83(CSRS) with grid coordinates expressed in UTM Zone 17 projection and connected to two (2) nearby City of Greater Sudbury Control Network monuments. The survey plan must be submitted in an AutoCAD compatible digital format. The submission shall be the final plan in content, form and format and properly geo-referenced.
13. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the Director of Planning Services, provide an updated geotechnical report prepared, signed, sealed, and dated by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommend construction procedures for any proposed storm and sanitary sewers, stormwater management facilities, watermains, roads to a 20 year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. Included in this report must be details regarding the removal of substandard soils (if any) and placement of engineered fill (if required) for the construction of homes. Also, the report must include an analysis illustrating how the groundwater table will be lowered to a level that will not cause problems to adjacent boundary housing and will, in conjunction with the subdivision grading plan, show that basements of new homes will not require extensive foundation drainage pumping. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services. A soils caution agreement, if required, shall be registered on title, to the satisfaction of the Chief Building Official and City Solicitor.

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14. That the developer prepare a sediment control plan for the construction phase of the project to the satisfaction of the Nickel District Conservation Authority and the Director of Planning Services.
15. The owner shall provide a detailed lot grading plan prepared, signed, sealed, and dated by a professional civil engineer with a valid certificate of authorization for the proposed lots as part of the submission of servicing plans. This plan must show finished grades around building envelopes, retaining walls, swales, slopes and lot corners. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties and show the overland flow path. A lot grading agreement shall be registered on title, if required, to the satisfaction of the Director of Planning Services and the City Solicitor.
16. Prior to the submission of servicing plans, the owner shall have a Stormwater Management Report and plan prepared, signed, sealed, and dated by a professional engineer with a valid certificate of authorization. Said report shall establish how the quantity and quality of stormwater will be managed for the subdivision development and assess the impact of stormwater runoff from this developed Subdivision on abutting lands, on the downstream storm sewer outlet systems and on downstream water courses. The report shall deal with the control of both the 1:5 year and Regional Storm events, so as to limit the volume of flow generated on the site to pre-development levels. The Regional Storm flow path is to be set out on the plan(s). The report shall set out any necessary improvements to downstream storm sewers and water courses. The civil engineering consultant shall meet with the Development Approvals Section prior to commencing the Stormwater Management Report.
17. The owner shall be required to have all stormwater management facilities constructed and approved by the City prior to initial acceptance of roads and sewers or at such time as the Director of Planning Services may direct. The owner shall provide lands for said facilities as required by the City.
18. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
19. That the developer provide a utilities servicing plan showing the location of all utilities including City services, Greater Sudbury Hydro Plus or Hydro One, Bell, Union Gas, and Persona. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.

20. As part of the submission of servicing plans, the owner shall have rear yard slope treatments designed by a geotechnical engineer licensed in the Province of Ontario incorporated into the plans at locations required by the General Manager of Public Works. Suitable provisions shall be incorporated in the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the General Manager of Growth and Infrastructure.
21. The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, storm sewers and related appurtenances.
22. The owner provides proof of sufficient fire flow in conjunction with the submission of construction drawings for each phase of construction. All costs associated with upgrading the existing distribution system to service this subdivision will be born totally by the owner.
23. The owner provides proof of sufficient sanitary sewer capacity in conjunction with the submission of construction drawings for each phase of construction. All costs associated with upgrading the existing collection system and/or sewage lift stations to service this subdivision will be born totally by the owner.
24. Draft approval does not guarantee an allocation for water or sewer capacity. Prior to the signing of the construction drawings for each phase, the Director of Planning Services is to be advised by the General Manager of Infrastructure Services that sufficient sewage treatment capacity and water capacity exist to service the development.
25. The applicant/owner shall provide to the City, as part of the submission of servicing plans a Siltation Control Plan detailing the location and types of sediment and erosion control measures to be implemented during the construction of each phase of the project. Said plan shall be to the satisfaction of the General Manager of Growth and Infrastructure and the Nickel District Conservation Authority. The siltation control shall remain in place until all disturbed areas have been stabilized. All sediment and erosion control measures shall be inspected daily to ensure that they are functioning properly and are maintained and/or updated as required. If the sediment and erosion control measures are not functioning properly, no further work shall occur until the sediment and/or erosion problem is addressed.
26. The owner agrees to provide the required geotechnical report, water, sanitary sewer and lot grading master planning reports and plans to the Director of Planning Services prior to the submission of servicing plans for any phase of the subdivision.

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27. The proposed subdivision roadways are to be built to urban standards, including curb and gutter, storm sewers, maximum 8% road grades and related appurtenances to the City of Greater Sudbury Engineering Standards at the time of submission.
28. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Canada Post, Greater Sudbury Hydro Inc. or Hydro One, Bell, Union Gas, and Eastlink (as applicable). This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.
29. The property will require a subdivision agreement and during that process, based on anticipated quantities of removal of rock through blasting, the following conditions will be imposed:
 - a) The developer will be required to provide a geotechnical report on how the work related to blasting shall be undertaken safely to protect adjoining structures and other infrastructure. The geotechnical report shall be undertaken by a blasting consultant defined as a professional engineer licensed in the Province of Ontario with a minimum of five (5) years experience related to blasting.
 - b) The blasting consultant shall be retained by the developer and shall be independent of the contractor and any subcontractor doing blasting work. The blasting consultant shall be required to complete specified monitoring recommended in his report of vibration levels and provide a report detailing those recorded vibration levels. Copies of the recorded ground vibration documents shall be provided to the contractor and contract administration weekly or upon request for this specific project.
 - c) The geotechnical report will provide recommendations and specifications on the following activity as a minimum but not limited to:
 - i) Pre-blast survey of surface structures and infrastructure within affected area
 - ii) Trial blast activities
 - iii) Procedures during blasting
 - iv) Procedures for addressing blasting damage complaints
 - v) Blast notification mechanism to adjoining residences
 - vi) Structural stability of exposed rock faces
 - d) The above report shall be submitted for review to the satisfaction of the Chief Building Official prior to the commencement of any removal of rock by blasting.

- e) Should the developer's schedule require to commence blasting and rock removal prior to the subdivision agreement having been signed, a site alteration permit shall be required under the City of Greater Sudbury's By-law #2009-170 and shall require a similar geotechnical report as a minimum prior to its issuance.
30. The owner shall complete to the satisfaction of the Director of Planning Services of the City of Greater Sudbury and Canada Post:
- a) Include on all offers of purchase and sale, a statement that advises the prospective purchaser:
 - i) That the home/business mail delivered will be from a designated Community Mail Box.
 - ii) That the developers/owners be responsible for officially notifying the purchasers of the Community Mail Box locations prior to the closing on any home sales.
 - b) The owner further agrees to:
 - i) Install concrete pads in accordance with the requirements of, and in locations to be approved by, Canada Post to facilitate the placement of Community Mail Boxes. Canada Post will need to be informed when the pads are in place.
 - ii) Identify the pads above on the engineering servicing drawings. The pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision. Provide curb depressions at the community mailbox site location(s). These are to be 2 meters in width and no higher than 25 mm.
 - iii) Determine the location of all centralized mail facilities in cooperation with Canada Post and to post the location of these sites on appropriate maps, information boards and plans.
31. Block 11 shall be transferred to the City for the purposes of stormwater management and open space conservation.
32. That the owner shall make a \$600.00 cash contribution to the City, to the satisfaction of the Director of Planning Services, to plant tree and shrub seedlings, as required by policy 9.4.2 of the City's Official Plan, to replace plantings previously made on the subject lands by the City's Regreening Program in 1983 and 1987.

33. That in accordance with Section 59(4) of the Development Charges Act, a notice agreement shall be registered on title to ensure that persons who first purchase the subdivided land after registration of the plan of subdivision are informed, at the time the land is transferred of all development charges related to development.

Request for Decision

4614 Desmarais, Val Therese

Presented To:	Planning Committee
Presented:	Monday, Jan 11, 2021
Report Date	Friday, Dec 11, 2020
Type:	Routine Management Reports
File Number:	751-7/18-3

Resolution

THAT the City of Greater Sudbury approves the application by 2541528 Ontario Limited to extend the conditional approval of rezoning application File # 751-7/18-3 on lands described as PINs 73504-1661 and 73504-2278, Parts 1 and 6, Plan SR-2975, Lot 6, Concession 3, Township of Hanmer, for a period of two (2) years to December 11, 2022, as outlined in the report entitled "4614 Desmarais, Val Therese", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on January 11, 2021.

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

The owner has requested an extension to the conditional zoning approval of File # 751-7/18-3, 4614 Desmarais Road, Val Therese for a period of two (2) years to December 11, 2022. Planning staff are recommending approval of the request.

Financial Implications

The financial implications are consistent with those identified on the October 18, 2018 report as added below.

If approved, there will not be any development charges as there are no planned additions to any building. Any change in taxation is unknown at this time and the change in zoning may assist in the future sale of this property.

Signed By

Report Prepared By

Wendy Kaufman
Senior Planner
Digitally Signed Dec 11, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Dec 11, 20

Recommended by the Division

Kris Longston
Manager of Community and Strategic Planning
Digitally Signed Dec 11, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Dec 17, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Dec 14, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Dec 18, 20

Title: 2541528 Ontario Limited

Date: December 7, 2020

Staff Report

Applicant:

2541528 Ontario Limited

Location:

PINs 73504-1661 and 73504-2278, Parts 1 and 6, Plan SR 2975, Lot 6, Concession 3, Township of Hanmer, 4614 Desmarais Road, Val Therese

Application:

Request to extend conditional zoning approval of 751-7/18-3, 4614 Desmarais Road, Val Therese for a period of two (2) years to December 11, 2022.

Proposal:

The owner is requesting a two year extension to address the conditions of approval which include entering into a Site Plan Control Agreement for the site.

Once the conditions of approval have been addressed, the lands will be rezoned to "I(S)", Institutional Special, to permit a contractor's yard with site-specific development provisions regarding outdoor storage, landscaping, and access.

Background:

An application for rezoning was submitted in August 2018 in order to permit a contractor's yard. The application was approved by Planning Committee on November 19, 2018 (Recommendation #2018-179) and was ratified by Council on November 20, 2018.

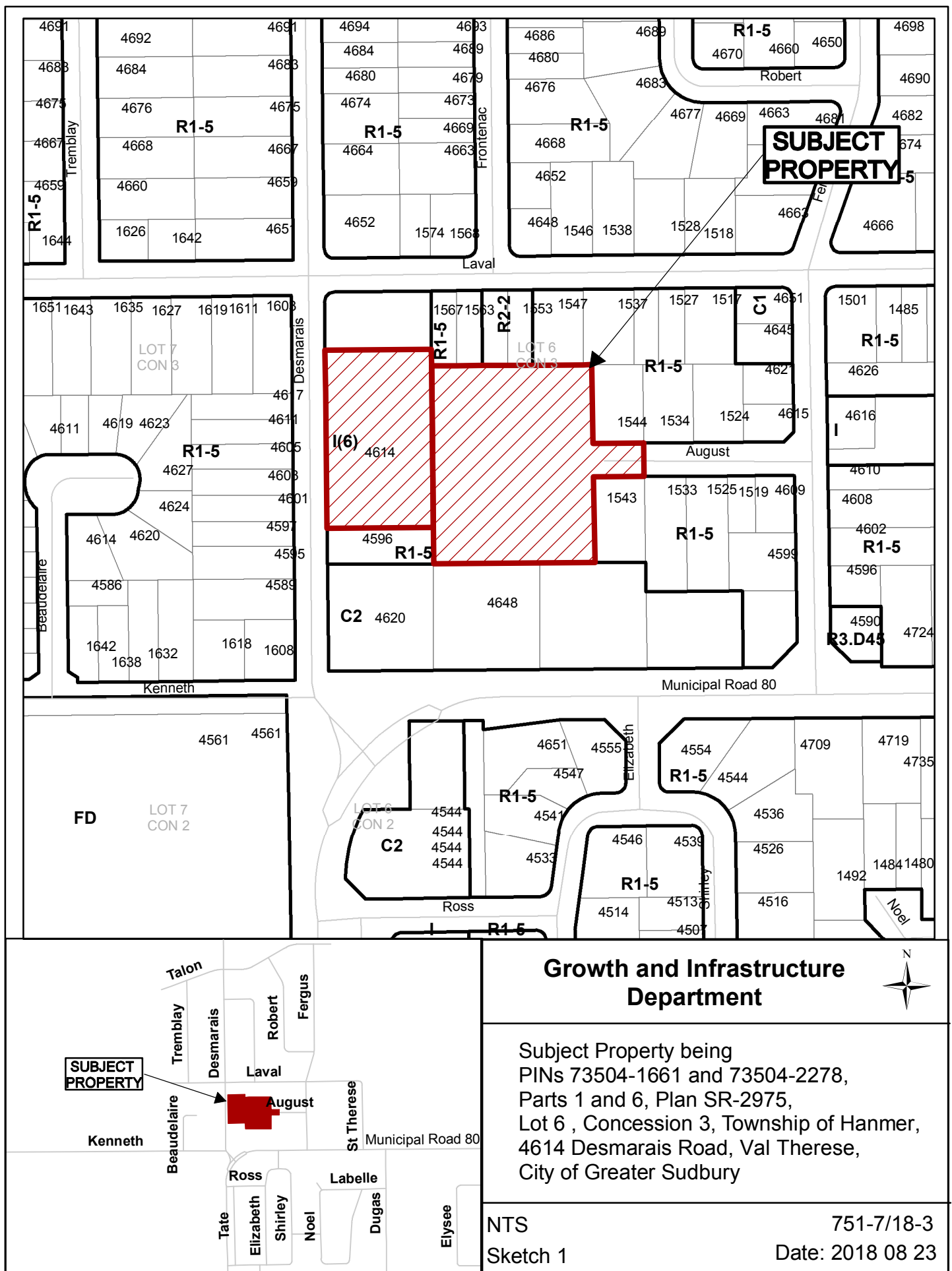
The lands are designated as Living Area 1 in the Official Plan. Conditional approval was granted to change the zoning classification from 'I', Institutional to "I(S)", Institutional Special in order to permit a contractor's yard use on the former municipal public works yard site on Desmarais Road, north of M.R. 80 in Val Therese.

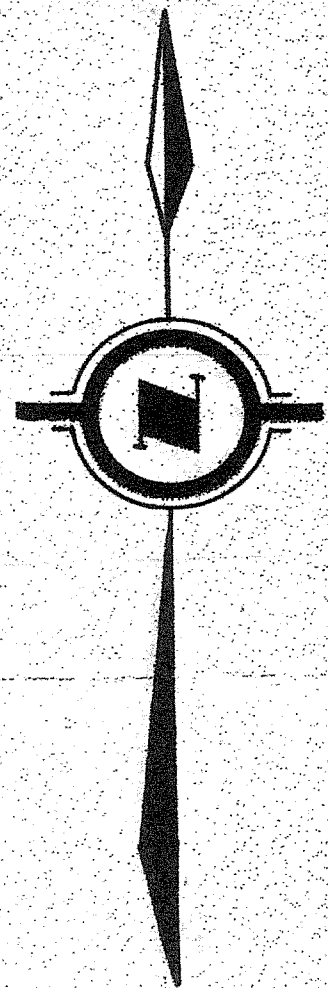
The application was recommended for approval based on the contractor's yard use being similar to the previous public works yard use that had occupied the property for several years, site-specific zoning provisions being used to mitigate impacts on adjacent dwellings, and the use of site plan control to ensure appropriate development and maintenance of the land (see attached report dated October 2018).

The applicant has requested additional time to address the conditions of approval. An application for site plan control has been submitted to Planning Services, and the owner is working to respond to comments provided by the City.

