



PLANNING COMMITTEE AGENDA

Planning Committee Meeting
Monday, September 21, 2020
Tom Davies Square - Council Chamber

COUNCILLOR FERN CORMIER, CHAIR

Robert Kirwan, Vice-Chair

***REVISED**

12:15 p.m. CLOSED SESSION, COMMITTEE ROOM C-12 / ELECTRONIC PARTICIPATION

1:00 p.m. OPEN SESSION, COUNCIL CHAMBER / ELECTRONIC PARTICIPATION

City of Greater Sudbury Council and Committee Meetings are accessible and are broadcast publicly online and on television in real time and will also be saved for public viewing on the City's website at:

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

Please be advised that if you make a presentation, speak or appear at the meeting venue during a meeting, you, your comments and/or your presentation may be recorded and broadcast.

By submitting information, including print or electronic information, for presentation to City Council or Committee you are indicating that you have obtained the consent of persons whose personal information is included in the information to be disclosed to the public.

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 one (1) Proposed or Pending Acquisition or Disposition of Land Matters:

- Purchase of Property - Kingsway, 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

PUBLIC HEARINGS

1. Report dated August 28, 2020 from the General Manager of Growth and Infrastructure regarding Normand & Ronald Thibert - Applications for Zoning By-law Amendment and Draft Plan of Subdivision, 6040 Municipal Road #80, Hanmer.

9 - 37

(RESOLUTION PREPARED)

- Glen Ferguson, Senior Planner

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-3)

ROUTINE MANAGEMENT REPORTS

- C-1. Report dated August 26, 2020 from the General Manager of Growth and Infrastructure regarding Zulich Enterprises Ltd. - Application to extend a draft approved plan of subdivision approval (Lionsgate Subdivision, Sudbury). **38 - 53**
(RESOLUTION PREPARED)
(This report provides a recommendation regarding the extension to the draft plan of subdivision approval, Lionsgate Subdivision, Sudbury.)
- C-2. Report dated August 26, 2020 from the General Manager of Growth and Infrastructure regarding Vytis Lands (Kagawong) Ltd. - Application to extend a draft approved plan of subdivision approval (Vytis Timestone Subdivision, Sudbury). **54 - 70**
(RESOLUTION PREPARED)
(This report provides a recommendation regarding the extension to the draft plan of subdivision approval, Vytis Timestone Subdivision, Sudbury.)
- C-3. Report dated August 31, 2020 from the General Manager of Corporate Services regarding 22 Main Street, Chelmsford - Declaration of Surplus Vacant Land. **71 - 73**
(RESOLUTION PREPARED)
(This report provides a recommendation regarding vacant land municipally known as 22 Main Street, Chelmsford, to be declared surplus to the City's needs and offered for sale to the abutting owner to the west.)

REGULAR AGENDA

MANAGERS' REPORTS

- R-1. Report dated August 31, 2020 from the General Manager of Growth and Infrastructure regarding LaSalle Boulevard Corridor Plan and Strategy - Proposed Zoning By-law Amendment. **74 - 90**
(RESOLUTION PREPARED)
(This report provides a recommendation regarding the draft zoning by-law amendment associated with the LaSalle Corridor Study.)
- R-2. Report dated August 28, 2020 from the General Manager of Growth and Infrastructure regarding Shopping Centre Commercial Zone: Proposed Amendments. **91 - 98**
(RESOLUTION PREPARED)
(This report provides a recommendation regarding the review of potential amendments to the Shopping Centre Commercial (C5) Zone that would permit certain residential uses, as well as long term care facilities, and retirement homes.)

MEMBERS' MOTIONS

ADDENDUM

CIVIC PETITIONS

QUESTION PERIOD

ADJOURNMENT

COMITÉ DE PLANIFICATION ORDRE DU JOUR

Réunion du Comité de planification
21 septembre 2020
Place Tom Davies - Salle du Conseil

CONSEILLER FERN CORMIER, PRÉSIDENT(E)

Robert Kirwan, Vice-président(e)

***REVISER**

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

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

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

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

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

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

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

APPEL NOMINAL

Résolution pour tenir une réunion à huis clos afin de traiter d'une acquisition ou d'une disposition projetée ou en cours d'un bien-fonds:

- l'achat d'une propriété – Kingsway, 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

AUDIENCES PUBLIQUES

1. Rapport directeur général, Croissance et Infrastructure , daté du 28 août 2020 portant sur Normand et Ronald Thibert - Demandes relatives à la modification d'un règlement municipal de zonage et à l'ébauche du plan de lotissement, 6040, route municipale 80, Hanmer.

9 - 37

(RÉSOLUTION PRÉPARÉE)

- Glen Ferguson, planificateur principal

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 LES ARTICLES DE L'ORDRE DU JOUR DES
RÉSOLUTIONS C-1 À C-3)

RAPPORTS DE GESTION COURANTS

- C-1. Rapport directeur général, Croissance et Infrastructure , daté du 26 août 2020 portant sur Zulich Enterprises Ltd. - Zulich Enterprises Ltd. - Demande de prorogation d'une autorisation du plan de lotissement dont l'ébauche a été approuvée (lotissement Lionsgate, Sudbury). **38 - 53**
(RÉSOLUTION PRÉPARÉE)
(Dans ce rapport, on formule une recommandation concernant la prorogation d'une autorisation du plan de lotissement dont l'ébauche a été approuvée, lotissement Lionsgate, Sudbury.)
- C-2. Rapport directeur général, Croissance et Infrastructure , daté du 26 août 2020 portant sur Vytis Lands (Kagawong) Ltd. - Demande de prorogation d'une autorisation du plan de lotissement dont l'ébauche a été approuvée (lotissement Vytis Timestone, Sudbury). **54 - 70**
(RÉSOLUTION PRÉPARÉE)
(Dans ce rapport, on formule une recommandation concernant la prorogation d'une autorisation du plan de lotissement dont l'ébauche a été approuvée, lotissement Vytis Timestone, Sudbury.)
- C-3. Rapport Directeur général des Services corporatifs, daté du 31 août 2020 portant sur 22, rue Main, Chelmsford - Déclaration de terrain vacant excédentaire. **71 - 73**
(RÉSOLUTION PRÉPARÉE)
(Dans ce rapport, on formule une recommandation concernant le terrain vacant dont la désignation municipale est le 22, rue Main, à Chelmsford, à savoir qu'il soit déclaré excédentaire par rapport aux besoins de la municipalité et qu'on offre au propriétaire de terrain attenant à l'ouest de l'acheter.)

Ordre du jour ordinaire

RAPPORTS DES GESTIONNAIRES

- R-1. Rapport directeur général, Croissance et Infrastructure , daté du 31 août 2020 portant sur Plan et stratégie pour le corridor du boulevard Lasalle - Modification proposée d'un règlement municipal de zonage. **74 - 90**
(RÉSOLUTION PRÉPARÉE)
(Dans ce rapport, on formule une recommandation concernant l'ébauche de modification d'un règlement municipal de zonage associée au corridor du boulevard Lasalle.)
- R-2. Rapport directeur général, Croissance et Infrastructure , daté du 28 août 2020 portant sur Zone de commerces de centres commerciaux: modifications proposées. **91 - 98**
(RÉSOLUTION PRÉPARÉE)

(Dans ce rapport, on formule une recommandation concernant l'examen des modifications proposées à la zone de commerces de centres commerciaux (C5) qui permettraient certains usages résidentiels ainsi que des établissements de soins de longue durée et des maisons de retraite.)

MOTIONS DES MEMBRES

ADDENDA

PÉTITIONS CIVIQUES

PÉRIODE DE QUESTIONS

LEVÉE DE LA SÉANCE

Presented To:	Planning Committee
Presented:	Monday, Sep 21, 2020
Report Date	Friday, Aug 28, 2020
Type:	Public Hearings
File Number:	780-7/17004

Request for Decision

Normand & Ronald Thibert - Applications for Zoning By-law Amendment and Draft Plan of Subdivision, 6040 Municipal Road #80, Hanmer

Resolution

Resolution regarding the Zoning By-law Amendment:

THAT the City of Greater Sudbury approves the application by Normand and Ronald Thibert to amend Zoning By-law 2010-100Z by changing the zoning classification on a portion of the subject lands from “FD”, Future Development to “FD(S)”, Future Development Special, “R1-5”, Low Density Residential One, “R3”, Medium Density Residential and “RU” Rural on those lands described as PIN 73503-0484, Parcel 7201, Lot 1, Concession 3, Township of Hanmer, as outlined in the report entitled “Normand and Ronald Thibert”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on September 21, 2020, subject to the following conditions:

1. That prior to the passing of an amending zoning by-law the owner shall submit a registered survey plan describing the lands to be rezoned to the satisfaction of the Director of Planning Services;
2. That the amending zoning by-law include the following site-specific provisions:
 - a. That a northerly portion of the lands having a dimension of 201 m (659.45 ft) by 105 m (344.39 ft) and a lot area of approximately 2.83 ha (6.99 acres) be zoned “RU” in order to facilitate a lot addition with those lands to the north described as being PIN 73503-1636, known municipally as 177 Gravel Drive;
 - b. That the only permitted use on the lands to be rezoned “FD(S)” be that of one single-detached dwelling and that site plan control be applicable to the lands in order to ensure that the development of a single-detached dwelling on the lands not compromise future urban residential development;
 - c. That the lands intended to be situated within the proposed draft plan of subdivision be zoned “R1-5” and that no site-specific relief be provided; and,
 - d. That the lands to the south of the proposed draft plan of subdivision and having frontage on Municipal

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed Aug 28, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Aug 28, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Aug 31, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Sep 3, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Sep 3, 20

Road #80 be zoned "R3" and that no site-specific relief be provided.