Summary:

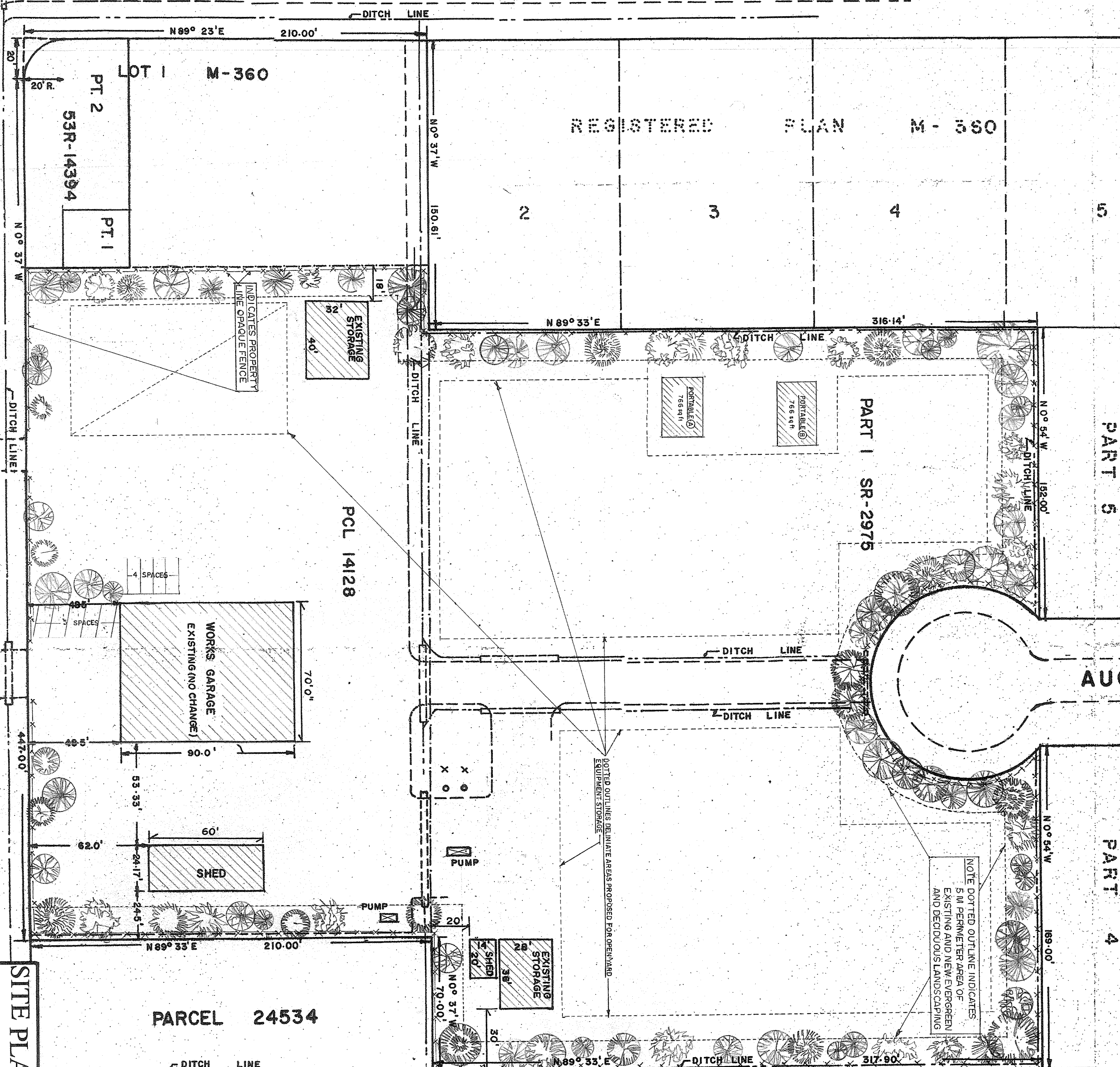
The Planning Services Division recommends that the request for a two year extension to December 11, 2022 be granted.





LAVAL

STREET



AUGUST STR

HIGHWAY

No 69

DESMARIS

ROAD

SITE PLAN - PROPOSED CONTRACTORS YARD

MCDOWELL EQUIPMENT LTD.

4614 DESMARIS RD., VAL THERESE, ONT.

(FORMER CITY OF SUDBURY PUBLIC WORKS GARAGE & STORAGE YARD)
PIN 73504-2278(17) FORMER PARCEL 14128, SES and PART OF PIN 73504-1661(17) FORMER PARCEL 35202, SES
BEING PART 1 PLAN SR-2975 PART OF LOT 6, CONN'S HAMMER TOWNSHIP, CITY OF GREATER SUDBURY

SCALE: 1" = 40'

PARCEL 24534

PCL 14164 S.E.S.

PCL 14128

REGISTERED PLAN M-360

PART 1 SR-2976

PART 5

PART 4

PART 3

PART 2

Presented To:	Planning Committee
Presented:	Monday, Nov 19, 2018
Report Date	Monday, Oct 29, 2018
Type:	Public Hearings
File Number:	751-7/18-3

Request for Decision

2541528 Ontario Limited - Application for rezoning to permit a contractor's yard, 4614 Desmarais Rd., Val Therese

Resolution

THAT the City of Greater Sudbury approves the application by 2541528 Ontario Limited to amend Zoning By-law 2010-100Z by changing the zoning classification from "I(6)", Institutional Special to "I(S)", Institutional Special to permit a contractor's yard on lands described as PINs 73504-1661 and 73504-2278, Parts 1 and 6, Plan SR 2975, Lot 6, Concession 3, Township of Hanmer as outlined in the report entitled "2541528 Ontario Limited" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of November 19, 2018, subject to the following conditions:

- a) That prior to the adoption of the amending by-law:
 - i) the owner shall enter into a Site Plan Control Agreement with the City;
 - ii) a sanitary sewer test maintenance chamber shall be installed on the existing sanitary service to the satisfaction of the General Manager of Growth and Infrastructure.
- b) That the amending by-law for the "I(S)", Institutional Special zoning indicates the following site-specific provisions:
 - i) The only permitted uses shall be Institutional uses, a contractor's yard and related accessory uses;
 - ii) Outdoor storage shall be permitted subject to the provisions of Section 4.28, except that outdoor storage shall not be located any closer than 9.0 metres of a residential zone boundary;
 - iii) That a minimum 5 metre planting strip shall be required abutting the full length of the north, south, and east perimeter of the subject lands;
 - iv) That the street line of Desmarais Road shall be deemed to be the front lot line;
 - v) That the location of the existing buildings shall be permitted;

Signed By

Report Prepared By

Alex Singbush
Manager of Development Approvals
Digitally Signed Oct 29, 18

Manager Review

Eric Taylor
Manager of Development Approvals
Digitally Signed Oct 29, 18

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed Oct 29, 18

Financial Implications

Jim Lister
Manager of Financial Planning and Budgeting
Digitally Signed Nov 2, 18

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Nov 5, 18

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Nov 5, 18

c) Conditional approval shall lapse on December 11, 2020 unless Condition a) 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

An application for rezoning has been submitted in order to permit a contractor's yard use on the former municipal public works yard site on Desmarais Road, north of M.R. 80 in Val Therese. The property is currently zoned "I(6)", Institutional Special and is designated as Living Area I under the Official Plan. The site is occupied by a former Town of Valley East public works yard that was declared surplus in 2016.

The proposed use includes a contractor's yard including the outdoor storage of materials, equipment and vehicles. The applicant is proposing outdoor storage within the front, rear and interior side yards, which requires site-specific relief under Section 4.28 of the Zoning By-law.

The application is recommended for approval based on the following considerations:

- The contractor's yard use is similar to the previous public works yard use that has occupied the property for several years;
- Site-specific zoning provisions can be utilized to limit the uses permitted on the property and restrict the location of outdoor storage to mitigate the impact on adjacent dwellings;
- Site plan control shall be implemented in order to ensure appropriate development and maintenance of the land and is recommended prior to the adoption of the amending by-law.

Staff do not support outdoor storage abutting August Street and Desmarais Road.

Financial Implications

If approved, there will not be any development charges as there are no planned additions to any building. Any change in taxation is unknown at this time and the change in zoning may assist in the future sale of this property.

Title: 2541528 Ontario Limited

Date: October 18, 2018

STAFF REPORT

Applicant:

2541528 Ontario Limited

Location:

PINs 73504-1661 and 73504-2278, Parts 1 and 6, Plan SR-2975, Lot 6, Concession 3, Township of Hanmer, 4614 Desmarais Road, Val Therese

Official Plan and Zoning By-law:

A. [Official Plan](#)

Living Area I

The subject lands are designated "Living Area I" in the City of Greater Sudbury Official Plan. Local institutional uses such as public works yards are also permitted in Living Area 1. In order to support the adaptive reuse of surplus buildings, a concurrent Official Plan Amendment is not required for a change in use that does not comply with the underlying land use designation.

Surplus institutional buildings

Under Section 4.4, rezoning applications related to the conversion of surplus institutional buildings and the rezoning of vacant lands held by institutions shall be considered based on the following criteria:

- a. the need for such lands or buildings for other public uses, and their long-term value to the community;
- b. the compatibility of the proposed uses with surrounding land uses and the intent of the policies in this Official Plan with respect to the proposed uses; and,
- c. for conversion to residential uses, the appropriateness of the proposed density.

Conversion of existing buildings

Section 20.5.6 addresses the adaptive reuse of existing buildings in situations where the proposed use may not necessarily conform to the underlying land use designation. Various criteria are established subject to the rezoning process:

- a. the surplus building is suitable for the proposed use with respect to Building Code regulations;
- b. off-street parking is adequate;
- c. the proposed use is compatible with surrounding land uses with regard to noise, fumes, smoke, odours, traffic hours of operation, signs and other undesirable features;
- d. the neighbouring conforming uses are protected, where necessary, by the provision of landscaping, buffering or screening;

Date: October 18, 2018

- e. parking, driveways, loading areas are improved, relocated, and buffered as warranted;
- f. wherever possible, the aesthetic appearance of the building and property is improved and maintained;
- g. sewer and water capacities are adequate to serve the new use;
- h. for conversion to residential uses, the proposed density is appropriate for the area and amenities are adequate; and,
- i. a site plan control agreement may be required prior to the enactment of an amending by-law.

Conformity with the Official Plan is based on a review of the above noted considerations.

B. Zoning By-law

The property is currently zoned "I(S)", Institutional Special under [Zoning By-law 2010-100Z](#), which permits institutional uses as follows:

I(6) (PUBLIC WORKS)

Notwithstanding any other provision hereof to the contrary, within any area designated I(6) on the *Zone Maps*, all provisions of this By-law applicable to I Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an I Zone, a *public works yard*, in accordance with the *requirements* for open storage areas in M3 Zones shall be permitted.

A contractor's yard is not a permitted use in the "I(6), Institutional Special zone and, as such, the applicant has requested a rezoning to "I(S)", Institutional Special to permit the proposed use.

Site Description & Surrounding Land Uses:

The subject property is a City of Greater Sudbury public works yard in the community of Val Therese. The subject property is located on Desmarais Road, north of M.R. 80 and has frontage on the west end of August Street. The site is serviced with municipal water and sanitary sewer services.

Total site area is 1.79 ha (4.43 acres), 106 m (348 ft.) of road frontage on Desmarais Road additional road frontage on the west end of August Street. The site is occupied by a public works building and six storage buildings in a yard enclosed with a chain link fence. The site appears to be level and primarily surfaced with gravel. An aerial photo is also attached to this report.

Low density residential uses bound the majority of the property. Commercial uses with frontage on M.R. 80 abut a portion of the southern boundary of the lands and the Laval Street Tot Lot abuts the northwest corner of the subject lands.

Application:

To amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury by changing the zoning classification of the subject lands from "I(6)" Institutional Special to "I(S)", Institutional Special to permit a contractor's yard.

Title: 2541528 Ontario Limited

Date: October 18, 2018

The applicant proposes to refresh the existing buildings on site and to provide additional opaque property perimeter fencing and additional landscaping.

Proposal:

The application proposes to rezone the property to permit a contractor's yard.

Departmental/Agency Circulation:

Building Services has provided comments indicating that the proposed outdoor storage areas shown on the applicant's sketch do not conform to the provisions of Section 4.28 of the zoning by-law with respect to outdoor storage.

Development Engineering recommends that a test maintenance hole or maintenance access chamber be installed.

Infrastructure Capital Planning Services has no roads or active transportation concerns. The Traffic Section has advised that heavy truck traffic should be discouraged from using August Street which is a local road and is not designated as a truck route.

Leisure Services has no objections but has indicated an interest in ensuring screening between the subject lands and the abutting Laval Tot Lot.

The Nickel District Conservation Authority has no objection to the application.

Neighbourhood 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 owner 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. At the time of writing this report, two letters of concern has been received, which are attached to this report. Additionally, Planning Services received several telephone inquiries with respect to the application expressing concern with hours of operation and environmental remediation of former activities on the property.

Planning Considerations:

The former Town of Valley East public works facility was declared surplus in 2016 and is currently for sale. At this time the site remains in limited use as a municipal facility.

Land use compatibility

a. Outdoor storage

Given the nature of the proposed contractor's yard use, similar to the previous use as a public works yard, activities on the site would not be limited to the indoors. The applicant is proposing outdoor storage areas within the front, rear and interior side yards as illustrated on the rezoning sketch. These yards would be utilized to store trucks and equipment which will potentially impact adjacent residential uses.

Date: October 18, 2018

There are two main concerns related to land use compatibility and outdoor storage:

- Nuisance factors such as noise, odours and dust; and,
- The negative visual impact on adjacent properties and along local roads.

Section 4.28 of the Zoning By-law contains provisions related to outdoor storage, including a requirement to screen outdoor storage areas with opaque fencing with a minimum height of 2.2 metres. Outdoor storage is not permitted within any yard abutting a residential zone boundary, however, when abutting other zones where outdoor storage is permitted, it is only permitted in a rear or interior side yard and shall not be located closer than 9 metres to any street line.

Staff does not support outdoor storage in the front yard abutting Desmarais Road or within 9.0m of August Street as proposed by the applicant. It is recommended that outdoor storage be permitted if located no closer than 9.0m to a residential zone boundary and that it be screened appropriately with opaque fencing, in accordance with the provisions of Section 4.28 of the Zoning By-law.

An adequate separation distance shall be established between the outdoor storage area and the abutting low density residential uses.

b. Conditions of approval

In order to appropriately address land use compatibility, the following conditions of approval are recommended:

1. That site-specific zoning be utilized to limit the uses permitted on the property;
2. That outdoor storage be permitted subject to the provisions of Section 4.28, except that outdoor storage shall be not be located any closer than 9.0 metres of a residential zone boundary;
3. That a minimum 5 metre wide planting strip be required abutting the full length of the north, south, and east perimeter of the subject lands;
4. That the owner enters into a Site Plan Control Agreement with the City prior to the adoption of the amending by-law. This is consistent with Official Plan policies applied to the conversion of existing buildings under Section 20.5.6.

Local traffic

Infrastructure Capital Planning Services has advised that heavy truck traffic should be discouraged from using August Street which is a local road. This request can be implemented at the site plan stage.

[2014 Provincial Policy Statement \(PPS\)](#) and [2011 Growth Plan for Northern Ontario \(GPNO\)](#)

a) 2014 PPS

The public works yard site is designated Living Area 1, and is therefore defined as part of a settlement area under the PPS

Under Policy 1.1.3.2 a), land use patterns within settlement areas must be appropriate for the infrastructure and public service facilities which are planned or available. The subject lands are fully serviced by municipal water and sewer. The proposed use is therefore appropriate given the service levels in the area.

Date: October 18, 2018

Policy 1.1.3.3 directs Planning authorities to identify appropriate locations for redevelopment, taking into account existing building stock and the availability of suitable existing or planned infrastructure. This application proposes the reuse of surplus institutional buildings as a means of repurposing an older building as an alternative to demolition. The proposed use as a contractor's yard is similar to the previous use as a municipal public works yard.

The application is deemed to be consistent with the 2014 Provincial Policy Statement as it relates to settlement areas.

b) 2011 GPNO

The Growth Plan does not contain specific policies related to adaptive reuse as a form of redevelopment beyond those applied to strategic core areas. In general terms, the plan promotes economic diversification across all industrial sectors and geographic areas in Northern Ontario. From this perspective, the proposal could potentially provide local employment opportunities in the community of Val Therese.

Summary

The application can be supported based on the following considerations:

- Site-specific zoning provisions can be utilized to limit the use permitted on the property and restrict the location of outdoor storage to mitigate the impact on adjacent dwellings;
- Site plan control will be implemented in order to ensure appropriate development of the land and is recommended prior to the adoption of the amending by-law.

The proposal conforms to the applicable policies of the Official Plan, is consistent with the 2014 Provincial Policy Statement, and does not conflict with the 2011 Growth Plan for Northern Ontario.

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

Appendix 1

Departmental & Agency Comments

File: 751-7/18-3

RE: Application for Rezoning – 2541528 Ontario Limited
PINs 73504-1661 and 73504-2278, Parts 1 and 6, Plan SR-2975, Lot 6,
Concession 3, Township of Hanmer (4614 Desmarais Road, Val Therese)

Building Services

Based on the information and site plan drawing provided, we can advise that Building Services has the following comments:

1. The proposed outdoor storage as shown on the drawing submitted for rezoning does not comply with Section 4.28 of CGS Zoning By-law 2010-100Z, as the outdoor storage areas proposed show one area within the front yard which is not permitted and the remaining two areas abutting a residential zone boundary, which is not permitted.
2. If approved as an exception, the provisions of Section 4.28 with respect to screening is requested.

Development Engineering

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

Development Engineering has no objection to amending the zoning classification from "I(6)"; Institutional Special to a revised "I(6)", Institutional Special to permit a contractor's yard provided the owner meets the following condition:

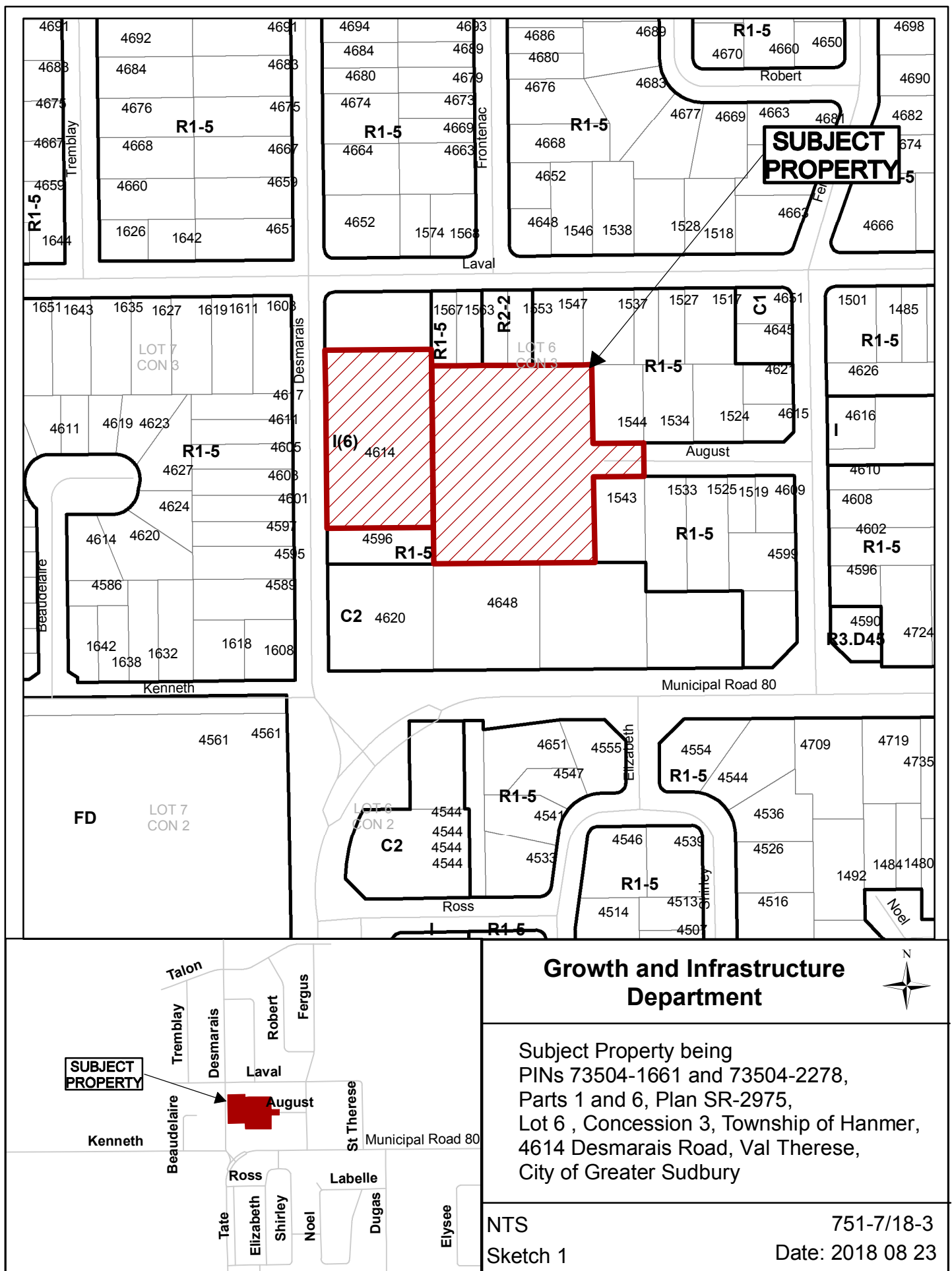
- The Owner must install a Precast Test Maintenance Hole (GSSD-1001.030) or Maintenance Access Chamber (GSSD-1001.040) on the sanitary sewer service on the private property side of the property line

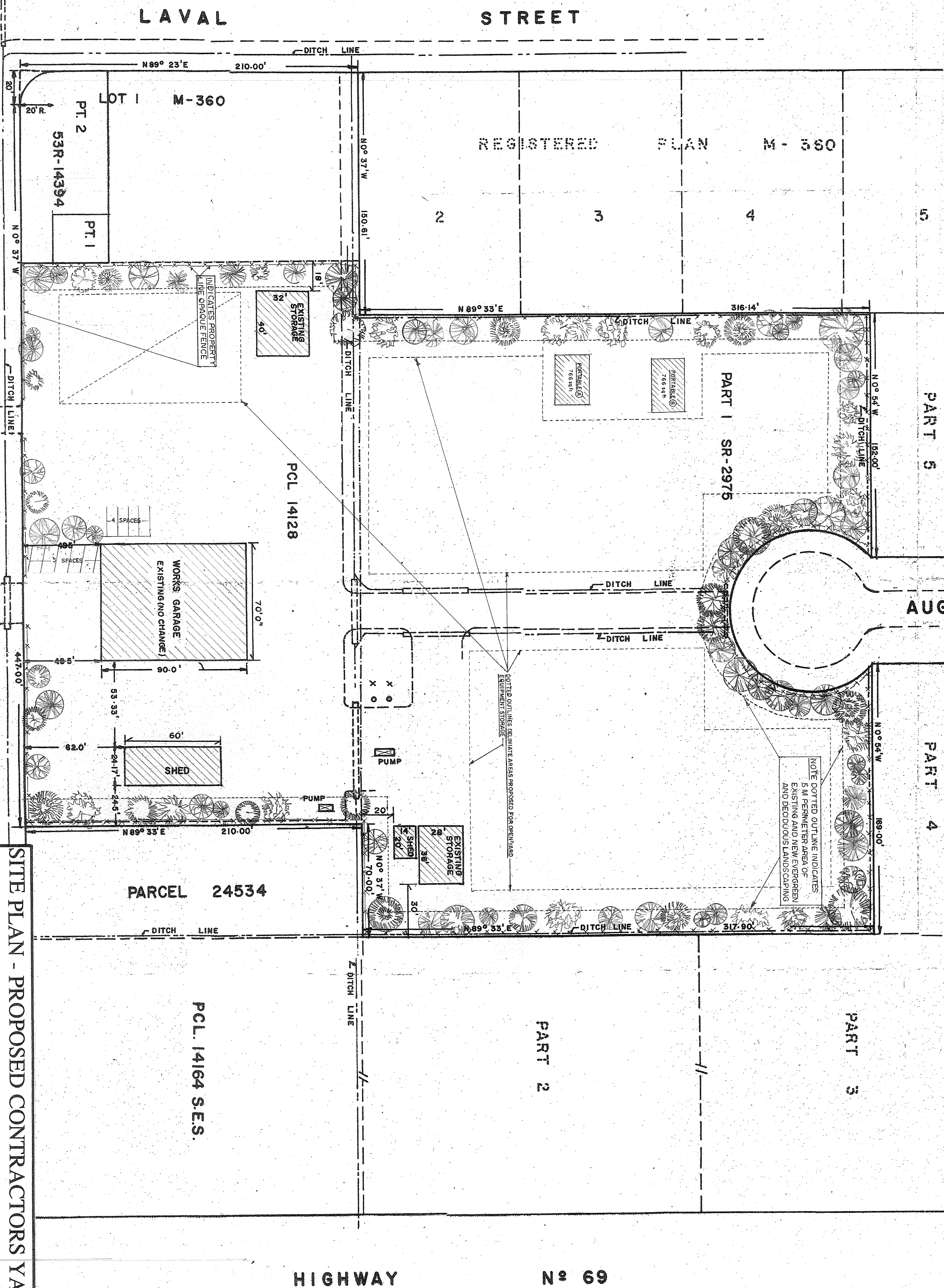
Infrastructure Capital Planning Services

While the drawing shows primary access to the site occurring from Desmarais Road there is an additional access point from August Street. With access to August Street, heavy vehicles may travel through the residential portion of this road to enter and exit the site. August Street is a local road which is not designated as a truck route. All heavy truck traffic should be discouraged from using this road.

Nickel District Conservation Authority

No objection.





ROAD

SCALE: 1" = 40'

SITE PLAN - PROPOSED CONTRACTORS YARD

McDOWELL EQUIPMENT LTD.

4614 DESMARAIS RD., VAL THERESE, ONT..
(FORMER CITY OF SUDBURY PUBLIC WORKS GARAGE & STORAGE YARD)
PIN 73504-2278(1/2) FORMER PARCEL 14128. SES AND PART OF PIN 73504-1661(1/2) FORMERLY PARCEL 35202. SES
BEING PART 1 PLAN SR-2975 PART OF LOT 6, CONN3 3 HAMMER TOWNSHIP CITY OF GREATER SUDBURY



PHOTO 1 SUBJECT LANDS, 4614 DESMARAIS ROAD, VIEWED
LOOKING EAST FROM DESMARAIS ROAD



PHOTO 2 SUBJECT LANDS, VIEWED LOOKING WEST FROM THE
TERMINUS OF AUGUST STREET

751-7/18-3 PHOTOGRAPHY OCTOBER 19, 2018



PHOTO 3 RESIDENCES ON THE WEST SIDE OF DOMINION ROAD,
WEST OF THE SUBJECT LANDS



PHOTO 4 LAVAL TOT LOT, NORTH OF THE SUBJECT LANDS,
VIEWED LOOKING SOUTH FROM LAVAL STREET

751-7/18-3 PHOTOGRAPHY OCTOBER 19, 2018



PHOTO 5 1544 AUGUST STREET, EAST OF THE SUBJECT LANDS,
VIEWED LOOKING NORTH FROM AUGUST STREET



PHOTO 6 1543 AUGUST STREET, EAST OF THE SUBJECT LANDS,
VIEWED LOOKING SOUTH FROM AUGUST STREET

751-7/18-3 PHOTOGRAPHY OCTOBER 19, 2018



PHOTO 7 4648 MUNICIPAL ROAD 80, SOUTH OF THE SUBJECT LANDS, VIEWED LOOKING NORTH FROM MR 80



PHOTO 8 4596 DESMARAIIS ROAD, SOUTH OF THE SUBJECT LANDS, VIEWED LOOKING EASTERLY FROM DESMARAIIS ROAD

751-7/18-3 PHOTOGRAPHY OCTOBER 19, 2018

File: 751-7/18-3
4614 Desmarais Road.,
Val Therese
2012 Orthophotography



Frontenac Crescent

Robert Drive

Subject Property

Laval Street

Desmarais Road

August Street

Fergus Avenue

Kenneth Drive

Municipal Road 80

Elizabeth Crescent

Shirley Avenue

0 20 40 80 120 160
Metres

148 of 200

FILE #751-7/18-3
RECEIVED

ET
ASV

Oct.9th, 2018

UCT 17 2018

Eric Taylor,

PLANNING SERVICES

In regards to the letter we received about the request to have the City property located on Desmarais Rd. rezoned, we have some concerns.

My husband and I live at the end of August St. and therefore it connects to the property in question.

We suspect the mining company will be operating 24/7 and therefore the noise will be loud and constant. We have endured the noise, sand and salt issues for years and we don't see this as a good proposition for neighbouring families.

Also, what about the mining company using August St. to access their yard? Is this a possibility?

I have spoken to Rene Lapierre and voiced our concerns. My husband and I are definitely against this being happening.

Reg and Glenda Presseault

1544 August St. Val Therese

Sept 13/18

RECEIVED

ASV

SEP 19 2018

PLANNING SERVICES

Dear Eric Taylor.

In regards to the letter that I
received Sept 12/18 dated Sept 4/18.

I object to any charges until I
have more information in regards
to this matter.

Regarding File # 751-7/18-3

Please contact me

or 4617 Desmarais Road, Val Therese, on
P3P1S3

Tracy Laporte

Th Laporte

Request for Decision

Greenwood Subdivision, Sudbury

Presented To:	Planning Committee
Presented:	Monday, Jan 11, 2021
Report Date	Monday, Dec 14, 2020
Type:	Referred and Deferred Matters
File Number:	780-6/07002

Resolution

THAT the City of Greater Sudbury's delegated official be directed to amend the conditions of draft approval for a plan of subdivision on those lands described as PIN 73578-0515, Part 1, Plan 53R-18272, Part of Lots 11 & 12, Concession 3, Township of Neelon, File # 780-6/07002, in the report entitled "Greenwood Subdivision, Sudbury", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on December 14, 2020, upon payment of Council's processing fee in the amount of \$2,418 as follows:

1. By deleting Condition #10 and replacing it with the following:
"10. That this draft approval shall lapse on November 28, 2022."
2. By adding the following words at the end of Condition #11:
"... A soils caution agreement, if required, shall be registered on title, to the satisfaction of the Chief Building Official and the City Solicitor."
3. By adding the following words at the end of Condition #12:
"... A lot grading agreement, if required, shall be registered on title, to the satisfaction of the Director of Planning Services and the City Solicitor."
4. By deleting Condition #13 entirely and replacing it with the following:

"13. A storm-water management report and associated plans must be submitted by the Owner's Consulting Engineer for approval by the City. The report must address the following requirements:

- a) The underground storm sewer system within the plan of subdivision must be designed to accommodate and/or convey the minor storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 2 year design storm. The permissible minor storm discharge from the subject development must be limited to the existing pre-development site runoff resulting from a 2 year design

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed Dec 14, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Dec 14, 20

Financial Implications

Steve Facey
Manager of Financial Planning & Budgeting
Digitally Signed Dec 14, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Dec 14, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Dec 14, 20

storm. Any resulting post development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision;

b) The overland flow system within the plan of subdivision must be designed to accommodate and/or convey the major storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 100 year design storm or Regional storm event, whichever is greater, without causing damage to proposed and adjacent public and private properties. The permissible major storm discharge from the subject development must be limited to the existing pre-development runoff resulting from a 100 year design storm or Regional storm event, whichever is greater. Any resulting post development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision;

c) "Enhanced" level must be used for the design of storm-water quality controls as defined by the Ministry of the Environment, Conservation and Parks;

d) The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any storm-water management plan;

e) The final grading of the lands shall be such that the surface water originating on or tributary to the said lands, including roof water from buildings and surface water from paved areas, will be discharged in a manner satisfactory to the General Manager of Growth and Infrastructure;

f) Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties; and,

g) Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted."

5. By adding a new Condition #35 as follows:

"35. That in accordance with Section 59(4) of the Development Charges Act, a notice of agreement shall be registered on title to ensure that persons who first purchase the subdivided land after registration of the plan of subdivision are informed, at the time the land is transferred, of all development charges related to development."

6. By adding a new Condition #36 as follows:

"36. The owner shall be responsible for the design and construction of any required storm-water management works to the satisfaction of the General Manager of Growth and Infrastructure as part of the servicing plans for the subdivision and the owner shall dedicate the lands for storm-water management works as a condition of this development

Relationship to the Strategic Plan / Health Impact Assessment

The application to extend this draft plan of subdivision approval is an operational matter under the Planning Act to which the City is responding.

Report Summary

The owner has requested an extension to the draft plan of subdivision approval of the Greenwood Subdivision (File # 780-6/07002) in Sudbury for a period of three years until November 28, 2022. The Planning Services Division is recommending approval of the application.

The Planning Services Division has reviewed the request to extend the draft approval and have no objections to the requested extension for a period of three years. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approval. Amendments to the conditions of draft approval where necessary have been identified and are included in the Resolution section of the report.

Financial Implications

If approved, staff estimates approximately \$338,000 in taxation revenue, based on the assumption of 52 single family dwelling units at an estimated assessed value of \$500,000 per dwelling unit at the 2019 property tax rates.

In addition, this development would result in total development charges of approximately \$920,000 based on the assumption of 52 single family dwelling units based on the rates in effect as of this report.

Once development has occurred and the subdivision infrastructure has been transferred to the City, there will be additional on-going costs for future annual maintenance and capital replacement of the related infrastructure (ie. roads, water/wastewater linear pipes, etc).

Date: January 17, 2020

STAFF REPORT

Applicant:

Dalron Construction Ltd.

Location:

PIN 73578-0515, Part 1, Plan 53R-18272, Part of Lots 11 & 12, Concession 3, Township of Neelon (Greenwood Subdivision, Sudbury)

Application:

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on November 28, 2007. The draft approval was most recently extended by Council on July 11, 2017, until November 28, 2019, for a plan of subdivision on those lands described as PIN 73578-0515, Part 1, Plan 53R-18272, Part of Lots 11 & 12, Concession 3, Township of Neelon. Staff granted a temporary administrative extension to the draft approval on May 28, 2020 in order to ensure agencies and departments had sufficient time to review the request and to have the extension request considered by Planning Committee and a decision ratified by Council.

The owner is also again requesting an amendment to Condition #25 which would reduce the design speed of Greenwood Drive from 60 km/h to 40 km/h at Street "A" as shown on the draft plan of subdivision. The owner has requested a reduction in the design speed in order to reduce the extent of remedial works required on the existing road network.

Proposal:

The owner is requesting that the draft approval conditions for the above noted lands be extended for a period of three years until November 28, 2022 and that Condition #25 be amended as per the request noted above.

Background:

The City received a written request from Dalron Construction Ltd. on September 11, 2019, to extend the draft approval on a plan of subdivision for a period of three years on those lands described as PIN 73578-0515, Part 1, Plan 53R-18272, Part of Lots 11 & 12, Concession 3, Township of Neelon. The draft approved plan of subdivision was initially approved by Council for a total of 52 urban residential lots. The lots are to be accessed from Greenwood Drive. At the time of writing this report, none of the 52 lots are within the draft approved plan of subdivision have been registered.