Resolution regarding the Draft Plan of Subdivision:

THAT the City of Greater Sudbury's delegated official be directed to issue draft plan approval for a plan of subdivision on those lands described as Part of PIN 73503-0484, Parcel 7201, Lot 1, Concession 3, Township of Hanmer, as outlined in the report entitled "Normand and Ronald Thibert", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on September 21, 2020, not sooner than 14 days following the date of the public meeting in accordance with the requirements of Section 51(20) of the Planning Act, subject to the following conditions:

1. That this approval applies to a draft plan of subdivision on lands described as Part of PIN 73503-0484, Parcel 7201, Lot 1, Concession 3, Township of Hanmer, as shown on the draft plan of subdivision plan prepared by D.S. Dorland Limited and dated October 9, 2019 and signed by the owners on December 12, 2016;
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 and to the satisfaction of the City Solicitor;
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 to the satisfaction of the Director of Planning Services;
5. That the subdivision agreement be registered by the Municipality against the land to which it applies, prior to any encumbrances to the satisfaction of the City Solicitor;
6. That 5% of the land, or alternatively 5% of the cash value of the land, included in the plan of subdivision be deeded or provided to the City for parks purposes in accordance with Section 51.1 of the Planning Act;
7. That 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 to the satisfaction of the General Manager of Growth and Infrastructure. This plan must show finished grades around new houses, retaining walls, side yards, 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 storm-water 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. The owner shall be responsible for the legal costs of preparing and registering the agreement;
8. The owner shall provide to the City, as part of the submission of servicing plans an Erosion and Sediment 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. Erosion and sediment control shall remain in place until all disturbed areas have been stabilized. All erosion and sediment 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;
9. The owner shall be responsible to have a storm water management report prepared to assess how the

quality and quantity of storm-water will be managed for the subdivision development, in addition to the flows generated from upstream lands all to the satisfaction of the General Manager of Growth and Infrastructure. The report shall establish how the quantity of storm water generated within the subdivision will be controlled to pre-development levels for both the 1:5, 1:100 and regional storm events. The owner shall also be required to submit a comprehensive drainage plan of the subject property, and any upstream areas draining through the subdivision to the satisfaction of the General Manager of Growth and Infrastructure;

10. The owner shall be required to have all storm-water 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, all to the satisfaction of the Director of Planning Services. The owner shall provide lands for said facilities as required by the City to the satisfaction of the City Solicitor and the Director of Planning Services;

11. That 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, storm-water management facilities, water-mains, 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 shall be registered on title, if required, to the satisfaction of the Chief Building Official and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement;

12. As part of the submission of servicing plans, the owner shall have ensure that any rear yard slope treatments are designed by a geotechnical engineer licensed in the Province of Ontario and incorporated into the lot grading plans if noted and 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;

13. The owner shall provide a utilities servicing plan showing the location of all utilities including, but not necessarily limited to, all municipal services, Bell Canada, Canada Post, Eastlink, Greater Sudbury Hydro or Hydro One and Union Gas. The utilities servicing plan must be prepared to the satisfaction of the Director of Planning Services and must be provided and approved prior to the construction of any individual phase of the subdivision;

14. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority to the satisfaction of the City Solicitor and the Director of Planning Services;

15. That the owner acknowledges that all streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner all to the satisfaction of the General Manager of Growth and Infrastructure;

16. The proposed internal subdivision roadways are to be designed and built to urban standards, including mountable curb and gutters, storm sewers and related appurtenances to the City's Engineering Standards at the time of submission all to the satisfaction of the General Manager of Growth and Infrastructure. The

owner will also be required to ensure that the corner radius for all intersecting streets is to be 9.0 m;

17. 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, water-mains, storm sewers and surface drainage facilities to the satisfaction of the Director of Planning Services and the City Solicitor;

18. 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 to the satisfaction of the City Solicitor;

19. Draft approval does not guarantee an allocation of sewer or water capacity. Prior to the signing of the final plan, the Director of Planning Services is to be advised by the General Manager of Growth and Infrastructure and satisfied that sufficient sewage treatment capacity and water capacity exists to service the development;

20. The owner shall provide proof of sufficient fire flow in conjunction with the submission of construction drawings for each phase of construction to the satisfaction of the General Manager of Growth and Infrastructure. All costs associated with upgrading the existing distribution system to service this subdivision will be borne totally by the owner;

21. The owner shall provide proof of sufficient sanitary sewer capacity in conjunction with the submission of construction drawings for each phase of construction to the satisfaction of the General Manager of Growth and Infrastructure. All costs associated with upgrading the existing distribution system to service this subdivision will be borne totally by the owner;

22. 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;

23. That in accordance with Section 59(4) of the Development Charges Act, a notice of agreement shall be registered on title to the satisfaction of the City Solicitor and the Director of Planning Services 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;

24. 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.

25. The owner shall agree and provide the required soils report, storm-water, water, sanitary sewer and lot grading master planning reports and plans to the Director of Planning Services prior to or concurrently with the submission of servicing plans for the first phase of the subdivision;

26. 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; and,

27. That this draft approval shall lapse three years from the date of draft approval having been issued.

Relationship to the Strategic Plan / Health Impact Assessment

The application to amend the Zoning By-law and approve a Draft Plan of Subdivision is an operational matter under the Planning Act to which the City is responding.

Report Summary

This report reviews applications for Zoning By-law Amendment and a Draft Plan of Subdivision that would result in four separate zones being applied to the lands. Firstly, a middle portion of the lands are proposed to be rezoned in order to permit one single-detached dwelling to be constructed on the balance of the lands not contemplated for development at this time (ie. "FD(S)"). Secondly, a southerly portion of the lands are proposed to be rezoned in order to facilitate the development of eight single-detached dwellings by way of a plan of subdivision to the west of, and to be access from, St. Isidore Street (ie."R1-5"). Thirdly, a further southerly portion of the lands would be rezoned in order to permit medium density residential uses which would be accessed from Municipal Road #80 (ie. "R3"). And fourthly, to rezone a northerly portion of the land in order to facilitate a lot consolidation with a rural lot to the north which has frontage on Gravel Drive (ie. "RU"). The application to subdivide the lands would specifically facilitate the creation of eight single-detached dwellings and would involve the extension of St. Isidore Street for access purposes.

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 Zoning By-law Amendment and a Draft Plan of Subdivision be approved in accordance with the Resolution section of this report.

Financial Implications

Based on the available information in this report, the financial implications are based on the creation of nine single detached dwelling units.

If approved, staff estimates approximately \$42,000 in taxation revenue, based on the assumption of nine single family dwelling units at an estimated assessed value of \$375,000 per dwelling units 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 nine 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).

STAFF REPORT

PROPOSAL:

The applications for Zoning By-law Amendment and Draft Plan of Subdivision together would result in four separate zones being applied to the lands along with the development of an urban residential plan of subdivision on a middle portion of the subject lands.

The rezoning of the lands as proposed by the owner is intended to achieve four land use planning outcomes. Firstly, a middle portion of the lands are proposed to be rezoned in order to permit one single-detached dwelling to be constructed on the balance of the lands not contemplated for development at this time (ie. "FD(S)"). Secondly, a southerly portion of the lands are proposed to be rezoned in order to facilitate the development of eight single-detached dwellings by way of a plan of subdivision to the west of, and to be access from, St. Isidore Street (ie. "R1-5"). Thirdly, a further southerly portion of the lands would be rezoned in order to permit medium density residential uses which would be accessed from Municipal Road #80 (ie. "R3"). And fourthly, to rezone a northerly portion of the land in order to facilitate a lot consolidation with a rural lot to the north which has frontage on Gravel Drive (ie. "RU").

The proposed subdivision of a middle portion of the subject lands would specifically facilitate the creation of eight single-detached dwellings and would involve the extension of St. Isidore Street for access purposes along with a temporary turnaround until such time as further urban residential development occurs.

The above noted rezoning application was submitted to the City initially on January 5, 2016, while the draft plan of subdivision application was later and subsequently filed with the City of October 16, 2017. The owner also then subsequently submitted an application for pre-consultation bringing clarity to the overall development proposal that was considered by the Sudbury Planning Application Review Team (SPART) on May 2, 2018 (File # PC2018-028). The owner met with staff following the SPART Meeting and signed their Pre-Consultation Understanding Agreement (PCUA) on May 14, 2018. The consideration of the development proposal at SPART was considered appropriate as the original rezoning application preceded the establishment of SPART and after reviewing both development applications it was determined that a comprehensive review from agencies and departments would be appropriate prior to proceeding with further processing of the applications. The applications were finally deemed to be complete on October 29, 2019 following the submission of requested storm-water design information.

The owner has submitted a Concept Plan and a Storm-water Management Design Brief in support of the proposed rezoning and draft plan of subdivision that would result in four separate zones being applied to the lands along with the development of an urban residential plan of subdivision on a middle portion of the subject lands. Staff notes that the Concept Plan has been amended on several occasions prior to the public hearing, however the overall development proposal has remained generally the same. Details with respect to the owner's public consultation strategy ahead of a public hearing at the Planning Committee was not explicitly included at the time of submission, however the owner and agent did advise they would be exploring options with respect to consulting with nearby residents prior to bringing the applications before the City's Planning Committee.

Title: Normand and Ronald Thibert

Date: August 19, 2020

Existing Zoning: “FD”, Future Development

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.