The draft approval was set to expire again on November 28, 2019 and staff has circulated the request to relevant agencies and departments and is now bringing forward this report to extend the draft approval to November 28, 2022. It is noted that a temporary administrative extension to the draft approval was granted until May 28, 2020 in order to have the extension request considered by Planning Committee and a decision ratified by Council. Staff has also again considered the owner's request to amend Condition #25 and note that when the draft approval was last extended the request was denied by Planning Committee and said denial was ratified by Council.

Date: January 17, 2020

Departmental & Agency Circulation:

Environmental Planning Initiatives and Operations have each advised that they have no concerns from their respective areas of interest.

Building Services has requested that standard wording with respect to a soils caution agreement be added to the end of Condition #11.

Development Engineering advises that Condition #25 should not be amended as a change to a 40 km/h design speed would require lowering the posted speed below 40 km/h and increase the risk of collision for automobiles on Greenwood Drive turning left into the proposed subdivision.

Canada Post has not requested any changes to the draft approval conditions. Canada Post did however provide a letter which is attached to this report for the owner's information and reference purposes.

Conservation Sudbury has no concerns with the requested extension and has noted that Condition #18 continues to satisfy their requirements with respect to the draft approved plan of subdivision in this instance.

Comments received from the City's Drainage Section will require an amendment to Condition #13 and a new Condition #36, both of which seek to clarify and modernize those storm-water management requirements that are required and associated with the development of the draft approved plan of subdivision.

Active Transportation, Roads, Traffic and Transportation do not support the owner's request to reduce the design speed of the vertical curve to 40 km/h.

Water/Wastewater has advised that the subdivision is located within the Ramsey Lake Intake Protection Zone 3 and that the main concern in this area is salt storage and salt application. Management of salt storage and salt application occurs generally where there is a parking lot (or plowable surface) having a surface area greater than 1 ha (2.47 acres). Water-Wastewater has advised there is likely no concern with respect to the above given the nature of the development being that of a residential subdivision.

Planning Considerations:

[Official Plan](#)

Section 19.4.2 of the Official Plan for the City of Greater Sudbury addressing draft plan of subdivision approvals outlines that Council will not extend or recommend the extension of a draft plan approval, beyond the statutory limitation of three years, unless the owner has demonstrated to the satisfaction of Council that they are making a reasonable effort to proceed in meeting the conditions of draft approval. At the time of an extension request, Council is to review the draft plan conditions and may make appropriate modifications.

Staff notes that this particular draft plan approval was granted by Council on November 28, 2007, and since that time none of the 52 lots that were draft approved have been registered.

The owner did not provide an update to staff at the time of their extension request with respect to their progress toward registration of all or some of the 52 draft approved lots.

Date: January 17, 2020

Draft Approval Conditions

Condition #10 should be deleted entirely and replaced with a sentence referring to November 28, 2022, as the revised date on which the subject draft plan approval shall lapse.

Comments received from the City's Drainage Section will require an amendment to Condition #13 and a new Condition #36, both of which seek to clarify and modernize those storm-water management requirements that are required and associated with the development of the draft approved plan of subdivision.

Staff do not recommend any changes be made to Condition #25 with respect to lowering the design speed of Greenwood Drive. Active Transportation, Development Engineering, and Roads, Traffic and Transportation have again reviewed the request and are not supportive of lowering the design speed of Greenwood Drive at Street "A" from 60 km/h to 40 km/h.

Other administrative and housekeeping changes to the draft approval documents have also been included where necessary.

No other changes to the draft approval documents have been requested either by the owner or by circulated agencies and departments. The draft conditions are attached to this report along with a sketch of the draft approved plan of subdivision for reference purposes.

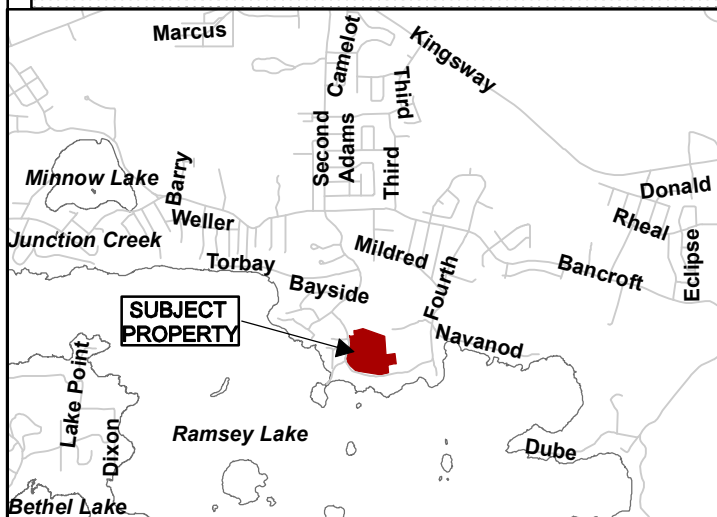
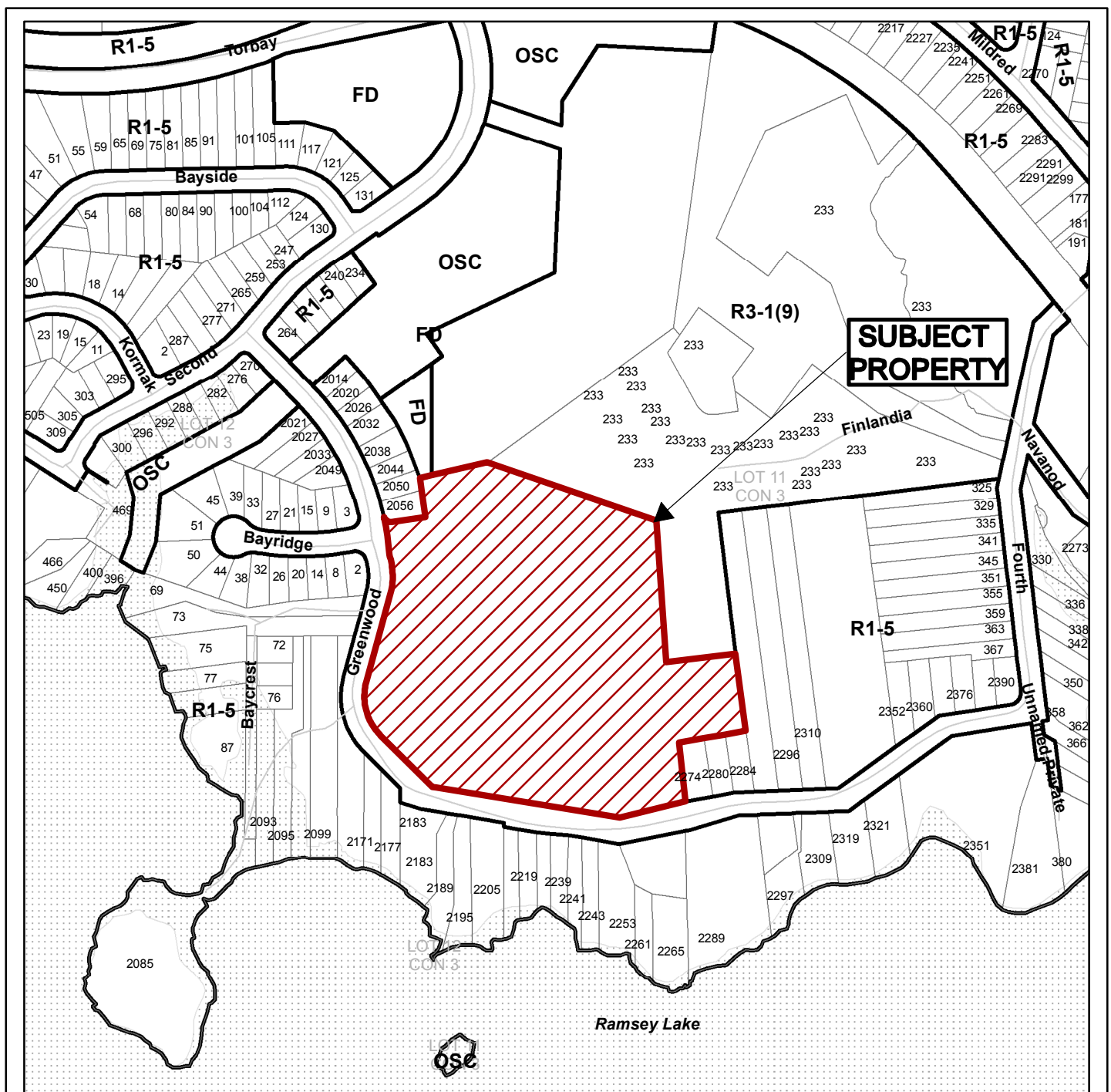
Processing Fees

The owner is required to pay the applicable processing fee in the amount of \$2,418.00. It is recommended that the draft approval extension be granted upon receipt of Council's processing fee from the owner. This amount was calculated as per [By-law 2017-222](#) being the Miscellaneous User Fees By-law that was in effect at the time the request was made.

Summary:

The Planning Services Division has reviewed the request to extend the subject draft approval and has no objections to the requested extension for a period of three years. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approval of the subdivision. Staff do not recommend that the design speed of Greenwood Drive at Street "A" on the draft plan of subdivision be reduced from 60 km/h to 40 km/h. Appropriate changes where identified have otherwise been included in the Resolution section of this report and will now form part of the draft plan approval if approved by Council.

The Planning Services Division therefore recommends that the application to extend draft approval for the Greenwood Subdivision for a period of three years until November 28, 2022, be approved as outlined in the Resolution section of this report.



Growth and Development Department



Subject Property being PIN 73578-0515,
Part 1, Plan 53R-18272, Part of Lots 11 & 12,
Concession 3, Township of Neelon, Greenwood
Drive, Sudbury, City of Greater Sudbury

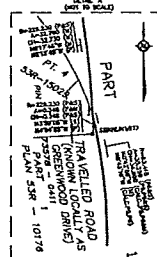
Sketch 1

NTS

751-6/07-4 & 780-6/07002

Date: 2013 03 22

KEY PLAN
SCALE 1/2"=1'-0"



GEOGRAPHIC TOWNSHIP OF NEELON

DRAFT PLAN
OF PARTS OF
LOTS 11 AND 12, CONCESSION 3
GEOGRAPHIC TOWNSHIP OF NEELON
CITY OF GREATER SUDBURY
DISTRICT OF SUDBURY

ADDITIONAL INFORMATION

AS REQUIRED BY SECTION 55 OF THE PLANNING ACT
AS APPLICABLE TO THIS APPLICATION, AS SHOWN

- A) PROPOSED AND EXISTING STREETS - AS SHOWN
- B) KEY PLAN - AS SHOWN
- C) EXISTING LOTS - AS SHOWN (FAMILY RESIDENTIAL)
AND BLOCK 55 (STORVORWATER MANAGEMENT)
- D) EXISTING USES - AS SHOWN (LANDS
NORTH - VETLAND
SOUTH - RESIDENTIAL
EAST - RESIDENTIAL
WEST - RESIDENTIAL)
- F) DIMENSIONS OF PROPOSED LOTS - AS SHOWN
- G) NATURAL & ARTIFICIAL FEATURES - AS SHOWN
- H) WATER - EXISTING WATER, CANAL, RIVER
SOILS - BORDERS AND OVERBORDERS
- I) CONTIGUOUS ELEVATIONS - AS SHOWN
- J) MUNICIPAL SERVICES - GAS, ELECTRIC, FIRE, AMBULANCE ETC.
- K) RESTRICTIONS - AS SHOWN

AREA OF APPLICATION 6.9 HA. (APPROXIMATED)

OWNER'S CERTIFICATE

I HEREBY CONSENT TO THE MANNER IN WHICH THE LAND SHOWN ON THIS PLAN IS PROPOSED TO BE SUBDIVIDED AND REQUEST THE APPROVAL OF THE CITY OF GREATER SUDBURY.

DATE Aug 26/01 [Signature]
DALEON CONSTRUCTION
BY RON ARNOLD, PRESIDENT
"I HAVE THE AUTHORITY TO BIND THE CORPORATION"

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS
TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE
ADJACENT LANDS ARE ACCURATELY AND CORRECTLY
SHOWN IN THIS PLAN.

NOVEMBER 27, 2007
DATE

1

- [illegible]

REVISION	DATE	
3		
2		
1		

DRAFT PLAN
LUXEVIEW SUBDIVISION, PHASE B

Scale: 1/8" = 1'-0" Date: NOVEMBER 2, 1997 Job No.: Drawing No.: 1

K S. A. Kirchhefer Limited
Consulting Engineer and Planner Sudbury, Ontario

**COUNCIL'S CONDITIONS APPLYING TO THE APPROVAL OF THE FINAL PLAN
FOR REGISTRATION OF THE SUBJECT SUBDIVISION ARE AS FOLLOWS:**

1. That this draft approval applies to the plan of subdivision of PIN 73578-0404, Parcel 6013, Part of Lots 11 & 12, Concession 3, Township of Neelon as shown on the preliminary plan identified dated November 2, 2007 prepared by S.A. Kirchhefer.
2. That the street(s) shall be named to the satisfaction of the Municipality.
3. That any dead-ends or open sides of road allowances created by this plan of subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the Municipality and held in trust by the Municipality until required for future road allowances or the development of adjacent land.
4. That prior to the signing of the final plan, the Planning Services Division shall be advised by the Ontario Land Surveyor responsible for preparation of the final plan, that the lot areas, frontages and depths appearing on the final plan do not violate the requirements of the Restricted Area By-laws of the Municipality in effect at the time such plan is presented for approval.
5. That the subdivision agreement be registered by the Municipality against the land to which it applies, prior to any encumbrances.
6. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
7. That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Greater Sudbury, concerning the provision of roads, walkways, street lighting, sanitary sewers, watermains, storm sewers and surface drainage facilities.
8. That the subdivision agreement contain provisions whereby the owner agrees that all the requirements of the subdivision agreement including installation of required services be completed within 3 years after registration.
9. Draft approval does not guarantee an allocation of sewer or water capacity. Prior to the signing of the final plan, the Director of Planning is to be advised by the General Manager of Infrastructure Services, that sufficient sewage treatment capacity and water capacity exists to service the development.

...2

10. This draft approval will lapse on May 28, 2020.
11. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the Director of Planning Services, provide an updated geotechnical report prepared, signed, sealed, and dated by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommend construction procedures for storm and sanitary sewers, stormwater management facilities, watermains, roads to a 20 year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services.
12. The owner shall provide a detailed lot grading plan prepared, signed, sealed, and dated by a professional civil engineer with a valid certificate of authorization for the proposed lots as part of the submission of servicing plans. This plan must show finished grades around new houses, retaining walls, sideyards, swales, slopes and lot corners. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties.
13. Prior to the submission of servicing plans, the owner shall have a stormwater management report and plan prepared, signed, sealed, and dated by a professional engineer with a valid certificate of authorization. Said report shall establish how the quantity and quality of stormwater will be managed for the subdivision development and assess the impact of stormwater runoff from this developed subdivision on abutting lands, on the downstream storm sewer outlet systems and on downstream water courses. The report shall deal with the control of both the 1:5 year and Regional Storm events, so as to limit the volume of flow generated on the site to pre-development levels. The Regional Storm flow path is to be set out on the plan(s). The report shall set out any necessary improvements to downstream storm sewers and water courses. The civil engineering consultant shall meet with the Development Approvals Section prior to commencing the stormwater management report.
14. The owner will be required to provide permanent silt and erosion control drainage works to the subdivision's storm water outlet to the satisfaction of the Director of Planning Services.
15. The owner shall be required to have all stormwater management facilities constructed and approved by the City prior to initial acceptance of roads and sewers or at such time as the Director of Planning Services may direct. The owner shall provide lands for said facilities as required by the City. ...3

16. The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, storm sewers and related appurtenances to the City of Greater Sudbury Engineering Standards at the time of submission.
17. The owner agrees to provide the required soils report, stormwater, water, sanitary sewer and lot grading master planning reports and plans to the Director of Planning Services prior to the submission of servicing plans for any phase of the subdivision.
18. The owner shall develop a siltation control plan for the subdivision construction period to the satisfaction of the Director of Planning Services and Nickel District Conservation Authority.
19. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
20. The owner will be required to ensure that the corner radius for all intersecting streets is to be 9.0 m.
21. As part of the submission of servicing plans, the owner shall have rear yard slope treatments designed by a geotechnical engineer licensed in the Province of Ontario incorporated in to the plans if noted as required at locations required by the Director of Planning Services. Suitable provisions shall be incorporated into the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the Director of Planning Services.
22. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Greater Sudbury Hydro Plus or Hydro One, Bell, Union Gas, and Eastlink and Canada Post. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.
23. The final plan shall be integrated with the City of Greater Sudbury Control Network to the satisfaction of the Coordinator of the Surveying and Mapping Services. The survey shall be referenced to NAD83(CSRS) with grid coordinates expressed in UTM Zone 17 projection and connected to two (2) nearby City of Greater Sudbury Control Network monuments. The survey plan must be submitted in an AutoCAD compatible digital format. The submission shall be the final plan in content, form and format and properly geo-referenced.
24. The owner provide proof of sufficient fire flow in conjunction with the submission of construction drawings for each phase of construction.
25. That the vertical alignment of Greenwood Drive at the north intersection of Street A be improved to satisfy a design speed of 60 km/hr.

26. That Greenwood Drive be upgraded to an urban standard to the south limit of Lot 52.
27. That a sidewalk be constructed along the south and west sides of proposed streets to the satisfaction of the Director of Planning Services.
28. That a 6 metre wide block be conveyed to the City abutting Greenwood Drive except along Lot 52.
29. The developer will be required to provide a geotechnical report on how the work related to blasting shall be undertaken safely to protect adjoining structures and other infrastructure. The geotechnical report shall be undertaken by a blasting consultant defined as a professional engineer licensed in the Province of Ontario with a minimum of five years experience related to blasting.
30. The blasting consultant shall be retained by the developer and shall be independent of the contractor and any subcontractor doing blasting work. The blasting consultant shall be required to complete specified monitoring recommended in his report of vibration levels and provide a report detailing those recorded vibration levels. Copies of the recorded ground vibration documents shall be provided to the contractor and contract administration weekly or upon request for this specific project.
31. The geotechnical report will provide recommendations and specifications on the following activity as a minimum but not limited to:
 - i) Pre-blast survey of surface structures and infrastructure within affected area;
 - ii) Trial blast activities;
 - iii) Procedures during blasting;
 - iv) Procedures for addressing blasting damage complaints;
 - v) Blast notification mechanism to adjoining residences; and,
 - vi) Structural stability of exposed rock faces.
32. That a watermain loop be completed through the subdivision from the existing 200 mm diameter watermain on Greenwood Drive at Bayridge Court to the existing 250 mm diameter watermain on Greenwood Drive near the southeast corner of the development.
33. Final approval for registration may be issued in phases to the satisfaction of the Director of Planning, provided that:
 - i) Phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure and other essential services; and;

- ii) All agencies agree to registration by phases and provide clearances, as required, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
- 34. That the owner shall have completed all major outstanding infrastructure deficiencies that are critical to the overall function of the subdivision in previous phases of the plan that have been registered, or have made arrangements for their completion, prior to registering a new phase of the plan, to the satisfaction of the General Manager of Infrastructure Services.

✓ AS
✓ GF.



September 20, 2019

Alex Singbush
Manager of Development
City of Greater Sudbury

RECEIVED

SEP 20 2019

PLANNING SERVICES

Reference: File # 780-6/07002—Greenwood Subdivision

Dear Mr. Singbush,

Thank you for contacting Canada Post regarding plans for a new subdivision in the City of Greater Sudbury.

Please see Canada Post's feedback regarding the proposal, below.

Service type and location

1. Canada Post will provide mail delivery service to the subdivision through centralized Community Mail Boxes (CMBs).
2. Given the number and the layout of the lots in the subdivision, we have determined that 4 CMB(s) will be installed on 1 site(s). I recommend either of the 2 locations listed below
 - a. **Side of lot 7**
 - b. **Side of lot 46**

Municipal requirements

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this subdivision application be approved, please provide notification of the new civic addresses as soon as possible.

Developer timeline and installation

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB(s).

Please see Appendix A for any additional requirements for this developer.

Regards,

RAY THERIAULT

Ray Theriault
Delivery Services Officer | Delivery Planning
PO BOX 8037 Ottawa T CSC
Ottawa, ON, K1G 3H6
613-793-2293
Raynald.theriault@canadapost.ca

Appendix A

Additional Developer Requirements:

- The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.
- The developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
- The developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
- The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.
- The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
 - Any required walkway across the boulevard, per municipal standards
 - Any required curb depressions for wheelchair access, with an opening of at least two meters (consult Canada Post for detailed specifications)

MEMORANDUM



**J.L. Richards
& Associates Limited**
314 Countryside Drive
Sudbury, ON Canada
P3E 6G2
Tel: 705 522 8174
Fax: 705 522 1512

Page 1 of 5

To: Planning Committee, City of Greater Sudbury

Date: November 4, 2020

JLR No.: 29346-000 (01)

CC: Councillor Leduc, City of Greater Sudbury
Glen Ferguson, MCIP, RPP, Senior Planner
City of Greater Sudbury

From: Sarah Vereault, MCIP, RPP, Planner

Re: Lakeview Subdivision – Condition #25 Greenwood
Drive Design Speed
CGS File No. 780-6/07002

Further to the City of Greater Sudbury's (CGS or City) Planning Committee Meeting of February 19, 2020 where the application to extend a draft approved plan of subdivision was deferred to deal with Condition #25, we have gathered supporting information and reviewed site conditions with members of the City in order to provide the following updated request to the City.

Requested Revision to Condition #25 – Greenwood Drive Design/Posted Speed

We would like to request that Condition #25 be amended to read as follows:

“That the owner shall provide speed limit signs for a 40 km/hr posted speed. No physical changes to the design and/or construction of Greenwood Drive are required.”

Supporting Information

1) City Official Plan design speeds / Transportation Background Study

The City of Greater Sudbury's (City) Official Plan identifies Greenwood Drive as a local road. Section 11.2.3, Table 2, Road Classification provides that a local road is meant to connect properties within a neighbourhood, providing trip origin and/or destination along its right-of-way. It also notes that traffic movement is a secondary consideration, and that land access is the primary function. Further, the table provides that **the design speed for local roads is 30-50 km/hr**. Therefore, the City's Condition #25 to increase design speed to 60 km/hr does not conform to its Official Plan, and our client's request to maintain the current design speed below 50 km/hr falls within the recommended design speed in the Official Plan.

The 30-50 km/hr design speed for local roads established in the Official Plan is different than the 60 km/hr design speed used in the City's Engineering Design Manual. This discrepancy between policy and engineering standards was addressed in the December 2016 Transportation Background Study update. The road classifications established in Section 10.2.1, Table 47 of that document refer to a **40-50 km/hr posted speed for local roads**. This is in line with the requested amended condition.

2) MTO's Geometric Design Standards permit design speeds equal to the posted speed

Speed limits are influenced by the design and classification of a roadway. The Ministry of Transportation (MTO)'s Geometric Design Standards for Ontario Highways defines design speed as “a speed used for the design and correlation of the physical features of a highway that influence vehicle operation” and as “the maximum safe speed that can be maintained over a specified section of highway when conditions are so favourable that the design features of the highway govern.”

MTO's Standards additionally provide that: “A design speed equal to the maximum posted speed is accepted where warranted by such factors as low traffic volumes, rugged terrain and economic considerations. This practice would be more appropriate for minor collector and local roads.”

The current conditions on Greenwood Drive represent a design speed of between 40 km/hr and 50 km/hr. Therefore, posting the roadway at 40 km/hr (i.e. near the design speed) would be accepted by the MTO Standard.

3) Residential Gateway Speed Limits

The Highway Traffic Act was amended in 2018 to permit municipalities to use new gateway speed limit signs to designate roadways within residential areas with reduced speed limits of less than 50 km/hr. Gateway speed limit signs are posted at each entry and exit point to a community where lower speeds are in effect.

Several Ontario municipalities are implementing residential gateway speed limits, with the Cities of Ottawa and Hamilton notably providing a plan to implement this in all of their neighbourhoods over a period of time.

The City of Sudbury considered Gateway Speed Limits at its Operations Committee in September 2019.

The existing road conditions in the immediate vicinity of Lakeview Subdivision (discussed further below) and road conditions on Second Avenue South leading to Greenwood Drive make this area ideal for use of the Residential Gateway Speed Limits. Second Avenue South of Bancroft Drive starts as a rural cross section that contains many curves for approximately 700 metres leading up to the intersection with Bayside Crescent. Second Avenue crosses over double railroad tracks on a curve and provides access to several multiple residential and retirement home developments. The roadway changes to an urban cross section without sidewalks from Bayside Crescent through to Greenwood Drive (approximately 150 metres). The roadway is well-used by pedestrians and cyclists.

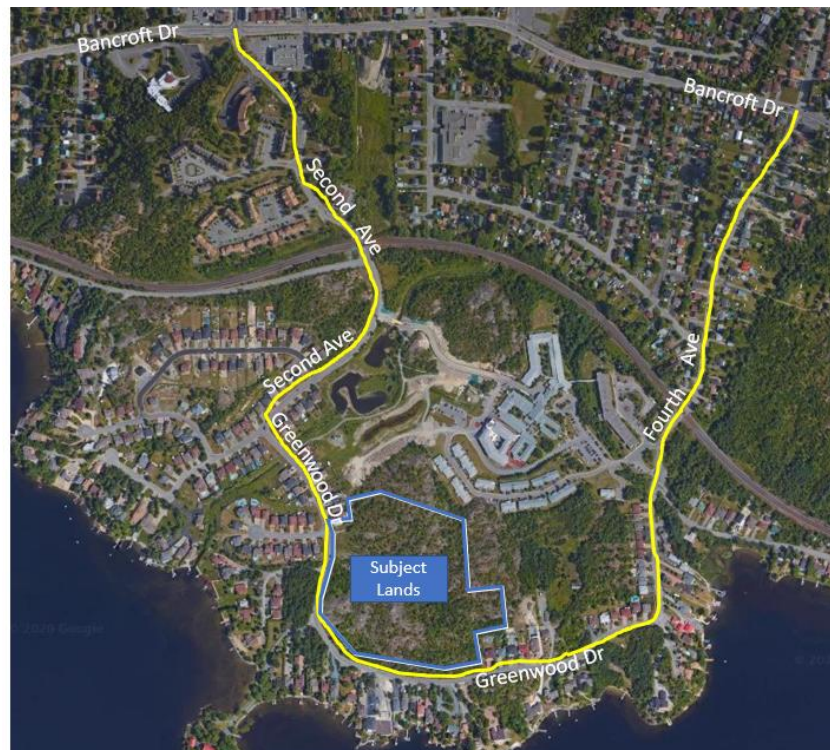


Figure 1: Area potential for Residential Gateway Speed Limit

Beyond the curve in Greenwood Drive after the development, the road continues as a rural cross section where there are also vehicular parking spaces close to the roadway. At a 90-degree curve the road becomes Fourth Avenue which provides onto low density residential, multiple residential, seniors residence, and long term care facility. Fourth Avenue continues as a rural cross section until its intersection with Bancroft Drive. Lowering the speed limits in this area could be a City pilot project in Residential Gateway Speed Limits promoting pedestrian and cyclist safety.

4) Existing Road Conditions

Greenwood Drive is a local road that is used for access to low density residential development. Given the local nature of the roadway, there are low traffic volumes on Greenwood Drive. The roadway does not have sidewalks and is well-used in this area by pedestrian and bicycle traffic.

The existing road conditions make improvements to increase the design and operating speed of Greenwood Drive difficult in this area. There is a crest on Greenwood Drive at the entrance of Street A which would need to be lowered, impacting the connection with Bayridge Court, the recently constructed cul-de-sac opposite Street A.



Figure 2: Greenwood Drive and Bayridge Court, looking south

Further, significant fill would be needed to connect with Baycrest Road, a private road which intersects with Greenwood Drive on the western side approximately 70 metres from Street A. Further, as Baycrest Road is not a municipal road, it is not built to municipal standards and would require significant work to make the connection with an upgraded Greenwood Drive.



Figure 3: Greenwood Drive and Baycrest Road (private), looking west

Approximately 150 metres to the south of the entrance of Street A on Greenwood Drive is a significant sharp curve in the roadway. This area is posted at a reduced speed of 25 km/hr for the sharp curve.



Figure 4: Greenwood Drive, approaching sharp curve (from Baycrest Road), looking southeast

Finally, and perhaps most importantly, Greenwood Drive is built to a rural cross section, and is well-used in this area by pedestrian and bicycle traffic. Vehicular traffic in this area is local traffic and is subject to low overall traffic volumes. The circuitous nature of the existing roadway provides a natural traffic calming and vehicles are already travelling closer to 40km/hr given the crest, curve, and variety of road users.

Improving the design speed of Greenwood Drive facilitates faster vehicular speed jeopardizing the safety of all road users. Improving the design speed immediately prior to a sharp curve and posted reduction in Speed Limit to 25 km/hr serves no purpose. Similarly, approaching from the east, users will be traveling at a slow rate of speed coming out of the sharp curve and then going up the hill towards Street A, following which they will be in a low density residential neighbourhood. There is no warrant for a 60 km/hr design speed given the existing road conditions.

Typically, improvements to design speeds enable faster vehicular traffic and do not provide improvement for pedestrians and cyclists use of the roadway. In this case, improvements to the design speed will not improve the sharp curve immediately after. As an alternative, it is recommended that lowering the posted speed limit acknowledges the existing road conditions, the use by a variety of road users, and encourages slower, safer speeds.

5) Housing Affordability

The improvements requested by the City in the original condition to increase the design speed of Greenwood to 60 km/hr were estimated to have a construction cost of \$670,000 in 2017. Escalating to 2020 costs, this is estimated to be 30% higher based on recent project estimates, at roughly \$871,000. Translated to a cost per housing unit, over 52 units, this equals **an added cost of \$16,750/unit**.

In addition, there is an unknown cost to the negotiations required to upgrade Baycrest Drive for the requested improvements, as Baycrest Drive is a private drive, not built to municipal standards. Previous discussions with residents have indicated they desire upgrades to a full municipal road, which would increase costs substantially.

The marginal increase in the number of homes in the area from the Lakeview Subdivision (52 units) with limited additional development lands in the area and relative traffic increase does not justify the added cost to the developer or homeowner. The added cost is inconsistent with City Council's strategic goals around "Business of 200

Attraction, Development and Retention” and “Housing” as outlined in the 2019-2027 City of Greater Sudbury Strategic Plan that position Sudbury as an affordable place to live and invest in.

Conclusion

It is our opinion that the requested revision to Condition #25 to read: *“That the owner shall provide speed limit signs for a 40 km/hr posted speed. No physical changes to the design and/or construction of Greenwood Drive are required.”* is supportable for the following reasons:

- The City’s Official Plan does not support design speeds above 50 km/hr for local roads, and the City’s Transportation Background Report further permits a posted speed of 40 km/hr for local roads.
- MTO’s Geometric Design Standards permit design speeds equal to the posted speed, so no improvement to design speed is required.
- It is in line with recent opportunities for Ontario municipalities to post lower speed limits in Residential Gateway areas, supporting pedestrian and cyclist safety and quieter residential areas.
- The existing road presents significant barriers to improve the design speed as per the City’s condition, which cannot be supported for good neighbourhood design.
- The cost necessary to construct the improvements as per the City condition translate to additional costs borne by the eventual homeowner and do not align with City Council’s strategic goals of “Business Attraction, Development and Retention” and “Housing” in the 2019-2027 City of Greater Sudbury Strategic Plan.

J.L. RICHARDS & ASSOCIATES LIMITED

Prepared by:



Sarah Vereault, MCIP, RPP
Planner

Reviewed by:



Tim F. Chadder, MCIP, RPP
Associate, Senior Planner

SV:tfc

Request for Decision

Sunrise Ridge Subdivision, Sudbury

Presented To:	Planning Committee
Presented:	Monday, Jan 11, 2021
Report Date	Monday, Dec 14, 2020
Type:	Referred and Deferred Matters
File Number:	780-6/04007

Resolution

THAT the City of Greater Sudbury's delegated official be directed to amend the conditions of draft approval for a draft plan of subdivision on those lands described as PIN 02132-1366, Part of Lot 4, Concession 4, Township of McKim, File # 780-6/04007, as outlined in the report entitled "Sunrise Ridge Subdivision, Sudbury", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on December 14, 2020, as follows:

1. By adding the following words at the end of Conditions #13 & #14: "The owner shall be responsible for the legal costs of preparing and registering any required lot grading agreement."
2. By adding the following words at the end of Condition #14: "The geotechnical engineer will be required to address Ontario Regulation 406/19: On-Site and Excess Soil Management when the regulation comes into force."
3. By deleting Condition #30 and replacing it with the following: "30. That this draft approval shall lapse on October 29, 2023.";
4. By deleting Conditions #35 and #37 entirely;
5. By adding a new Condition #35 as follows: "35. That the owner agrees to financially contribute to the cost associated with the overflow channel from the existing stormwater management pond on Block 39, Plan 53M-1374 to the northerly limit of Block 39, and to decommission the outlet on the westerly side of the stormwater management in the amount of \$511,236 (\$511,236/66 lots = \$7,746/lot) as per design cost estimates to be recovered on a per-lot charge on the remainder of the lots to be developed at the time of registration of future subdivision phases. Per the Junction Creek Sub-watershed Study and Stormwater Master Plan the option to outlet the pond to the north was not favorable for overall watershed flooding issues. The study recommends the purchase of homes on Mountain Street below the existing pond outlet, which has taken place, and these funds will be used toward

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed Dec 14, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Dec 14, 20

Recommended by the Division

Stephen Monet
Manager of Environmental Planning Initiatives
Digitally Signed Dec 14, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Dec 14, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Dec 14, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Dec 14, 20

that effort and the construction of a community park in the area of those homes.”