Requested Zoning: “FD(S)”, Future Development Special, “R1-5”, Low Density Residential One, “R3”, Medium Density Residential and “RU” Rural

The proposed rezoning to “FD(S)”, Future Development Special would allow for the construction of one single-detached dwelling on a lot to be created as a result of the related proposed urban residential development and rural lot addition. The “R1-5” Zone permits a bed and breakfast establishment within a single-detached dwelling only and having a maximum of two guest rooms, a group home type 1 within a single-detached dwelling only and having a maximum of ten beds, a private home daycare and a single-detached dwelling. The “R3” Zone permits a bed and breakfast establishment within a single-detached dwelling only and having a maximum of two guest rooms, not more than one convenience store and one personal service shop not exceeding 150 m² (1,614.59 ft²) in total net floor area, a day care centre, a duplex dwelling, a group home type 1 within a single-detached dwelling only and having a maximum of ten beds, linked dwelling, multiple dwelling, a private home daycare, a row dwelling, shared housing in certain locations, a semi-detached dwelling, a single-detached dwelling and a street townhouse dwelling. The “RU” Zone permits a range of rural non-residential and rural residential land uses however staff notes the intention of the owner in this case is to zone this portion of the lands to “RU” in order to facilitate a lot addition with existing rural lands to the north having frontage on Gravel Drive.

Location and Site Description:

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.

Surrounding Land Uses:

- | | |
|--------|--|
| North: | Rural residential land uses and the Valley East Cemetery. |
| East: | Urban residential land uses, general commercial uses with frontage on Municipal Road #80, a public park and the Valley East Lion’s Club. |
| South: | Urban residential land uses, École Notre-Dame, several large vacant and well vegetated rural lots, and a large future development block of land. |
| West: | Urban residential land uses, general commercial uses with frontage on Municipal Road #80. |

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 and Draft Plan of Subdivision request, as well as the applicable zoning on other parcels of land in the immediate area.

Title: Normand and Ronald Thibert

Date: August 19, 2020

Site photos depict the subject lands containing the existing single-detached located in the front yard being accessed from the Municipal Road #80. Photos of the immediately surrounding residential area are also included and illustrate the generally lower density residential nature of the general 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 October 29, 2019. The statutory Notice of Public Hearing dated September 3, 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 is not aware of any public consultation having been conducted by the owners or the agent in the local community prior to bringing this report forward to the City's Planning Committee for a statutory public hearing under the Planning Act.

At the time of writing this report, no emails or letter submissions with respect to the development proposal have been received by the Planning Services Division. Staff has received several phone calls from area residents seeking clarification as it relates to the development that is being proposed by the owners.

POLICY AND REGULATORY FRAMEWORK:

The applications that have been submitted are 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 Provincial Policy Statement (PPS). The following PPS policies are applicable to the applications for Zoning By-law Amendment and a Draft Plan of Subdivision:

1. With respect to Settlement Area policies, Section 1.1.3.1 in general 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 1.1.3.6 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;
7. Section 1.1.3.7 outlines that municipalities should establish and implement phasing policies that ensures new development occurs within designated growth areas in an orderly progression with regard for the timely provision of the infrastructure and public service facilities required to meet current and future needs;
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 by maintaining at all times a three year supply of residential units with servicing capacity that are suitably zoned to facilitate residential development. This is also applicable to lands within draft approved or registered plans of subdivision; and,
9. Section 1.4.3 outlines that municipalities shall permit and facilitate:
 - a. 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;
 - b. All types of residential intensification, including additional residential units, and redevelopment in accordance with the PPS;
 - c. 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;
 - d. 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;
 - e. Requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and,
 - f. 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 to 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 conform to and does not conflict with the Growth Plan for Northern Ontario.

Official Plan for the City of Greater Sudbury:

The subject lands are predominantly designated Living Area 1 in the Official Plan for the City of Greater Sudbury. Living Area 1 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 3.2.1.6 of the Official Plan specifically outlines those matters to be reviewed when considering applications to rezone lands within the Living Area 1 designation:

- a) The site is suitable in terms of size and shape to accommodate the proposed density and built form;
- b) The proposed development is compatible with the surrounding neighbourhood in terms of scale, massing, height, siting, setbacks and the location of parking and amenity areas;
- c) Adequate on-site parking, lighting, landscaping and amenity areas are provided; and,
- d) The impact of traffic on local streets is minimal.

Section 2.3.2 notes that the subject lands are within a Settlement Area and immediately abutting the 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.

Section 2.3.2 also notes that the Settlement Area and Built Boundary of the Official Plan is more than adequate for the purposes of meeting short, medium and long term land use needs. It is further outlined that no Official Plan Amendments for the expansion of areas designated Living Area 1 will be considered outside of a comprehensive review of the City's Official Plan. Intensification and development within the Built Boundary is encouraged; however, 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. Intensification and development is permitted in established Living Area 1 lands, in accordance with the policies of this Plan;
4. Intensification will be encouraged on sites with suitable existing or planned infrastructure and public service facilities;
5. 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;
6. 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.

Title: Normand and Ronald Thibert

Date: August 19, 2020

Section 17.0 generally includes policies which encourage the provision of adequate and affordable housing for all residents in the City of Greater Sudbury. Section 17.2.1 addresses the achievement of diversity in housing type and form. Those policies under Section 17.2.1 which are relevant to the development proposal include:

1. To encourage a wide range of housing types and forms suitable to meet the housing needs of all current and future residents;
2. To encourage production of smaller (ie. one and two bedroom) units to accommodate the growing number of smaller households; and,
3. To promote a range of housing types suitable to the needs of senior citizens.

There is also a small northerly portion of the subject lands designated Rural. These lands are intended in general to be severed and added to an existing rural lot further to the north having frontage on Gravel Drive. Staff addresses an analysis of the land use planning implications of the Rural portion of the lands as it pertains to the overall development proposal later in this report.

Zoning By-law 2010-100Z:

The owner is requesting that the subject lands be rezoned to "FD(S)", Future Development Special, "R1-5", Low Density Residential One, "R3", Medium Density Residential and "RU" Rural achieve four land use planning outcomes. Firstly, a middle portion of the lands are proposed to be rezoned in order to permit one single-detached dwelling to be constructed on the balance of the lands not contemplated for development at this time (ie. "FD(S)"). Secondly, a southerly portion of the lands are proposed to be rezoned in order to facilitate the development of eight single-detached dwellings by way of a plan of subdivision to the west of and to be access from St. Isidore Street (ie. "R1-5"). Thirdly, a further southerly portion of the lands would be rezoned in order to permit medium density residential uses which would be accessed from Municipal Road #80 (ie. "R3"). And fourthly, to rezone a northerly portion of the land in order to facilitate a lot consolidation with a rural lot to the north which has frontage on Gravel Drive (ie. "RU").

Department/Agency Review:

The applications, including relevant accompanying materials, have been circulated to all appropriate agencies and departments. Responses received from agencies and departments have been used to assist in evaluating the applications and to inform the content and appropriateness of conditions to that should be imposed through a draft plan of subdivision approval document, 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, Environmental Planning Initiatives, Fire Services, Operations, and Transit Services have each advised that they have no concerns from their respective areas of interest.

Bell Canada has indicated that a 3 m (9.84 ft) wide easement corridor over the frontage of the proposed lots within the draft plan of subdivision is required. Since the easements are required in order to provide service and access to this development, all costs associated with this transfer will be the responsibility of the owner and compensation will be set at a nominal fee for the acquisition of the easement rights.

Building Services notes that building permits will be required for all proposed residential dwellings. For the draft plan of subdivision, a soils report prepared by a qualified geotechnical professional must be submitted for review to the satisfaction of the Chief Building Official. The soils report shall document construction parameters for residential structures such as soil bearing capacity, frost cover for foundations and ground-water table characteristics effecting sub-soil foundation drainage and sump pump design. A soils caution agreement, if required, shall be registered on-title to the satisfaction of the Chief Building Official.

Development Engineering advises that municipal water and sanitary sewer infrastructure is available within the Municipal Road #80, St. Isidore Street and 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. The City's standard conditions related to the interests of Development Engineering are otherwise to be imposed in the draft approval documents. Those standard conditions relating to Development Engineering's areas of concern are incorporated into the conditions list outlined in the Resolution section of this report.

The City's Drainage Section has provided technical comments relating to the submitted Storm-water Management Design Brief. These comments will be utilized on a going forward basis as the subdivision proceeds through subdivision agreement and construction phases. The City's standard conditions relating to storm-water management are otherwise to be imposed in the draft approval document.

Roads, Traffic and Transportation have no concerns with the overall development proposal, but have noted that only one driveway access onto Municipal Road #80 will be permitted. It is further noted that there is an existing driveway from Municipal Road #80 providing access to the existing single-detached dwelling.

Water-Wastewater notes 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 advises 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 nor restricted under Part IV of the Clean Water Act.

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 rezoning and draft plan of subdivision is consistent with the PPS for the following reasons:

1. The community of Hanmer is an identified settlement area in the City's Official Plan. The southerly portion of land to be rezoned for urban residential purposes, including a portion on which the proposed draft plan of subdivision would be applicable, will encourage development to continue to occur and expand within an existing and identified settlement area. The balance of the proposed rezoning would also not negatively impact development opportunities that may exist on the lands. The proposed development in this location and setting 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 Municipal Road #80 in the community of Hanmer. Development Engineering has noted that municipal water and sanitary sewer infrastructure is available and that the servicing of the lands in part will be facilitated through both the subdivision planning process for the eight single-detached dwelling lots and the site planning process for the medium density residential block of land having frontage onto Municipal Road #80. The mix of residential land uses and densities offers an opportunity to minimize or mitigate negative impacts associated with air quality and climate change and to promote development that is energy efficient. With respect to active transportation and public transit, there is an existing sidewalk on the south side of Municipal Road #80 and the lands are currently serviced by GOVA (ie. Route 105 – Valley);
3. Staff is of the opinion that the applications together 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 of a vacant and therefore underutilized lot located entirely within the identified Hanmer settlement area;
4. Staff is of the opinion that the applications will together provide for a broader range of development options that will contribute positively toward ensuring that public transit along Municipal Road #80 remains viable and it would optimize the public transit infrastructure along the Municipal Road #80 corridor. The requested mix of land uses will also allow for and facilitate the possibility of more compact and mixed-use development opportunities fronting Municipal Road #80 that will positively contribute to the mix of residential housing options within the Hanmer settlement area;
5. Staff is of the opinion that appropriate development standards can be achieved through the rezoning process that will facilitate medium density residential intensification and compact built-form on a portion of the subject lands, while at the same time avoiding or mitigating risks to public health and safety in this location. Specifically, the amending zoning by-law would permit medium density residential development along Municipal Road #80 that would be subject to a site planning process ensuring said development is well integrated into the existing and planned Municipal Road #80 corridor;
6. Staff notes that the subject lands directly abut existing built-up urban areas to the east, west and south. It is noted therefore that the lands are outside of the City's existing built-boundary, but are directly abutting built-up urban areas in Hanmer. Staff is therefore of the opinion that together the rezoning and draft plan of subdivision applications would facilitate and encourage the possibility of development proceeding in this area with a more compact built-form having a mix residential land uses and densities that will use this portion of the subject lands efficiently from a land, infrastructure and public service facilities perspective;
7. Staff advises that the rezoning of the lands for medium and low density urban residential uses along with utilizing a draft plan of subdivision for the eight lower density urban residential lots will act to ensure that development of the lands proceeds in an orderly, timely and phased manner. The middle portion of the lands would also continue to be zoned for future urban residential development that would require a further rezoning in the future. The future development of the subdivision therefore will have regard for the timely provision of the infrastructure and public service facilities required to meet current and future needs. Staff would also note that site plan control will be utilized on the medium density residential portion in order to ensure development proceeds in a timely, well-designed and appropriate manner. Staff is also satisfied that the proposed lot consolidation at the northerly extents of the lands is appropriate and would not compromise future orderly development of the area;

8. With respect to Housing Policies, staff notes that there are several existing draft approved plans of subdivision to both the east and the west that may be considered to be within the vicinity of the subject lands. The Nature's Haven subdivision to the immediate east has 105 remaining draft approved lots, while the Jean d'Arc Subdivision to the west has 68 remaining draft approved lots. Staff is therefore satisfied that should the applications be approved that a three year supply of residential units with servicing capacity and suitable zoning remains available and would include and not detract from the availability of an appropriate range and mix of housing options in the Hanmer area;
9. Further to the above, staff notes that the City's Growth and Settlement Policy Discussion Paper that was completed as part of the City's Phase 1 – Official Plan Review notes that there is at present an approximate 43 year supply of residential lands in all categories of designated lands that are available to meet future demands under a high growth scenario. Staff is of the opinion that should the overall development proposal be approved that it would produce no negative impacts on residential housing supplies and options in Hanmer; and,
10. Based on the above comments, staff is also satisfied that the development proposal is consistent with and does not conflict with the housing policies under Section 1.4.3 with respect to housing options, residential intensification, directing housing to where appropriate infrastructure is available and promoting densities for new housing that uses land efficiently. The development proposal would also have access to existing public transportation options.

With respect to the City's Official Plan, staff in general is supportive of both the rezoning and draft plan of subdivision requests. Those policies relevant to the development proposal which proposes to permit medium and low density urban residential uses along with continuing to reserve a middle block of land for further and future urban residential development and a northerly lot addition to a rural parcel fronting Gravel Drive are discussed below.

With respect to Section 3.2.1.6, staff is generally satisfied that the lands are suitable in terms of shape and size and would be compatible with the surrounding neighbourhood in terms of scale, massing, height, siting, setbacks and the location of parking and amenity areas. Staff is confident that this would be achieved both through the use of certain development standards across the entirety of the lands, as well as utilizing the site planning process on the medium density residential block of land. It is anticipated that traffic on surrounding local streets would not be negatively impacted should the overall development proposal be approved. Staff would further note here that the lands are presently zoned under the City's Zoning By-law for future residential purposes and any urban residential development that is proposed on the lands requires a rezoning in order to ensure that the above issues are considered from a good land use planning perspective before development would be permitted to proceed.

With respect to Section 2.3.2, staff notes that the subject lands are within the identified Hanmer Settlement Area, but are located outside of the built boundary as depicted on Schedule 3 – Settlement Area and Built Boundary of the City's Official Plan. Staff notes however that the subject lands immediately abut the built boundary to the west generally at Francis Street, to the east at St. Isidore Street and Collette Street, and to the south on the opposite side of Municipal Road #80. Staff acknowledges that intensification and development within the built boundary is encouraged, however, in these circumstances staff is supportive of the applications given that the lands immediately abuts the built boundary on three sides and are situated within a zone which acknowledges that future urban development will occur through the rezoning and related land use planning process (eg. draft plan of subdivision, site planning, etc). The applications for rezoning and a draft plan of subdivision would not have the effect of expanding urban-related land use designations into an area that is outside of an identified Settlement Area.

Date: August 19, 2020

With respect to applicable intensification policies set out under Section 2.3.3 of the Official Plan, staff notes that the subject lands form a vacant and underutilized lot within an existing and identified settlement area where all forms of intensification are encouraged. Staff advises that the overall development proposal would facilitate the establishment of a broader range of residential housing options and possibilities for intensification along Municipal Road #80 in the community of Hanmer and is to be encouraged. While the aim to accommodate 20% of future residential growth and development through intensification within the built boundary remains, staff is mindful of the opportunity to facilitate the completion of this particular urban residential community including the provision of residential intensification along Municipal Road #80.

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 is satisfied that the southerly portions of the lands that are to include urban residential land uses are suitable in terms of the size and shape of the block of land, as well as soil conditions, topography and drainage. Staff notes that appropriate and standard draft approval conditions are recommended as it relates to soil conditions, topography and drainage, which will serve to ensure that these lands within the proposed draft plan of subdivision are developed comprehensively with the above matters in mind. It is further noted that site plan control will be applicable to the development of the most southerly portion given the medium density residential land uses that would now be permitted along Municipal Road #80;
2. Staff is satisfied that the transitioning from a medium density residential development fronting Municipal Road #80 toward the existing and predominantly lower density urban residential area to the north is appropriate and good land use planning. The request is not viewed as being excessive or otherwise damaging from a land use planning perspective to the overall planned character of the area;
3. Development Engineering has noted that municipal water and sanitary sewer infrastructure is available in the general area and that the servicing of the lands will be facilitated through both the subdivision planning and site planning process. No concerns were raised in the review of the applications with respect to servicing should the overall development proposal be approved;
4. Staff advises that both the subdivision process for the proposed eight single-detached dwelling lots to the west of St. Isidore Street and the site planning process for the proposed medium density residential block will be utilized to ensure that the provision of appropriate on-site landscaping, fencing, planting and other measures is achieved. Staff is satisfied good land use planning tools will therefore be used to lessen any impacts that the anticipated future development on the subject lands would have on the general area;
5. Staff also has no concerns with respect to the capabilities of both the subdivision and site planning process to address matters such as the provision of adequate ingress/egress, off street parking and loading facilities, and safe and convenient vehicular circulation once any form or type of development proceeds on the lands subject to these applications;
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 did circulate to Transit Services and no concerns were identified with respect to the proposed rezoning and draft plan of subdivision application. Staff can advise however that both active transportation options and access to public transit are available in the general area;

8. Staff is satisfied that no sun-shadowing and wind impacts are of concern at this moment. These are matters typically addressed during the site planning process should sun-shadowing and wind impacts be of concern when specific built-forms have been identified. The City's pre-consultation process would be applicable and the Sudbury Planning Application Review Team (SPART) would analyze the need for this requirement at the point when site planning for the proposed medium density residential development progresses and is further contemplated by the owners;
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 (eg. Section 19.7 – Comprehensive Planned Units Development policies in the City's Official Plan); and,
12. Staff is satisfied that the development proposal collectively represents a reasonable and balanced approach to achieving residential intensification in this particular area that would balance the concerns of the existing residential community with the need to provide opportunities for residential intensification. The increase in density along Municipal Road #80 is not anticipated to have any negative impacts on the surrounding area or the overall development proposal for the lands once it proceeds. The urban residential built-form would transition from medium density along Municipal Road #80 to a lower density and built-form to the north where existing low density urban residential development already exists.

With respect to those housing policies set out in Section 17.2.1, staff is of the opinion that the overall development proposal represents an opportunity to widen the range of housing types and built-forms suitable to meet the housing needs of current and future residents that require housing in Hanmer. Both the low and medium density residential blocks of land would provide opportunity for the production of smaller residential dwelling units that would positively contribute to the providing of appropriate housing for the increasing number of smaller households. In particular, the medium density residential development proposed along Municipal Road #80 would also be an attractive housing option for senior citizens seeking to live in the community of Hanmer.

Based on the above comments, staff is therefore of the opinion that the proposed rezoning and draft plan of subdivision as an overall development proposal conforms to the Official Plan for the City of Greater Sudbury.

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

1. The portion of the subject lands that are proposed to be rezoned to "RU" would facilitate a lot addition with a rural property to the north legally described as PIN 73503-1636, known municipally as 177 Gravel Drive. These lands measure 201 m (659.45 ft) by 105 m (344.39 ft) and are depicted as having a lot area of approximately 2.83 ha (6.99 acres). Staff has no concerns with the proposed zone classification, but would advise the owners that a future consent application will be required in order to legally facilitate the transfer of these lands;

2. The lands proposed to be rezoned to "FD(S)" would permit one single-detached dwelling whereas at present the permission for a single-detached dwelling only pertains to a legally existing lot. The subject lands would be rezoned to permit a mix of residential land uses and the proposed draft plan of subdivision would alter the existing lot fabric thereby removing the legally existing lot status. The owners have however expressed interest in developing a single-detached dwelling on the future development block of land that would remain. Staff is supportive of the "FD(S)" request provided that sufficient protection is afforded to the future development potential of this remaining block of land. Staff is therefore recommending that the resulting "FD(S)" Zone permit the construction of one single-detached dwelling in a location that does not compromise future development potential and further that site plan control be applied to the development of said one single-detached dwelling;
3. Staff has reviewed the draft plan of subdivision that was submitted by the owners and note that each of the proposed eight low density urban residential lots would appear to comply with the minimum lot area, minimum lot frontage and minimum lot depth requirements of the "R1-5" Zone that is being proposed. It is also noted that no site-specific relief was requested by the owners. Staff has no concerns therefore with the requested "R1-5" zone classification;
4. Staff has no concerns with the standard "R3" Zone being applied to the southerly portion of the subject lands that have frontage on Municipal Road #80. Staff is of the opinion that the lands are of sufficient size that no site-specific relief from the development standards of the "R3" Zone are warranted at this time; and,
5. Staff notes that the owner must provide the Development Approvals Section with a registered survey plan that legally describes the parts of the lands that are to be rezoned (ie. RU, FD(S), R1-5 and R3). It is noted that an amending zoning by-law cannot be enacted by Council until such time as said registered survey plan is provided by the owner to the Development Approvals Section.