6. By deleting Condition #39 entirely;

7. By adding a new Condition #43 as follows: “43. The owner shall provide to Conservation Sudbury a soils report authored by a qualified professional attesting to the suitability of the soils for the proposed construction of Lots 82, 83, 84, 85, 86, 122 and 123 and the extension of Fieldstone Drive as shown on the Sunrise Ridge Subdivision plan prepared by D.S. Dorland Ltd. This report must be to the satisfaction of Conservation Sudbury.”

8. By adding a new Condition #44 as follows: The development shall require a subdivision agreement and during that process, based on anticipated quantities of removal of rock through blasting, the following conditions will be imposed:

a. The owner/developer will be required to provide a geotechnical report on how the work related to blasting shall be undertaken safely to protect adjoining structures and other infrastructure. The geotechnical report shall be undertaken by a blasting consultant defined as a professional engineer licensed in the Province of Ontario with a minimum of five (5) years experience related to blasting.

b. The blasting consultant shall be retained by the developer and shall be independent of the contractor and any subcontractor doing blasting work. The blasting consultant shall be required to complete specified monitoring recommended in the report of vibration levels and provide a report detailing those recorded vibration levels. Copies of the recorded ground vibration documents shall be provided to the contractor and contract administration weekly or upon request for this specific project.

c. The geotechnical report will provide recommendations and specifications on the following activity as a minimum but not limited to:

- Pre-blast survey of surface structures and infrastructure within affected area;
- Trial blast activities;
- Procedures during blasting;
- Procedures for addressing blasting damage complaints;
- Blast notification mechanism to adjoining residences; and,
- Structural stability of exposed rock faces.

d. The above report shall be submitted for review to the satisfaction of the Chief Building Official prior to the commencement of any removal of rock by blasting.

e. Should the owner/developer's schedule require to commence blasting and rock removal prior to the subdivision agreement having been signed, a site alteration permit shall be required under the City of Greater Sudbury's By-law #2009-170 and shall require a similar geotechnical report as a minimum prior to its issuance.

Relationship to the Strategic Plan / Health Impact Assessment

The application to extend this draft plan of subdivision approval is an operational matter under the Planning Act to which the City is responding.

Report Summary

The owner has requested an extension to the draft plan of subdivision approval of the Sunrise Ridge draft approved plan of subdivision in the community of Sudbury for a period of three years until October 29, 2023. The Planning Services Division has reviewed the request to extend the draft approval and have no objections to the requested extension for a period of three years. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approval.

Building Services has requested that standard draft approval conditions, with respect to blasting and rock removal be included in the draft approval conditions. Building Services is also requesting that Condition #14 be updated to reflect the development having regard for Ontario Regulation 406/19, with respect to on-site and excess soil management. Conservation Sudbury notes that occasionally there are unidentified hazards located throughout watersheds. In the case of the Sunrise Ridge draft approved plan of subdivision, there are small wetlands located on the lands. As a result of the wetlands being present, Conservation Sudbury is recommending that a Soils Report prepared by a qualified professional addressing the suitability of soils for the proposed development be prepared and submitted for review. Conservation Sudbury also notes that any works occurring within a regulated area under Ontario Regulation 156/06 will require a permit pursuant to Section 28 of the Conservation Authorities Act.

The City's Drainage Section notes that the owner should be required to financially contribute to the costs associated with the overflow channel from the existing stormwater management pond on Block 39, Plan 53M-1374 to the northerly limit of Block 39, and to decommission an existing outlet through a per-lot charge on the remainder of the lots to be developed at the time of registration of future subdivision phases. Environmental Planning Initiatives has advised that the owner, prior to vegetation removal or other site alteration on the subject lands, is to consult with the Ministry of the Environment, Conservation and Parks to ensure that all requirements set out by the Province of Ontario under the Endangered Species Act have been satisfied. Other housekeeping changes are included and outlined in the Resolution section of this report.

The Planning Services Division is recommending approval of the application to extend the draft approved plan of subdivision for a period of three years until October 29, 2023. Amendments to the conditions of draft approval where necessary have been identified and are included in the Resolution section of the report.

Financial Implications

If approved, staff estimates approximately \$442,000 in taxation revenue, based on the assumption of 66 single detached dwelling units at an estimated assessed value of \$500,000 per dwelling unit at the 2020 property tax rates.

In addition, this development would result in total development charges of approximately \$1,200,000 based on the assumption of 66 single detached dwelling units and based on the rates in effect as of this report.

Once development has occurred and the subdivision infrastructure has been transferred to the City, there will be additional on-going costs for future annual maintenance and capital replacement of the related infrastructure (ie. Roads, water/wastewater linear pipes, etc).

Date: November 16, 2020

Staff Report

Applicant:

Saldan Developments Ltd.

Location:

PIN 02132-1366, Part of Lot 4, Concession 4, Township of McKim (Sunrise Ridge Subdivision, Sudbury)

Application:

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on October 28, 2004. The draft approval was most recently extended by the City's Planning Committee on November 20, 2017 through Resolution PL2017-185, which was ratified by Council on December 12, 2017. There has been one administrative extension issued by the Director of Planning Services having the effect of establishing a new lapsing date of January 29, 2021, in order to allow for agencies and departments to complete their review of the current extension request.

Proposal:

The owner is requesting that the draft approval conditions for the above noted lands be extended for a period of three years until October 29, 2023.

Background:

The City received a written request via email from Saldan Developments Ltd. on October 6, 2020, to extend the draft approval on a plan of subdivision for a period of three years on those lands described as PIN 02132-1366, Part of Lot 4, Concession 4, Township of McKim. The draft approved plan of subdivision was initially approved by Council for a total of 152 single-detached dwelling lots to the east of Mont Adam Street in the community of Sudbury. At the time of writing this report, there are 66 remaining and unregistered lots in the draft approved plan of subdivision. The lands are to be accessed via Sunrise Ridge Drive and the future extensions of North Field Crescent, Fieldstone Drive and Kingsview Drive.

The draft approval is set to expire again on January 29, 2021, following a three month administrative extension that was issued by the Director of Planning Services in order to afford sufficient time for the proper review of the extension request. Staff has circulated the request to relevant agencies and departments and is now bringing forward this report to extend the draft approval to October 29, 2023.

Departmental & Agency Circulation:

Active Transportation, Fire Services, Leisure Services, Operations, and Transit Services have each advised that they have no concerns from their respective areas of interest.

Building Services has requested that Condition #24 be updated to reflect current standard draft approval conditions with respect to blasting and rock removal. Building Services is also requesting that Condition #14 be updated to reflect the development having regard for [Ontario Regulation 406/19](#) with respect to on-site and excess soil management.

Canada Post has not requested any changes to the draft approval conditions. Canada Post did however note in an emailed letter their requirements and expectations for providing mail service to the subdivision. The above noted letter is attached to this report for the owner's information and reference purposes.

Date: November 16, 2020

Conservation Sudbury notes that occasionally previously unidentified hazards are located throughout a watershed and that in the case of the Sunrise Ridge draft approved plan of subdivision there are small wetlands on the lands. As a result of the wetlands being present, Conservation Sudbury is recommending that a Soils Report prepared by a qualified professional addressing the suitability of soils for the proposed development of Lots 82 to 86 and 122 and 123 be prepared and submitted for review. Conservation Sudbury also notes that any works occurring within a regulated area under [Ontario Regulation 156/06](#) will require a permit pursuant to Section 28 of the [Conservation Authorities Act](#).

Development Engineering has noted that the last phase of the Sunrise Ridge Subdivision was registered in October 2014 and since this time no submissions have been made by the owner with respect to the next phase. Development Engineering otherwise advises that all current draft approval conditions are suitable and that they have no concerns with the requested extension at this time.

The City's Drainage Section notes that the owner should be required to financially contribute to the costs associated with the overflow channel from the existing stormwater management pond on Block 39, Plan 53M-1374 to the northerly limit of Block 39, and to decommission the outlet on the westerly side of the stormwater management in the amount of \$511,236 (\$511,236/66 lots = \$7,746/lot) as per design cost estimates to be recovered on a per-lot charge on the remainder of the lots to be developed at the time of registration of future subdivision phases. Per the Junction Creek Sub-watershed Study and Stormwater Master Plan the option to outlet the pond to the north was not favorable for overall watershed flooding issues. It should be noted that the Sub-watershed Study recommends the purchase of homes on Mountain Street below the existing pond outlet, which has taken place, and that these funds will be used toward that effort and the construction of a community park in the area of those homes.

Environmental Initiatives notes there are no significant environmental concerns arising from the development proposal that are not already addressed by the draft approval conditions. Condition #39 is not required and should be removed. Environmental Initiatives further advises and cautions that the owner is solely responsible for ensuring that activities relating to vegetation removal, site alteration and development undertaken on the subject lands do not result in a contravention of the [Endangered Species Act](#).

Roads, Traffic and Transportation have noted that there are on-going concerns from nearby residents with respect to speeding in the subdivision. It is recommended that traffic calming measures be incorporated into the design of the remaining phases of the development to reduce operating speeds.

Planning Considerations:

[Official Plan](#)

Section 19.4.2 of the Official Plan for the City of Greater Sudbury addressing draft plan of subdivision approvals outlines that Council will not extend or recommend the extension of a draft plan approval, beyond the statutory limitation of three years, unless the owner has demonstrated to the satisfaction of Council that they are making a reasonable effort to proceed in meeting the conditions of draft approval. At the time of an extension request, Council is to review the draft plan conditions and may make appropriate modifications.

Staff notes that this particular draft plan approval was originally approved by Council on October 28, 2004, and at the time of writing this report there are 66 remaining lots within the draft approved Sunrise Ridge Subdivision. To date, there have been 86 urban residential lots created within the Sunrise Ridge Subdivision. The most recent phase of the subdivision was registered on October 29, 2014, when Plan 53M-1418 was registered. This most recent phase included 11 urban residential dwelling lots having frontage on North Field Crescent and Kingsview Drive.

Date: November 16, 2020

The owner did note in their draft approval extension request that they remain committed to fully developing the subdivision and are currently working on a design for the next phase of the Sunrise Ridge Subdivision.

Draft Approval Conditions

Condition #30 should be deleted entirely and replaced with a sentence referring to October 29, 2023, as the revised date on which the subject draft plan of subdivision approval shall lapse.

Building Services has requested that Condition #14 be updated to reference the development having regard for [Ontario Regulation 406/19](#) with respect to on-site and excess soil management. Standard conditions related to blasting and the removal of rock are also proposed to be added to the draft approval via new Conditions #44 to #48.

Conservation Sudbury has requested a new Condition #43 addressing the presence of wetlands on the subject lands and the requirement that a soils report addressing soils suitability on the lands be prepared and submitted for review and approval prior to any future phases of the Sunrise Ridge Subdivision proceeding to registration.

The City's Drainage Section has requested that Conditions #35 and #37 be deleted and consolidated into a new and comprehensive drainage conditions addressing stormwater management infrastructure needs for future phases of the Sunrise Ridge Subdivision. This requested change is reflected in the Resolution section of this report through the deletion of both Conditions #35 and #37 in favour of a newly worded Condition #35.

While requiring no changes to the existing conditions, Roads, Traffic and Transportation have noted that there are ongoing concerns from nearby residents with respect to speeding in the subdivision. It is anticipated that the normal phase design and registration process can be utilized in order to incorporate traffic calming measures into the remaining phases of the development with the goal being to reduce operating speeds.

No other administrative and housekeeping changes to the draft approval documents are required at this time. No other changes beyond those described in this report to the draft approval documents have been requested either by the owner or by circulated agencies and departments.

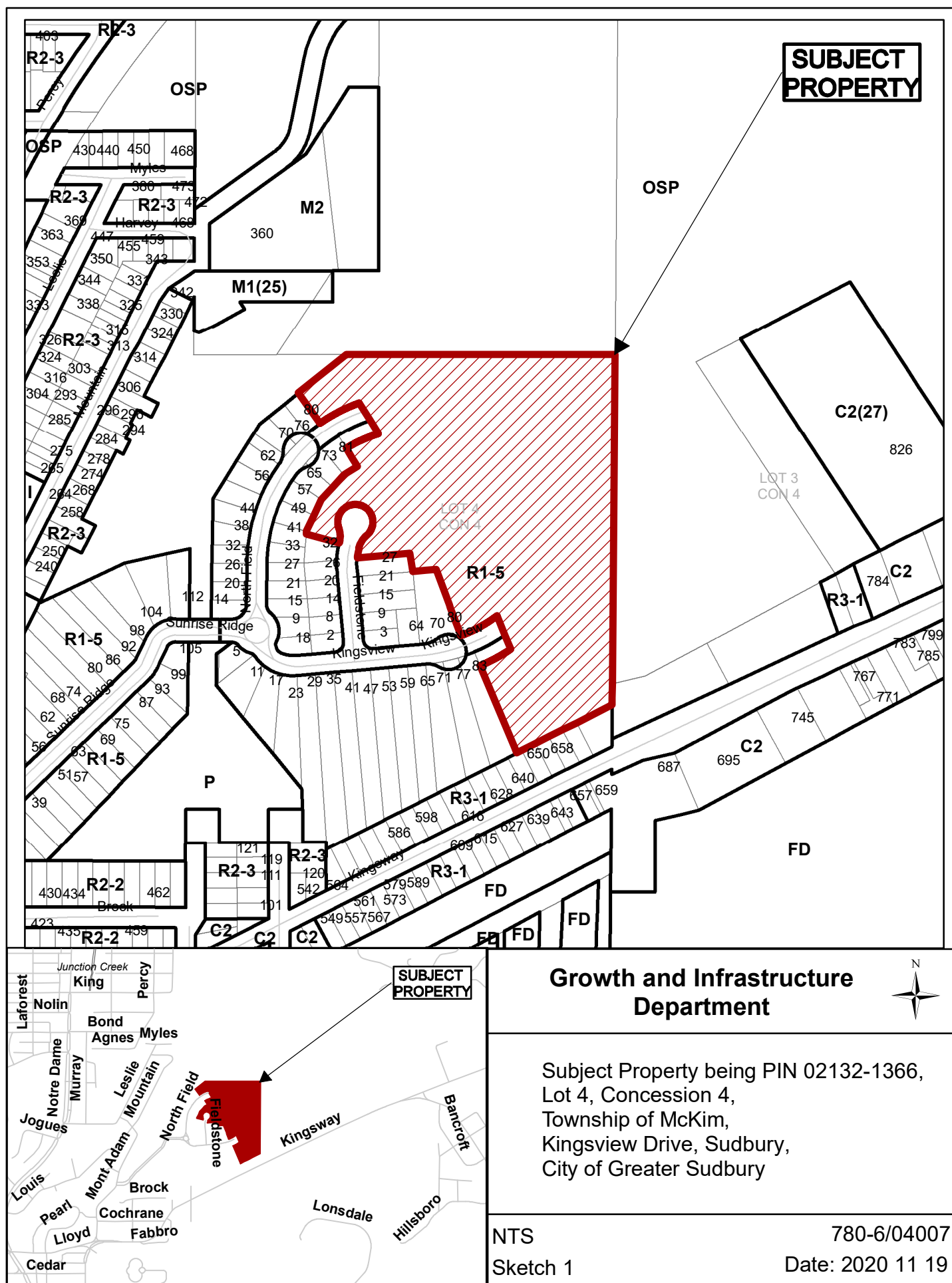
The existing draft approval conditions are attached to this report along with a copy of the draft approved plan of subdivision for reference purposes.

Processing Fees

The owner has provided the applicable processing fee in the amount of \$2,813.75. This amount was calculated as per [By-law 2020-26](#) being the Miscellaneous User Fees for Certain Services By-law that was in effect at the time the request to extend the draft approval was made by the owner.

Summary:

The Planning Services Division have reviewed the request to extend the subject draft approval and have no objections to the requested extension for a period of three years. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approval of the subdivision. Appropriate changes were identified and explained within this report have been included in the Resolution section of this report and would now form part of the draft plan approval if approved by Council. The Planning Services Division therefore recommends that the application to extend the draft approval for the Sunrise Ridge Subdivision for a period of three years until October 29, 2023, be approved as outlined in the Resolution section of this report.



**CITY OF GREATER SUDBURY COUNCIL'S CONDITIONS APPLYING TO THE
APPROVAL OF THE FINAL PLAN FOR REGISTRATION OF THE SUBJECT
SUBDIVISION ARE AS FOLLOWS:**

1. That this draft approval applies to the draft plan of subdivision of P.I.N. 02123-1085, P.I.N. 02132-0264 & P.I.N. 02132-1104 and Part of Lot 19, Plan M-7B in Lot 4, Concession 4, Township of McKim as shown on a plan of subdivision prepared by D.S. Dorland, O.L.S., dated April 28th, 2004.
2. That the streets shall be named to the satisfaction of the Municipality.
3. That any dead-ends or open sides of road allowances created by this plan of subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the Municipality and held in trust by the Municipality until required for future road allowances or the development of adjacent land.
4. That prior to the signing of the final plan, the Planning Services Division shall be advised by an Ontario Land Surveyor that the lot areas, frontages and depths appearing on the final plan do not violate the requirements of the Restricted Area By-law of the Municipality in effect at the time such plan is presented for approval.
5. That the subdivision agreement be registered by the Municipality against the land to which it applies, prior to any encumbrances.
6. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
7. That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Greater Sudbury, concerning the provision of roads, walkways, street lighting, sanitary sewers, watermains and systems, storm sewers, stormwater management facilities and drainage, and the installation of services.
8. That the subdivision agreement contain provisions whereby the owner agrees that all the requirements of the subdivision agreement including installation of required services be completed within 3 years after registration.
9. That cash in lieu of, and/or lands representing 5% of the lands included in the plan of subdivision be dedicated to the City of Greater Sudbury for municipal parks purposes in accordance with Section 51.1 of The Planning Act.

10. The final plan shall be integrated with the City of Greater Sudbury Control Network to the satisfaction of the Coordinator of the Surveying and Mapping Services. The survey shall be referenced to NAD83(CSRS) with grid coordinates expressed in UTM Zone 17 projection and connected to two (2) nearby City of Greater Sudbury Control Network monuments. The survey plan must be submitted in an AutoCAD compatible digital format. The submission shall be the final plan in content, form and format and properly geo-referenced.
11. The construction of roads shall satisfy the standard requirements of the City of Greater Sudbury with the exception of permitting road construction on Sunrise Ridge Drive and South View Crescent at 9% maximum grade. Each 9% section shall have a maximum length of approximately 50 metres.
12. A corner radius for all intersecting streets of 9.0 m shall be provided and rock removed from all site triangles to the satisfaction of the General Manager of Growth and Infrastructure.
13. The owner shall provide a detailed lot grading plan for all proposed lots as described in comments from the Growth and Infrastructure Item # 2 in the staff report of October 8, 2004, to the satisfaction of the General Manager of Growth and Infrastructure. A lot grading agreement, if required, shall be registered on title, to the satisfaction of the Director of Planning Services and the City Solicitor.
14. Prior to the submission of servicing plans the owner shall, to the satisfaction of the General Manager of Growth and Infrastructure and the Chief Building Official, provide a soils and ground water report prepared by a geotechnical engineer licensed in the Province of Ontario, as described in comments from the Growth and Infrastructure Department Item # 3 in the staff report of October 8, 2004, to the satisfaction of the General Manager of Growth and Infrastructure. A soils caution agreement, if required, shall be registered on title, to the satisfaction of the Chief Building Official and the City Solicitor.
15. As part of the submission of servicing plans, the owner shall have rear yard slope treatments designed by a geotechnical engineer licensed in the Province of Ontario incorporated into the servicing plans as described in comments from the Growth and Infrastructure Item # 4 in the staff report of October 8, 2004, to the satisfaction of the General Manager of Growth and Infrastructure.
16. Prior to the submission of servicing plans, the owner shall have a storm water management report, and plan, prepared by a consulting engineer with a valid certificate of authorization as described in comments from the Growth and Infrastructure Item # 5 in the staff report of October 8, 2004, to the satisfaction of the General Manager of Growth and Infrastructure. All storm water management facilities shall be approved, constructed, and lands for said facilities dedicated to the City, prior to the initial acceptance of roads and sewers.

17. The proposed roadways are to be built to urban standards, including curbs, gutters, storm sewers and related appurtenances.
18. The owner shall provide a water booster station to supply sufficient water pressure, and a dual watermain connection from the booster station through the proposed street titled Sunrise Ridge Drive so as to provide a continuous watermain loop system to the satisfaction of the General Manager of Growth and Infrastructure.
19. The owner shall undertake to design and locate permanent safety fencing on the subdivision grading plan in locations, and as necessary, to the satisfaction of the General Manager of Growth and Infrastructure and the Director of Legal Services/City Solicitor. Temporary site safety fencing shall be in place during construction of the subdivision, as necessary, at rock faces and at steep slopes in accordance with provincial safety standards and requirements.
20. The proposed street titled Sunrise Ridge Drive shall be constructed as a divided urban collector roadway complete with a centre median boulevard and sidewalk along the north side. The proposed street titled North View Crescent shall be constructed to urban collector standards and designed to accommodate a future easterly connection to the Kingsway.
21. A 1.5 metre wide concrete sidewalk shall be constructed on the proposed streets titled Sunrise Ridge Drive and North View Crescent.
22. A 23 metre wide road allowance will be established for the proposed street titled Sunrise Ridge Drive to provide for two six (6) metre wide roadways, and a three (3) metre wide boulevard, to the satisfaction of the General Manager of Growth and Infrastructure.
23. No exposed rock cuts will be allowed within the subdivision, and all exposed rock will be removed from the road allowances to the satisfaction of the General Manager of Growth and Infrastructure.
24. The owner shall undertake to retain a geotechnical engineer licensed in the Province of Ontario to inspect the New Sudbury Rock Tunnel and prepare a report on the potential effect of blasting rock on said tunnel, as described in comments from the Growth and Infrastructure Department Item # 17 in the staff report of October 8, 2004, to the satisfaction of the General Manager of Growth and Infrastructure.

25. The owner shall be required to have a clause in all purchase and sale agreements for Lots 5, 6, 7, 8, 28, 29 and 30 and a notice on title for said lots that the New Sudbury Sanitary Rock Tunnel traverses underneath the subject lot to the satisfaction of the Director of Legal Services/City Solicitor.
26. The owner shall undertake to conduct pre-blasting surveys on all residences and infrastructure at the boundary of the subdivision adjoining the Kingsway, Brock Street, Mountain Street, Kitchener Street and the un-open portion of Argyle Avenue, and provide copies of the said survey to the City, all to the satisfaction of the General Manager of Growth and Infrastructure.
27. The owner shall, to the satisfaction of the General Manager of Growth and Infrastructure, provide a report from a consulting engineer with a valid certificate of authorization that stormwater management, provision of water and sanitary sewer service, lot grading and drainage and the protection of in place housing and infrastructure from blasting can be accomplished as one (1) continuous phase, or for each of the proposed four (4) phases.
28. Prior to the submission of servicing plans for any phase of the subdivision the owner shall provide required soil, stormwater, water, sanitary sewer and lot grading master planning reports, and plans, to the General Manager of Growth and Infrastructure.
29. Prior to the signing of the final plan the owner shall satisfy Canada Post with respect to mail delivery facilities for the subdivision.
30. That this draft approval shall lapse on January 29, 2021.
31. Deleted.
32. Draft approval does not guarantee an allocation of water or sanitary sewer capacity. Prior to the signing of the final plan, the Planning Services Division is to be advised by the General Manager of Growth and Infrastructure that sufficient water and sanitary sewer capacity exists to service the development.
33. That prior to the signing of the final plan, the Planning Services Division is to be advised by the Director of Legal Services/City Solicitor that Conditions 2, 3, 5, 6, 7, 8, 9 and 25 have been satisfied.

34. The owner shall transfer title on an 11 metre wide block immediately to the north of Lot 9, Plan 53M-1374, extending from North Field Crescent to the storm water management pond block, to the City for drainage purposes and the owner shall engineer and construct an overflow channel from Northfield Crescent to the storm water pond to the satisfaction of the General Manager of Growth and Infrastructure on the said block.
35. The owner shall provide the City with a 50 percent contribution towards the costs on the future construction of a flood barrier wall at the storm water pond site in Block 39, Plan 53M-1342 to the satisfaction of the General Manager of Growth and Infrastructure.
36. That prior to the registration of any phase of the plan after the registration of Plan 53M-1374, the City of Greater Sudbury shall be satisfied with the design and construction of the storm water management pond in Block 39, Plan 53M-1342, and shall have assumed the storm water management pond located in Block 39, Plan 53M-1342, all to the satisfaction of the General Manager of Growth and Infrastructure.
37. That the owner agree to construct and or financially contribute 100 percent of the construction of an overflow channel from the existing storm water management pond on Block 39, Plan 53M-1374, to the northerly limit of Block 39, and to decommission the outlet on the westerly side of the storm water management pond, all to the satisfaction of the General Manager of Growth and Infrastructure.
38. That prior to the registration of more than eleven lots after April 30, 2012, the owner shall have prepared a report assessing the feasibility of redirecting storm water flows from the remaining unregistered portion of the draft plan to the north or east, such that they no longer drain to the storm water management pond on Block 39, Plan 53M-1342, and said report shall be to the satisfaction of the General Manager of Growth and Infrastructure.
39. That prior to the signing of the final plan, the owners/applicants shall contact the Ministry of Natural Resources and Forestry (MNRF), Sudbury District Office, and satisfy all requirements set out by the MNRF under the Endangered Species Act. In addition, the owners/applicants shall, to the satisfaction of the Director of Planning Services, demonstrate that all requirements set out by the MNRF under the Endangered Species Act have been satisfied prior to any site alteration or development taking place on the subject lands.

40. Final approval for registration may be issued in phases to the satisfaction of the Director of Planning Services, provided that:
 - i) Phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure and other essential services; and,
 - ii) All agencies agree to registration by phases and provide clearances, as required, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
41. That the owner shall have completed all major outstanding infrastructure deficiencies that are critical to the overall function of the subdivision in previous phases of the plan that have been registered, or have made arrangements for their completion, prior to registering a new phase of the plan, to the satisfaction of the General Manager of Growth and Infrastructure.
42. That in accordance with Section 59(4) of the Development Charges Act, a notice agreement shall be registered on title to ensure that persons who first purchase the subdivided land after registration of the plan of subdivision are informed, at the time the land is transferred, of all development charges related to development.

Additional Notes: for information purposes only.

1. The staff report of October 8th, 2004 noted in the above conditions of approval may be referenced on the City of Greater Sudbury's website at www.planningsudbury.com.

October 23, 2020

Alex Singbush
Manager of Development
City of Greater Sudbury

Reference: File # 780-6/04007—Sunrise Ridge Subdivision

Dear Mr. Singbush,

Thank you for contacting Canada Post regarding plans for a new subdivision in the City of Greater Sudbury.

Please see Canada Post's feedback regarding the proposal, below.

Service type and location

1. Canada Post will provide mail delivery service to the subdivision through centralized Community Mail Boxes (CMBs).
2. Given the number and the layout of the lots in the subdivision, we have determined that 5 CMB(s) will be installed on 2 site(s). These sites are listed below.
3. a-2 boxes on side of lot 56 or 87
4. b-3 boxes on side of lot 124

Municipal requirements

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this subdivision application be approved, please provide notification of the new civic addresses as soon as possible.

Developer timeline and installation

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB(s).

Please see Appendix A for any additional requirements for this developer.

Regards,

RAY THERIAULT

Ray Theriault
Delivery Services Officer | Delivery Planning



Appendix A

Additional Developer Requirements:

- The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.
- The developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
- The developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
- The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.
- The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
 - Any required walkway across the boulevard, per municipal standards
 - Any required curb depressions for wheelchair access, with an opening of at least two meters (consult Canada Post for detailed specifications)

Request for Decision

Accessory Guest Room Accommodation Review

Presented To:	Planning Committee
Presented:	Monday, Jan 11, 2021
Report Date	Monday, Dec 14, 2020
Type:	Referred and Deferred Matters

Resolution

THAT the City of Greater Sudbury directs staff to prepare a draft Residential Licensing By-law for Council's consideration no later than the end of Q3, 2021;

AND THAT the City of Greater Sudbury directs staff to prepare business case for the Residential Licensing By-law for Council's consideration as part of the 2022 Budget, as outlined in the report entitled "Accessory Guest Room Accommodation Review", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on December 14, 2020.

Relationship to the Strategic Plan / Health Impact Assessment

Reviewing the City's Accessory Guest Room Accommodation framework is consistent with Strategic Objective 5 of the City's 2019-2027 Strategic Plan. This goal reflects Council's desire for all citizens, especially vulnerable populations, to have access to safe, affordable, attainable and suitable housing options in the City of Greater Sudbury.

Report Summary

On September 23, 2019, Planning Committee directed Staff to review the existing framework regarding accessory guest room accommodation and to report to City Council on recommended improvements no later than Q4 2020. Staff has prepared a report on the City's current framework, best practices found in comparator municipalities, and other service level considerations.

Staff has organized this information under separate service levels based on services that the City currently provides, elements that could be strengthened with current staff levels at minimal cost, and services that

Signed By

Report Prepared By

Ed Landry
Senior Planner
Digitally Signed Dec 14, 20

Manager Review

Kris Longston
Manager of Community and Strategic Planning
Digitally Signed Dec 14, 20

Recommended by the Division

Stephen Monet
Manager of Environmental Planning Initiatives
Digitally Signed Dec 14, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Dec 14, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Dec 14, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Dec 14, 20

could require additional staff resources and budget. The bulk of the report outlines the current level of service provided (existing by-laws, policies, procedures, staffing levels, resources, etc.) at the City. The report presents elements of an accessory guest room framework that can be strengthened with current staff levels, and concludes with a recommendation to prepare a licensing framework for Council's consideration.

Financial Implications

There are no financial implications with this report at this time.

Accessory Guest Room Accommodation Review
Planning Services Division
Report Date – November 23, 2020

Background

Planning Committee passed the following motion on September 23, 2019: “THAT the City of Greater Sudbury directs staff to review the existing framework regarding accessory guest room rental accommodation consistent with City Council’s goal of creating affordable and safe housing and report back to City Council on recommended improvements no later than Q4 2020.”

This matter had previously been studied for Greater Sudbury in 2009 - 2010 (See Reference 1). Key findings included in that report related to rooming and lodging houses, a review of the City’s zoning by-law framework, a scan of how other municipalities were addressing these uses, and options for Council for its considerations.

Council had directed staff to prepare a policy report regarding the licensing of rooming houses. At the time, the Policy Committee had resolved to create a scoped rental housing licensing by-law, to create a Licensing By-law Working Group to develop the required by-laws, requirements, fees, enforcement policies, etc.

A working group composed of Councillors and staff from Building, Planning, By-law Enforcement, Legal, and Police Services was established in April, 2010. Staff was directed to invite stakeholders at key milestones throughout the process. These stakeholders were identified as the post-secondary institutions, the Health Unit, the Electrical Safety Authority, and the Landlord and Tenant Board (see Reference 2).

This process was put on hold in 2011 pending legal challenges to rooming/licensing municipal by-laws in several municipalities (first London, then North Bay and others) relating to the Human Rights Code. At issue was whether the by-laws discriminated against a segment of the population. See discussion on the challenges below.

In 2020, and per Council direction, Staff has assembled an internal project team composed of Planning, Building, Economic Development, By-law, Taxation, Fire, and Environmental Services. Each team member has brought forward current practices and experiences, laws and regulations, case studies, and avenues of further study. This information is outlined in the following sections.

Discussion

The health and safety of Greater Sudbury residents is paramount. This goal is expressed broadly in Council's strategic plan, including Strategic Objective 5 of the City's 2019-2027 Strategic Plan which reflects Council's desire for all citizens, especially vulnerable populations, to have access to safe, affordable, attainable and suitable housing options in the City of Greater Sudbury.

Issues (real or perceived) commonly associated with unregulated accessory guest rooms include lack of parking spaces, absentee owners, excessive noise, increased traffic, garbage accumulation and other property standards issues including the health and safety of citizens (e.g. bedrooms with no windows, fire hazards, etc.).

Staff from By-law Enforcement has researched and compiled information from Active Citizen Requests (ACR) from January 2010 to June 2020. These numbers are provided as general information only to help assess the order of magnitude of the issues commonly associated with unregulated accessory guest rooms. The City does not track or categorize issues specific to accessory guest room accommodation, and therefore any requests associated with that form of housing/tenure would be a portion of the numbers provided below.

Case Type	Zoning	Property Standards	Garbage – Clearing of Yards	Noise	Parking
Number of Complaints (Jan 2010 to June 2020)	3208	5225	5950	3545	9057

Upon receiving an ACR, Staff from By-law Enforcement will write a brief description of the request. Sometimes, these descriptions include words such as “illegal ap”, “illegal unit”, “rooming”, “boarding”, “guest room”. The word-search results from the same January 2010 – June 2020 period are provided here. Again, it should be cautioned that these numbers should not be relied upon to get the true magnitude of the issue.

Case Type / Search Words	Zoning Complaints	Property Standards Complaints	Garbage – Clearing of Yards Complaints	Noise Complaints	Parking Complaints
Guest Room	14	1	1	0	0
Boarding	41	49	29	9	14
Illegal Ap	86	12	3	2	2
Illegal Unit	42	1	0	0	0
TOTAL	183	63	33	11	16

In summary, 26,985 Active Citizen Requests related to the aforementioned issues were made over the ten-year period. While it is not known how many were directly related to accessory guest room accommodation, the ACRs that made specific reference to the above-noted terms total 306 over the same period.

It should also be noted that the City's level of service has been enhanced since 2010. The City has expanded its hours of by-law enforcement, expanded 311 service and is currently working on software (i.e. Land Management Information System) to reinforce the links between the suite of City services.

Municipal Scan

The 2010 Staff report included a municipal scan of best practices across Ontario, including London, Kitchener, Waterloo, Barrie and others. For the most part, the municipal framework outlined in that report remains the same. This section will focus on three northern Ontario examples, North Bay, Sault Ste Marie and Thunder Bay, and will then turn its attention to the Human Rights Code challenges and lessons learned.