With respect to the proposed draft plan of subdivision, staff has the following comments:

1. As noted previously, the proposed eight single-detached dwelling lots would each appear to comply with the minimum lot area, minimum lot frontage and minimum lot depth requirements of the "R1-5" Zone;
2. Staff notes that the draft plan of subdivision is configured in a manner that is appropriate from the perspective of extending St. Isidore Street in a westerly directly to facilitate urban residential development, while at the same time protecting for and providing a temporary turnaround to the north whereby urban residential development could continue to progress at some point in the future;
3. Staff advises that the City's standard draft approval conditions have been incorporated into the Resolution section of this report. In addition, the following observations are provided for clarification purposes with respect to the recommended draft plan conditions:
 - a. The request from Bell Canada to secure easements across the frontages of the proposed lots is addressed in recommended Conditions #8 and #9;
 - b. Building Services request to address soils conditions and the need for standard geotechnical work on the subject lands is addressed in recommended Condition #7;
 - c. Those comments provided Development Engineering and the City's Drainage Section with respect to servicing the proposed draft plan of subdivision are provided for in the City's standard draft approval conditions; and,
 - d. No further site-specific draft plan approval conditions were requested by any of the circulated agencies and departments.

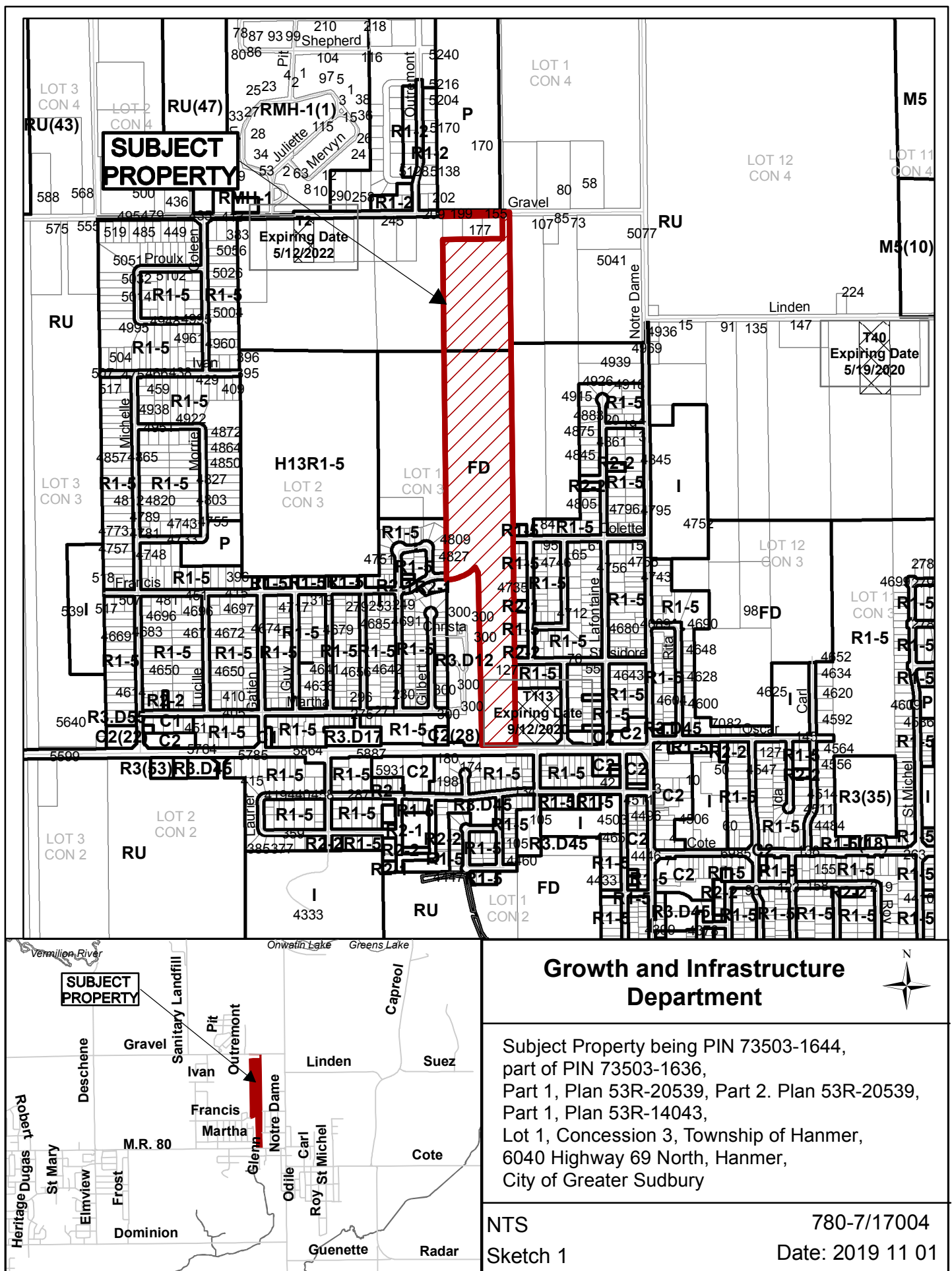
CONCLUSION:

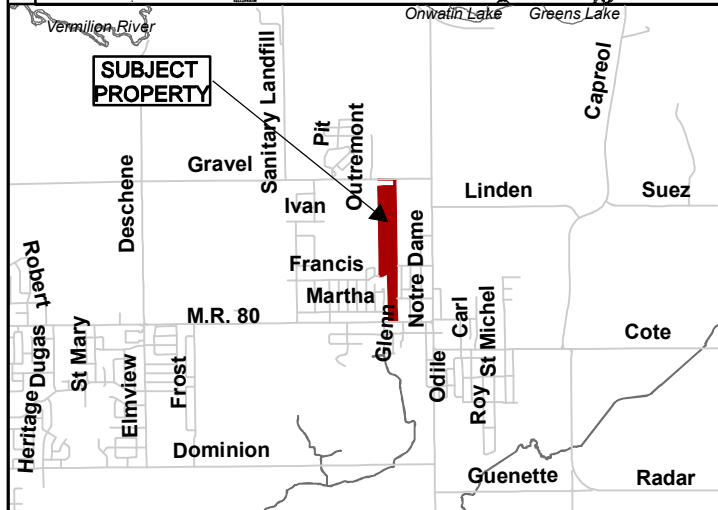
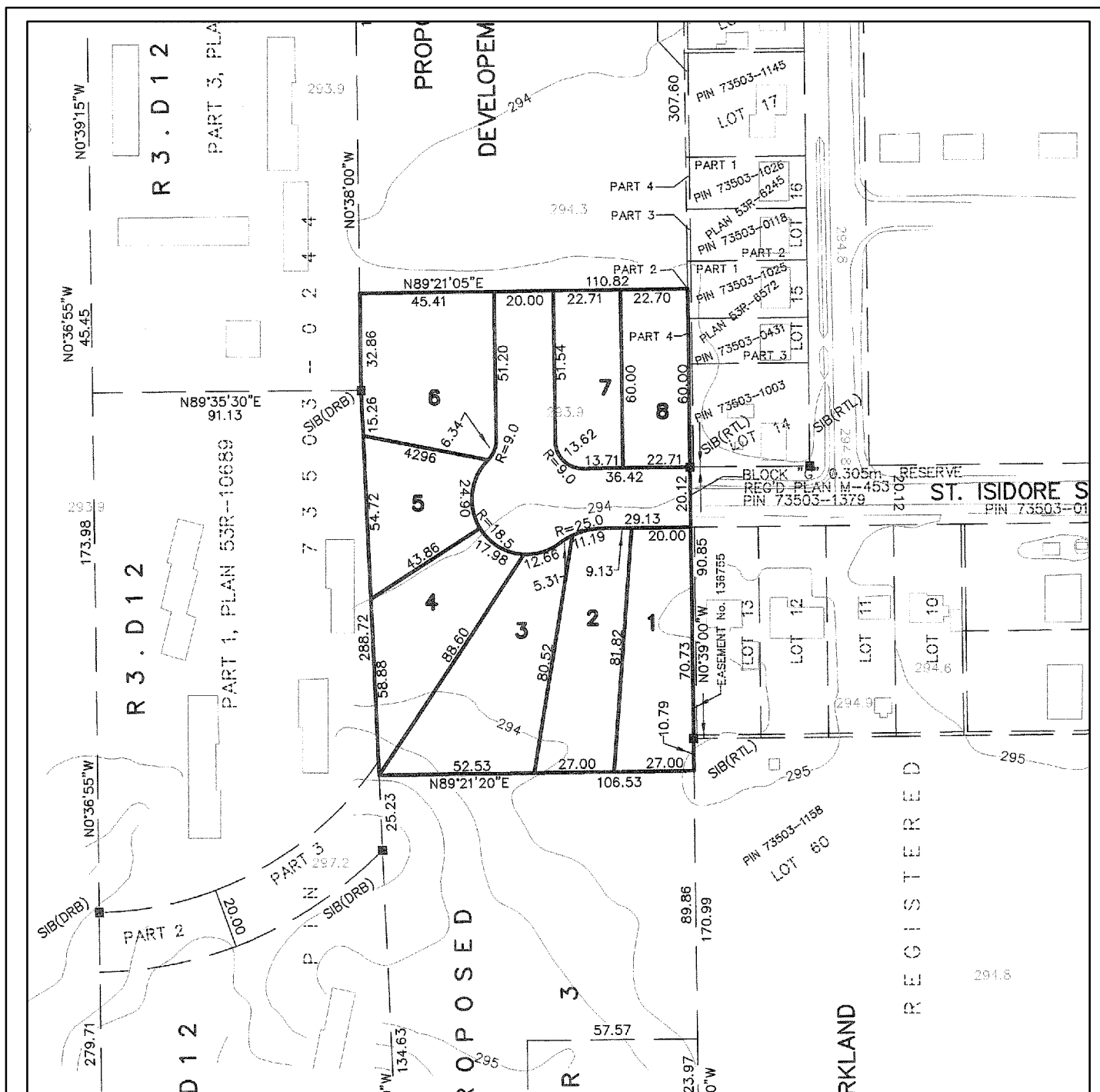
Staff has reviewed the development proposal and is satisfied that it conforms to the Official Plan for the City of Greater Sudbury. The development proposal is also generally consistent with the land use planning policy directions identified in the PPS. Staff also notes that the application conforms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


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

- That the amending zoning by-law contain the following site-specific provisions:
 - a. That a northerly portion of the lands having a dimension of 201 m (659.45 ft) by 105 m (344.39 ft) and a lot area of approximately 2.83 ha (6.99 acres) be zoned “RU” in order to facilitate a lot addition with those lands to the north described as being PIN 73503-1636, known municipally as 177 Gravel Drive
 - b. That the only permitted use on the lands to be rezoned “FD(S)” be that of one single-detached dwelling and that site plan control be applicable to the lands in order to ensure that the development of a single-detached dwelling on the lands not compromise future urban residential development;
 - c. That the lands intended to be situated within the proposed draft plan of subdivision be zoned “R1-5” and that no site-specific relief be provided; and,
 - d. That the lands to the south of the proposed draft plan of subdivision and having frontage on Municipal Road #80 be zoned “R3” and that no site-specific relief be provided.

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



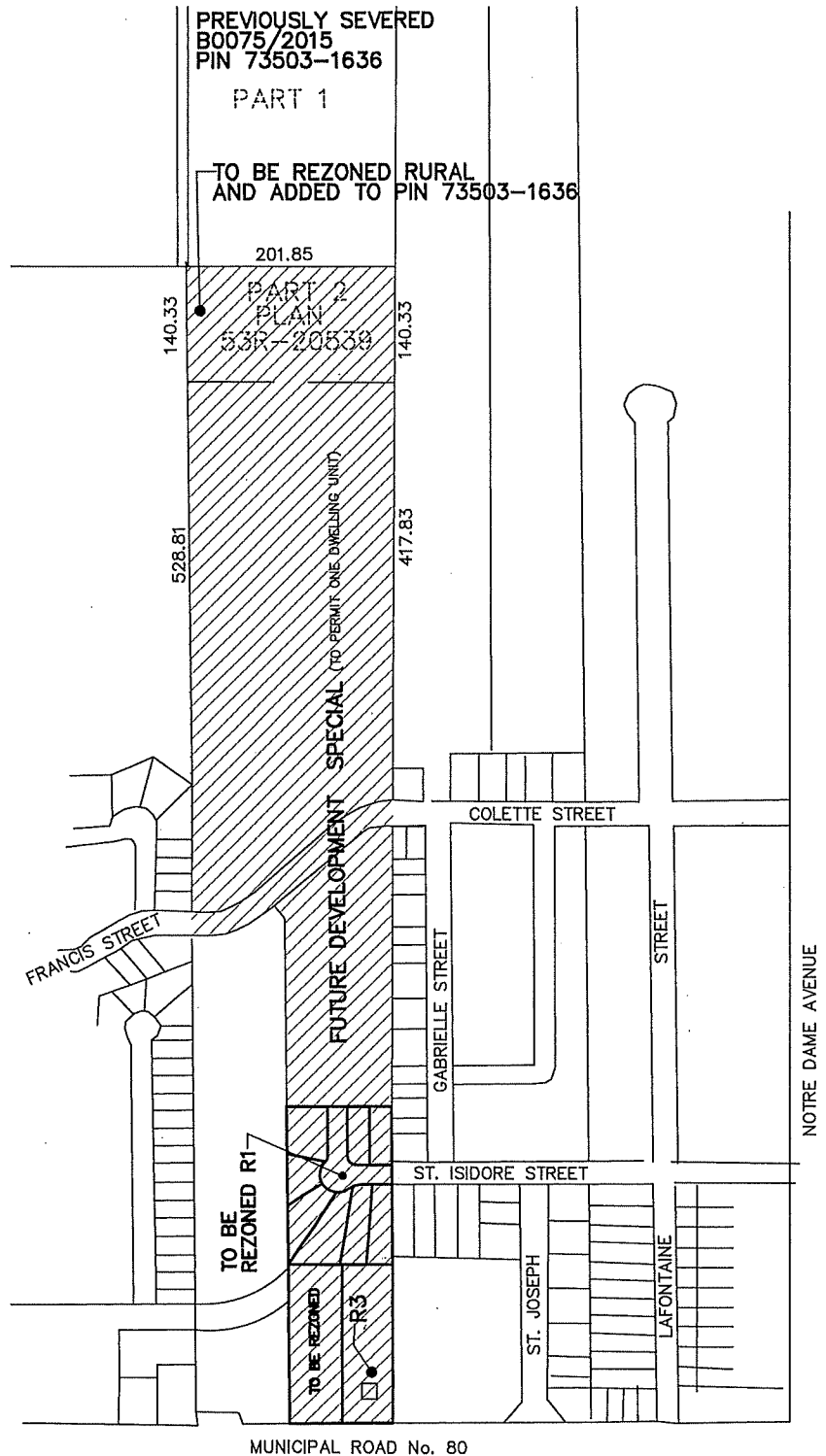


Growth and Infrastructure Department 	
Subject Property being PIN 73503-1644, part of PIN 73503-1636, Part 1, Plan 53R-20539, Part 2. Plan 53R-20539, Part 1, Plan 53R-14043, Lot 1, Concession 3, Township of Hanmer, 6040 Highway 69 North, Hanmer, City of Greater Sudbury	
NTS Sketch 1	780-7/17004 Date: 2019 11 01

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.



MUNICIPAL ROAD No. 80

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.DSDORLANDLIMITED.CA

PREPARED BY : WJM

30 of 98

CHECKED :

CAD FILE : 17321_SK2.dwg

DATE : OCTOBER 9, 2019

P.S. TAB : REQUIRED SKETCH

DRAFT PLAN
OF PROPOSED SUBDIVISION
PART OF
PIN 02132 - 0415
BEING PART OF
LOT 1
CONCESSION 3
GEOGRAPHIC TOWNSHIP OF HANMER
CITY OF GREATER SUDBURY
DISTRICT OF SUDBURY

SCALE 1:1500
0 10 20 30 40 50 100
METRES

D.S. DORLAND LIMITED
ONTARIO LAND SURVEYORS

OWNER'S CERTIFICATE

WE, BEING THE REGISTERED OWNERS OF
THE SUBJECT LANDS HEREBY AUTHORIZE D.S. DORLAND LTD.
TO PREPARE THIS DRAFT PLAN OF SUBDIVISION FOR APPROVAL

DECEMBER 12, 2016

DATE

RONALD THIBERT

DECEMBER 12, 2016

DATE

NORMAND THIBERT

ADDITIONAL INFORMATION

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

- A) AS SHOWN
B) AS SHOWN
C) AS SHOWN
D) LOTS 1 TO 9 - R1 RESIDENTIAL
E) ADJOINING LANDS TO THE NORTH ARE VACANT
ADJOINING LANDS TO THE EAST ARE ZONED PARKLAND, R1-5 AND R2-2
ADJOINING LANDS TO THE SOUTH ARE VACANT
ADJOINING LANDS TO THE WEST ARE ZONED MULTIPLE RESIDENTIAL R3.D12
F) AS SHOWN
G) AS SHOWN
H) MUNICIPAL WATER AVAILABLE
I) SAND, SILTY CLAY
J) AS SHOWN
K) FIRE, AMBULANCE, GARBAGE COLLECTION, HYDRO, BELL, GAS, POLICE, WATER AND SEWER,
CABLE, SCHOOLS
L) PIN 73503-16440S SUBJECT TO EASEMENT No. LT129163 IN FAVOUR OF VALE CANADA
LIMITED.

AREA OF APPLICATION

LOTS 1-8 = 1.76 ha.

NOTE

ALL BEARINGS SHOWN HEREON ARE UTM GRID DERIVED FROM
REAL TIME NETWORK OBSERVATIONS, REFERRED TO THE
CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE),
NAD 83 (CSRS) (VER. 4/2002). REAL TIME NETWORK
OBSERVATIONS HAVE BEEN CONFIRMED THROUGH VARIOUS
MONUMENTS IN THE AREA OF THE SURVEY.

DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND
DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY
MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999560.

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.

SUDBURY, ONTARIO

D. S. DORLAND
ONTARIO LAND SURVEYOR

NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS
PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION
OF D.S. DORLAND LTD.

© D.S. DORLAND LTD., 2019

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.DSDORLANDLIMITED.CA	
PREPARED BY : WJM	SCALE : 1:1500 METRIC
CHECKED :	CAD FILE : 17321 DRAFT.dwg
DATE : OCTOBER 9, 2019	P. SPACE TAB : DRAFT PLAN 31 of 98

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



PHOTO #1 – Subject lands including the existing single-detached dwelling on the lands as viewed from Municipal Road #80 looking west.