North Bay

The City of North Bay's Residential Licensing By-law has been in effect since 2012. The By-law allows up to 2 rooms without a license, and allows for up to 5 rental bedrooms. The By-law establishes the process, general requirements, the range of conditions of a permit, information needs such as floor plans, parking plans, a maintenance plan, insurance requirements, the renewal process, fees, enforcement, penalties, etc. Checklists, information guides and application forms have been developed to support residents in complying with the By-law. Since 2016, the By-law applies throughout the City (See Reference 3 – City of North Bay Website).

North Bay issued 50 licenses in its first year (2012). In 2013, 81 new licenses were issued. These licenses are to be renewed every two years (e.g. 2012 licenses should be renewed in 2014). The following table, provided by the staff at the City of North Bay, outlines the number of licenses issued per year (including renewals):

Year	Licenses
2012	50
2013	81
2014	49
2015	78
2016	48
2017	56
2018	41
2019	35
2020	20
Total	458

There is an observable decline in renewals. For example, the 50 licences issued in 2012 were (in theory) up for renewal in 2014 (49), 2016 (48), 2018 (41). The 81 licenses issued in 2013 were up for renewal in 2015 (78), 2017 (56) and 2019 (35).

Thunder Bay

Thunder Bay allows up to three renters (excluding the owner if they live in the unit) within a single dwelling unit without a license. If there are four or more renters, a Lodging House must be a permitted use in the Zoning By-law, and a license must be obtained.

Sault Ste Marie

The City of Sault Ste Marie allows for Rooming Houses in several zones throughout the municipality. There are no licensing requirements in the City for this type of use, and there are no limits on the number of people in a Rooming house. City staff has noted that the Building Code requirements get stricter once there are more than 4 people in a rooming house (e.g. sprinkler system).

Ontario Human Rights Commission Findings

There have been several Ontario Human Rights Commission Decisions since the 2010 Staff Report. These findings relate to licensing or regulating initiatives started by the City of North Bay and the City of Waterloo, and the City of Oshawa.

Housing is a human right. By-laws passed by municipalities cannot discriminate against occupants who are not related. For example, a municipality could get challenged on requiring 'owner-occupied' rental housing.

As a result, requirements/regulations on residential licensing (beyond the two that are currently permitted in the Zoning By-law) should be city-wide and shouldn't be neighbourhood based. This may mean that the City would have to allow Rooming Houses in more locations across the municipality (e.g. beyond the C6 zone), as the City would not be able to license a use that isn't permitted in the City's Zoning By-law.

Bedroom caps established in a by-law should be based on accepted Health and Safety standards (i.e. building code), otherwise an arbitrary cap on bedrooms could restrict access to affordable housing in the community.

The Ontario Human Rights Commission has noted its support for municipalities that have worked collaboratively with homeowners, landlords and tenants, community groups, postsecondary institutions and students in their development of a regulatory framework.

Current and Potential Service Enhancements

The municipal scan has assisted staff in determining elements of an Accessory Guest Room Accommodation Framework. These elements are presented in this report as two distinct Service Levels, namely: 1- Current and Strengthened Level of Service; and, 2 – Enhanced Level of Service.

Service Level One represents existing and proposed elements of the accessory guest room framework that can be strengthened with current staff levels. Service Level Two could require Council's approval as part of the 2022 budget process.

Service Level One – Current Level of Service

- Current City By-laws, Enforcement and Procedures (Zoning By-law, Noise By-law, Property Standards, Property Clearing, Combined Inspections, Waste Disposal, Secondary Unit Registry and Enforcement, Voluntary Inspections)
- Community Outreach (Open Housing, Greater Sudbury Landlord Association, Economic Development Initiatives)
- Provincial Statutes and Regulations (Building Code, Fire Code, Assessment Act)
- Fire Protection Act – enter upon suspicion

Service Level One – Strengthened Framework

- “Proactive enforcement” (Property Standards and Clearing of Yards) and Fine increases
- Landlord Guide, Renter's Guide, Newcomer Guide, Brochures, Website
- Strengthened Partnerships (e.g. Town and Gown with the postsecondary institutions, Landlord Association)

Service Level Two – Enhanced Level of Service

- Licensing By-law

The following sections outline each element by Service Level, and identify staff's recommendations for a strengthened Accessory Guest Room Accommodation Framework.

Service Level One – Current Level of Service

The City currently has a number of tools at its disposal to regulate accessory guest room accommodation. For example, the City has passed a number of by-laws through the powers afforded to municipalities through various provincial statutes, including but not limited to the *Municipal Act, 2001*, the *Planning Act*, and the *Building Code Act*.

Zoning By-Law

The City currently regulates the provision of Accessory Guest Rooms through the Zoning By-law. The current zoning standard is to allow accessory guest room accommodation for not more than two persons per dwelling unit (See Section 4.11 of the Zoning By-law – Reference 4). The City also regulates Boarding Houses and Shared Housing.

The City permits Secondary Dwelling Units throughout the municipality. Since the passing of the implementing zoning by-law, the City has also created a Secondary Dwelling Unit Registry. A new Provincial law has required the City to pass enabling provisions to allow Tertiary Dwelling Units. These new provisions were considered by Planning Committee on June 22, 2020 (See Reference 5). By-law 2020-119Z was passed by Council on July 7, 2020.

The City's regulation of required minimum lot area, parking spaces, lot coverage, heights, etc., has an effect on the built form, and by extension, regulates the number of dwelling units permitted on any given parcel. For example, proponents have to provide a minimum number of parking spaces per residential unit, and parking is generally only permitted in the side and rear yards.

Building Code Act and the Ontario Building Code

The Province's Building Code Act regulates the construction, renovation and change-of-use of a building. The Ontario Building Code, issued under the Act, establishes detailed technical and administrative requirements, and sets minimum standards for building construction.

The Building Code Act sets limits regarding the inspection powers of officers. An inspector can only enter upon land and into buildings without a warrant for the purpose of inspecting a building to determine whether the building is unsafe or whether an order has been complied with.

The City's Building Services Department provides a system of building permit approvals and inspections, which minimizes hazards to persons and property by ensuring construction within the City of Greater Sudbury adheres to provincial and municipal regulations. This department issues building, plumbing, demolition, occupancy and other permits governed by the Ontario Building Code (See Building Services – Reference 6).

The City's Zoning By-law is applicable law to the issuance of a building permit. A building permit cannot be issued unless the proposed use is permitted in the Zoning By-law.

The Fire Prevention and Protection Act, 1997, and the Fire Code

The City of Greater Sudbury Fire Services Department provides prevention programming and life safety education through the delivery of focused fire education to all residents and specific targeted demographics of the youth population and residents/managers/owners of vulnerable

occupancies. Fire prevention is provided through occupancy investigations and inspections under the Ontario Fire Code, and enforcement of various sections of municipal by-laws and provincial legislation with the goal of reducing the possibility and severity of fire or explosion while increasing life safety standards.

The Fire Code is a regulation made under the Fire Protection and Prevention Act, 1997 consisting of a set of minimum requirements respecting fire safety within and around existing buildings and facilities.

The Fire Prevention and Protection Act, 1997 (FPPA), allows an inspector, without a warrant, to enter and inspect land and premises for the purpose of assessing fire safety. Interpretation of entry rights is found in the FPPA. Fire safety includes: safety from the risk that a fire, if started, would seriously endanger the health and safety of any person or the quality of the natural environment for any use that can be made of it; and, safety from the risk that the presence of unsafe levels of carbon monoxide on premises would seriously endanger the health and safety of any person. In sum, Fire Staff may enter based on "suspicion" of safety issues being present at various properties.

Enforcement

The Property Standards By-law and the Clearing of Yards By-law were outlined in a report entitled "Property Standards and Clearing of Yards – By-law Review" presented to Council on March 24, 2020 (See Reference 7). The City's Property Standards By-Law (2011-277, as amended) requires that properties and structures be maintained in a state of good repair. The Clearing of Yards By-law (2009-101, as amended) requires that property be kept "clean and clear" of refuse and debris. Enforcement of these by-laws is done on a complaint basis.

Per the Fire Protection and Prevention Act and the Building Code Act, an individual convicted of an offence under either Act is liable to a fine of not more than \$50,000 for a first offence and not more than \$100,000 for a second offence (\$500,000 and \$1,500,000 respectively for a corporation).

Section 67 of the Planning Act enables the municipality to fine persons or corporations that contravene the City's Zoning By-law. These include up to \$25,000 for a first conviction fine (up to \$50,000 for a corporation) and up to \$10,000/day after conviction (up to \$25,000/day for a corporation). Pursuant to the Planning Act, the City of Greater Sudbury has established the above fines as part of its Zoning By-law (See Section 1.6 – Enforcement – Reference 4).

Noise By-law

The City's Noise By-law limits disturbances related to noise, provides for exceptions for noise created by certain activities. The by-law provides for the reduction of noise so as to preserve, protect and promote public health, safety, welfare, peace and quiet of the inhabitants of the City.

The by-law includes the framework of noise disturbance enforcement, including administration, prohibitions, exemptions and permits. A person who is convicted of an offence under the noise by-law is liable, for each day or part of day that the offence continues to a maximum fine of \$10,000.

It should again be noted that the City's level of service has been enhanced since 2010. The City has expanded its hours of by-law enforcement, expanded 311 service and is currently working on software (i.e. Land Management Information System) to reinforce the links between the suite of City services.

Public Education and Training

The City Departments of Building Services, Fire Services and By-Law Enforcement Services each conduct public education and training initiatives. There are regular reach-outs to post-secondary institutions, Community Action Networks, and staff regularly attend open houses for education such as kitchen fire safety.

Staff has presented to the Greater Sudbury Landlord Association on a variety of topics including overall building safety, fire alarm maintenance, smoke and carbon monoxide safety, Ontario Fire Code offences, etc.

Citizens are encouraged to call in a request for inspection, or complaint inspections, if they feel they would require assistance relating to Fire safety and Ontario Fire Code compliances and or deficiencies. Fire Services is mandated by the Fire Prevention and Protection Act to conduct request and complaint inspections as well as Vulnerable Occupancies.

Service Level One - Project Linkages

There are existing and/or ongoing projects that will either support or strengthen the City's accessory guest room accommodation framework. These include the City's:

- Land Management Information System (to track applications, licenses, permits, ACR, etc)
- Second Unit Registry (ensures standards are being followed, provides certainty to citizens)
- Affordable Housing Framework (Housing and Homelessness Plan, Affordable Housing CIP)
- Residential Parking Standards Review (And Parking Standards in General)
- Zoning Bylaw Update- Bill 108 – Secondary and Tertiary Units.

Service Level One – A Strengthened Framework

As outlined above, these additional elements can be implemented with existing resources.

Guides and Handbooks

Both the City of North Bay and the City of Saskatoon have developed a “Good Neighbour Handbook” which is a citizen’s guide to the City’s municipal by-laws. It promotes awareness of the rights and responsibilities as a neighbourhood resident. The City of Guelph has developed a New Resident Guide, and the City of Toronto has developed bylaw enforcement program that ensures that building owners and operators comply with building maintenance standards (See References 8, 9 and 10, respectively).

The City of Greater Sudbury can develop these guides, handbooks and programs. These resources could outline information on:

- Landowner/Renter rights and responsibilities
- Municipal by-laws
- Where to find and access community resources

Similarly, the Landlord Guide or Program could outline:

- A checklist on property standards
- Fire prevention standards
- Building, Plumbing and Electrical standards

These guides could be published in several languages and be available at key service points throughout the municipality (e.g. Citizen Service Centres), and posted on the City’s website.

The City of Guelph has a website dedicated to Tenant Safety. It provides a one-stop website for tenants, and invites tenants to book a free inspection of their rental unit (See Reference 11).

These new guides/free inspections, can be introduced alongside the City’s ongoing Northern/Rural Immigration Pilot.

Proactive Enforcement

The recommendations noted in the March 2020 “Property Standards and Clearing of Yards – By-law Review” report could assist in lessening the negative impacts of unregulated Accessory Guest Room Accommodation, including: proactive enforcement, amending applicable fees, and amendments to the Property Standards By-law regarding immediate remediation. The City could look at increasing fines related to the illegal provision of accessory guest rooms.

Strengthening Partnerships

The City could look at ways to strengthen partnerships with community groups such as the Landlord Association, Community Action Networks, and with postsecondary institutions in order to better understand community, landlord and tenant needs in order to better tailor and disseminate information.

Changes to Zoning By-law

The City's Zoning By-law allows accommodations for two persons per dwelling unit. The Zoning By-law also permits Secondary Dwelling Units in single and semi-detached dwellings, row dwelling and street townhouse dwellings, and buildings accessory thereto these unit types, provided that a maximum of one secondary dwelling unit is permitted within the primary dwelling unit and one secondary dwelling unit is permitted within an accessory building on a lot. Per the by-law, accessory guest room accommodation would be permitted in both the primary and secondary dwelling units.

Per the Zoning By-law, and in theory, two persons could be provided accessory guest room accommodation in each of these units. Staff recommends that the zoning by-law be amended to limit accessory guest rooms to the primary dwelling unit only.

Service Level Two – Enhanced Level of Service

Implementing a Licensing By-law would represent an enhanced level of service for the City of Greater Sudbury. While some of the costs and staff level impacts are included in this report, staff would recommend the preparation of a more fulsome business case for Council's consideration as part of the 2022 Budget, and once a draft licensing by-law has been prepared. In the event that the Business Case was approved, more work would be required in order to prepare the by-laws, conduct training and prepare the necessary materials for implementation.

A licensing framework would include the following elements:

- Definitions, administration, requirements and prohibitions;
- Exemptions and fines;
- Information requirements, renewal periods, inspection requirements;
- Powers of 'license managers (e.g. to approve, refuse, or require more information);
- New communication materials and marketing;
- New application forms and guides;
- Enhanced and/or combined enforcement;

As outlined above, the City of North Bay issued 50 licenses in its first year, and 81 licenses in its second year. Cumulatively, the City has issued or renewed 458 licensed over a nine year period. The City of Greater Sudbury's population is approximately 3 times the size of North Bay's (161,000 vs 51,000). From this, we can perhaps extrapolate that the City could receive

150 licenses in its first year and 240 licenses in its second year. Assuming the City could average 300 active licenses in any given year, and assuming a two-year renewal cycle, 3 hours per department (By-law, Building, Fire) spent per application (including travel, inspection, review, etc), a licensing program could potentially have the following FTE and budget impact:

- The 900 hours (1/2 Full Time Equivalent) per department (By-law, Building, Fire) that would be required could be met with existing staffing levels;
- Cost range of license could be between \$165-\$300 to recoup costs of program delivery;
- City could expect to recoup anywhere between \$49,500-\$90,000 per year on licensing;
- Would be monitored to ensure performance, and to ensure licensing fees meet programing costs

Conclusion and Next Steps

Staff has reviewed best practices from comparator municipalities, and has organized elements of an accessory guest room accommodation framework based on service levels. As outlined in the report, the City currently has a robust regulatory and enforcement system. Based on comparator municipalities, there are service level enhancements that Greater Sudbury, based on Council direction, could provide to strengthen the public health and safety of our residents.

Staff should now be directed to return with a draft licensing for Council's consideration by the end of Q3, 2021, and to prepare a business case as part of the 2022 Budget Process.

Resources Cited

1. "Rooming House Licensing By-law", report presented to Policy Committee, March 24, 2010
<https://agendasonline.greatersudbury.ca/index.cfm?pg=feed&action=file&agenda=report&itemid=2&id=236>
2. "Licensing By-law Working Group", report presented to City Council, April 14, 2010
<https://agendasonline.greatersudbury.ca/index.cfm?pg=agenda&action=navigator&id=251&itemid=2954&lang=en>
3. City of North Bay – "Residential Rental Housing Licensing"
<https://www.cityofnorthbay.ca/cityhall/departments/planning-services/residential-rental-housing-licensing/>
4. City of Greater Sudbury Zoning By-law
<https://www.greatersudbury.ca/do-business/zoning/>

5. “Bill 108 Implementation: Official Plan and Zoning By-law Amendments”, report presented to Planning Committee, June 22, 2020.

<https://agendasonline.greatersudbury.ca/index.cfm?pg=feed&action=file&agenda=report&itemid=3&id=1451>

6. City of Greater Sudbury Building Services

<https://www.greatersudbury.ca/live/building-and-renovating/>

7. “Property Standards and Clearing of Yards – By-law Review”, report presented at the March 24, 2020 Council Meeting

<https://agendasonline.greatersudbury.ca/index.cfm?pg=feed&action=file&agenda=report&itemid=19&id=1466>

8. City of Saskatoon Good Neighbour Guide

<https://www.saskatoon.ca/services-residents/housing-property/good-neighbour-guide>

9. City of Guelph New Resident Guide

https://issuu.com/ventureguelph/docs/new-res-guide-2018-19_1

10. RentSafeTo for Building Owners, City of Toronto

<https://www.toronto.ca/community-people/housing-shelter/rental-housing-standards/apartment-building-standards/rentsafeto-for-building-owners/>

11. Tenant Safety, City of Guelph

<https://guelph.ca/city-hall/planning-and-development/community-plans-studies/housing/shared-rental-housing/>