PHOTO #2 – Existing public park with baseball diamond, playground and Valley East Lions Club located to the immediate east of the subject lands at the corner of Muncipal Road #80 and St. Joseph Street.



PHOTO #3 – Existing urban residential land uses with mature vegetation along Municipal Road #80 to the immediate west of the subject lands.



PHOTO #4 – Existing single-detached dwellings having frontage on Municipal Road #80 to the immediate south of the subject lands.



PHOTO #5 – Middle vacant portions of the subject lands as viewed from the end of Collette Street looking west.



PHOTO #6 – Middle vacant portions of the subject lands as viewed from the end of St. Isidore Street looking west.

Request for Decision

Zulich Enterprises Ltd. - Application to extend a draft approved plan of subdivision approval (Lionsgate Subdivision, Sudbury)

Presented To:	Planning Committee
Presented:	Monday, Sep 21, 2020
Report Date	Wednesday, Aug 26, 2020
Type:	Routine Management Reports
File Number:	780-6/91001

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 Parcels 47877 & 49386, Part of Parcels 10126 & 33014, Lots 9 & 10, Concessions 3 & 4, Township of Neelon, File # 780-6/91001, in the report entitled "Zulich Enterprises Ltd.", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on September 21, 2020, upon payment of Council's processing fee in the amount of \$2,813.75 as follows:

1. 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."

2. By deleting Condition #23 and replacing it with the following:

"23. That this draft approval shall lapse on September 14, 2023."

3. By adding the following words at the end of Condition #24:

"A soils caution agreement, if required, shall be registered on title, to the satisfaction of the Chief Building Official and the City Solicitor."

4. By deleting Condition #25 and replacing it with the following:

"25. 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

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed Aug 26, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Aug 26, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Aug 31, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Sep 3, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Sep 3, 20

development must be limited to the existing pre-development site runoff resulting from a 2 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;

b) The underground storm sewer system within future right-of-way classified as collector, 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;

c) 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 predevelopment runoff resulting from a 100 year design storm or Regional storm event, whichever is greater;

d) "Enhanced" level must be used for the design of storm-water quality controls and 20% over-control of peak flows as defined by the Ministry of the Environment, Conservation and Parks;

e) Storm-water management must follow the recommendations of the Ramsey Lake Sub-watershed Study;

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

g) 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;

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

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

5. By deleting Condition #26 and replacing it with the following:

"26. 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 Infrastructure and the Nickel District Conservation Authority. Siltation controls 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 adding the words "Canada Post," after "Bell," in Condition #29;

7. By adding the word "Services" after "Director of Planning" in Conditions #34 and #39;

8. By adding a new Condition #41 as follows:

"41. 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."

9. By adding a new Condition #42 as follows:

“42. 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 Lionsgate draft approved plan of subdivision in the community of Sudbury for a period of three years until September 14, 2023. The Planning Services Division has reviewed the request to extend the 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.

Building Services has requested that verbiage relating to possible requirement for a soils caution agreement that would be registered on title of the lands be added to the City's standard geotechnical condition. Conservation Sudbury has recommended that the existing condition addressing erosion and sediment control during construction of the subdivision be updated to reflect current verbiage and best practices. 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 future and further development of the Lionsgate subdivision. Environmental Planning Initiatives has provided comment that the owner is advised that prior to vegetation removal or other site alteration on the subject lands they are 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. 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 \$845,000 in taxation revenue, based on the assumption of 126 single family dwelling units at an estimated assessed value of \$500,000 per dwelling units at the 2020 property tax rates.

In addition, this development would result in total development charges of approximately \$2,300,000 based on the assumption of 126 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: August 17, 2020

STAFF REPORT

Applicant:

Zulich Enterprises Ltd.

Location:

Parcels 47877 & 49386, Part of Parcels 10126 & 33014, Lots 9 & 10, Concessions 3 & 4, Township of Neelon (Lionsgate Subdivision, Sudbury)

Application:

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on August 19, 1991. The draft approval was most recently extended on September 14, 2017 when Plan 53M-1428 was registered as a phase of the Lionsgate Subdivision. This most recent registration facilitated the creation of 26 new urban residential lots having frontage on Hazelton Drive in Sudbury.

There was one administrative extension issued by the Director of Planning Services having the effect of establishing a new lapsing date of December 14, 2020, in order to allow for agencies and departments to complete their review of the request. The most recent administrative extension was also granted in order to also afford staff the opportunity to schedule the item to a meeting of Planning Committee that is appropriate given the emerging and changing best practices for scheduling meetings due to the Covid-19 global pandemic.

Proposal:

The owner is requesting that the draft approval conditions for the above noted lands be extended for a period of three years until September 14, 2023.

Background:

The City received a written request via email from Zulich Enterprises Ltd. on May 19, 2020, to extend the draft approval on a plan of subdivision for a period of three years on those lands described as Parcels 47877 & 49386, Part of Parcels 10126 & 33014, Lots 9 & 10, Concessions 3 & 4, Township of Neelon. The draft approved plan of subdivision was initially approved by Council for a total of 255 urban residential lots to the south of Kingsway Boulevard and to the north of Bancroft Drive between Third Avenue and Levesque Street in the community of Sudbury. The remaining lots within the draft approved plan of subdivision are to be accessed from Bancroft Drive via the continuation of Hazelton Drive. The Lionsgate Subdivision is also intended to have access to Kingsway Boulevard to the north once fully built out.

Staff notes that the most recent phase of the subdivision was registered as Plan 53M-1428 on September 14, 2017. In accordance with Council policy, a three year extension was granted at this time with a new lapsing date of September 14, 2020 having been established. Staff further notes however that the draft approval is now set to expire on December 14, 2020 following an administrative extension that was granted in order to afford staff time to review the request during the ongoing Covid-19 global pandemic. Staff has circulated the request to relevant agencies and departments and is now bringing forward this report to extend the draft approval to September 14, 2023.

Date: August 17, 2020

Departmental & Agency Circulation:

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

Active Transportation has noted that the owner will be required to construct Hazelton Drive, Lionsgate Drive and Arrowdale Street to an urban collector standard complete with on-road bicycle lanes and sidewalks on both sides. On-street parking will be restricted on both sides of Hazelton Drive, Lionsgate Drive and Arrowdale Street.

Building Services has requested that Condition #24 be updated to reflect current standard draft approval condition verbiage with respect to a soils caution agreement being registered on title of the lands, if required, to the satisfaction of the Chief Building Official.

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.

Conservation Sudbury has no concerns with the draft approval extension request. Conservation Sudbury has however noted that existing Condition #26 should be updated to reflect current wording and best practices with respect to the requirement for Erosion and Sediment Control Plan that details the location and types of erosion and sediment control measures that are to be implemented during the construction of each new phase of the Lionsgate Subdivision. 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 since initial draft approval there have been five phases of the Lionsgate Subdivision that have proceeded to construction with the most recent phase being registered in September 2017. Development Engineering further advises that they have not yet received any construction drawings from the owner with respect to their next planned phase of the Lionsgate Subdivision.

The City's Drainage Section has requested that Condition #25 be deleted and replaced with one comprehensive 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.

Environmental Initiatives 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 advised to consult with the Ontario Ministry of the Environment, Conservation and Parks.

Planning Considerations:

Official Plan

Section 20.4.2 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.

Date: August 17, 2020

Staff notes that this particular draft plan approval was originally approved by Council on August 19, 1991, and at the time of writing this report, there are 126 remaining lots within the draft approved Lionsgate Subdivision. To date, there have been 129 urban residential lots created within the Lionsgate Subdivision.

The owner did note in their draft approval extension request that they remain committed to fully developing the subdivision and intend on proceeding with another phase once housing demands warrant construction of new homes in the area. The owner also noted that to-date they have registered five phases of the subdivision with a total of 129 urban residential dwelling lots having been developed across said phases.

Draft Approval Conditions

Condition #23 should be deleted entirely and replaced with a sentence referring to September 14, 2023 as the revised date on which the subject draft plan of subdivision approval shall lapse.

The City's Drainage Section has requested that Condition #25 be updated to reflect current standard draft approval condition practices in terms of the infrastructure that will be required to facilitate development of the Lionsgate Subdivision. These requested changes are reflected in the Resolution section of this report as an amendment to existing Condition #25 and a new Condition #42.

Staff recommends that a standard draft approval condition be added that in accordance with Section 59(4) of the Development Charges Act, that 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. This requested change is reflected in the Resolution section of this report as new Condition #41 that is being recommended.

Building Services and Conservation Sudbury have both requested housekeeping changes to existing verbiage contained within existing Conditions #24 and #26 respectively.

No other administrative or 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.

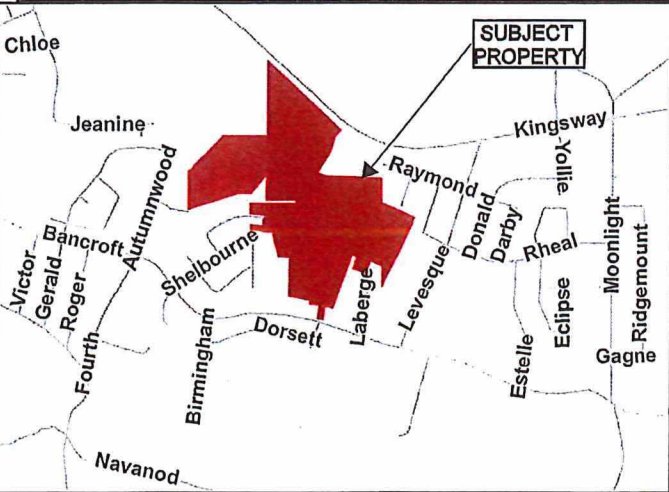
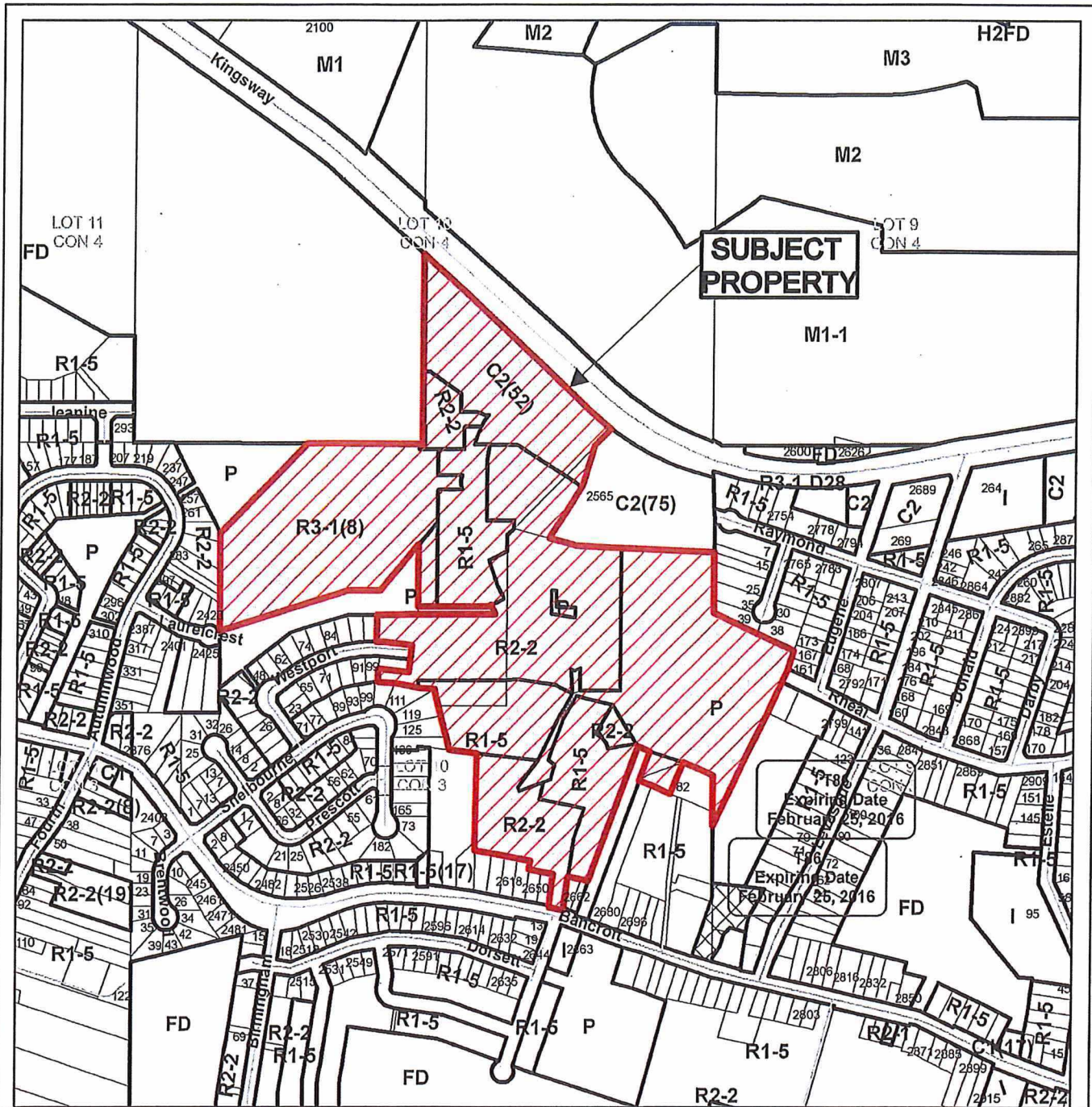
The existing draft approval conditions are attached to this report along with two sketches of the draft approved plan of subdivision dated July 19, 1991 and June 18, 2010 respectively for reference purposes.

Processing Fees

The owner is required to pay the applicable processing fee in the amount of \$2,813.75. 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 2020-26 being the Miscellaneous User Fees for Certain Services 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. 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 Lionsgate Subdivision for a period of three years until September 14, 2023, be approved as outlined in the Resolution section of this report.



Growth and Development Department



Subject Property being PINs 73576-0348, 73576-0373, 73576-0028, 73576-0175, 73576-0303, 73576-0322, 73576-0321, 73576-0323, 73561-0019, 73576-0372, and part of PINs 73576-0029 & 73576-0371 Lots 9 & 10, Con 3 & 4, Twp. of Neelon, Kingsway, Sudbury, City of Greater Sudbury

NTS
Sketch 1

780-6/91001
Date: 2016 06 16

REVISED 1991-07-19

ZONING CHART			
	Single Family	Single Family with Basement Apartment	Duplex
(A)	X		
(B)	X	X	
(C)	X	X	X

NOTE: (C) SPECIAL (ADDITIONAL STOREY REQUIRED MAIN FLOOR COMMERCIAL, 2ND & 3RD FLOOR RESIDENTIAL - TOWN HOUSES)



ISSUED
JUL 19 1991
DENNIS
CORNELL TAYLOR
2 of 2
ZULICH KIMSHAW

**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 Parcels 10126, 33014 and 45812, the remainder of Parcels 8195, 13971 and all of Parcels 47877 and 49386 SES, Lots 9 and 10, Concessions 3 and 4, Township of Neelon, prepared by Steve Gossling and dated Revised 1991-07-19; and as subsequently revised by a sketch plan titled Hazelton Subdivision Revised Road and Lot Fabric - J.L. Richards Civil Engineers (Revised 2010-06-18 D.K.W.)
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. ~~That Regional capital levies be imposed in accordance with By-law 89-111.~~
(Deleted November 16th, 1999)
10. That 5% of the land included in the subdivision be deeded to the City of Greater Sudbury for parks purposes pursuant to Subsection 50 (5) (a) of the Planning Act.
11. That access to the Kingsway be restricted through the placement of 0.3 m reserves along all lot or block boundaries that abut the Kingsway.
12. Deleted.

13. That the subdivision agreement contain provisions whereby the owner agrees to construct left and right turn lanes for the Kingsway at Lionsgate Drive intersection and a traffic impact study be undertaken by the owner which outlines the remedial work, if any, required to address the impacts of the development on the surrounding roadways.
14. Deleted.
15. Deleted.
16. That prior to the signing of the final plan the owner shall indicate the type of treatment proposed for areas of extreme slope, and suitable provisions shall be incorporated into the subdivision agreement to ensure the treatment is undertaken to the satisfaction of the General Manager of Growth and Infrastructure.
17. 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, side yards, 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.
18. That Block 259 shall be consolidated with Parcel 49232 S.E.S. and Block 264 be consolidated with Parcel 49386 S.E.S. (Secondly) upon registration of the final plan.
19. 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.
20. Deleted.
21. 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 #5, #6, #7, #8, #10, #11, #13, #16 and #18 have been complied with to his satisfaction.
22. Deleted.
23. That this draft approval shall lapse on December 14, 2020.

24. 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 soils and groundwater conditions within the proposed development. Also the report should include design information and recommended construction procedures for the following items: storm and sanitary sewers, watermain, 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.
25. Prior to the submission of servicing plans, the applicant/owner shall provide a stormwater management report and plan for this development, prepared by a consulting civil engineer with a valid certificate of authorization. Said report shall establish how the quantity and quality of stormwater will be managed within the subdivision development and assess the impact of stormwater runoff from this development on abutting lands, on the downstream water courses, on area waterbodies and on Ramsey Lake and adjacent wetlands. 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. The formula for cost sharing on any required downstream works will be established to the satisfaction of the General Manager of Growth and Infrastructure after study completion and prior to the signing of the final plan.
26. 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 sedimentation 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 sedimentation 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.
27. The owner provide 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 borne totally by the owner.
28. The owner provide 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 borne totally by the owner.

29. 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.
30. The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, sidewalks, walkways, storm sewers and related appurtenances to the City of Greater Sudbury Engineering Standards at the time of submission.
31. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
32. The owner will be required to ensure that the corner radius for all intersecting streets is to be 9.0 m.
33. Prior to initial acceptance of all storm sewers or sanitary sewers, camera inspections will be required on any newly constructed works.
34. 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 Growth and Infrastructure, that sufficient sewage treatment capacity and water capacity exists to service the development.
35. The developer will be required to provide a geo-technical 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.
36. 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.
37. 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 the 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.

- 38. Should the developer's schedule require commencement of blasting and rock removal prior to the site plan 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.
- 39. 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.
- 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.



May 22, 2020

Alex Singbush
Manager of Development
City of Greater Sudbury

Reference: File # 780-6/91001—Lionsgate 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. Location of such CMBs will be decided once a CUP plan is prepared and sent to me

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
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)

Request for Decision

Vytis Lands (Kagawong) Ltd. - Application to extend a draft approved plan of subdivision approval (Vytis Timestone Subdivision, Sudbury)

Presented To:	Planning Committee
Presented:	Monday, Sep 21, 2020
Report Date	Wednesday, Aug 26, 2020
Type:	Routine Management Reports
File Number:	780-6/1101

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 PINs 73572-0248 & 73561-0008, Lots 10 & 11, Concession 4, Township of Neelon, File # 780-6/11001, in the report entitled "Vytis Lands (Kagawong) Ltd.", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on September 21, 2020, as follows:

1. By deleting Condition #11 and replacing it with the following:

"11. That this draft approval shall lapse on September 12, 2022."

2. That the words "Director of Leisure, Community and Volunteer Services" be replaced with "Director of Leisure Services" in Condition #14

3. By adding the following sentence at the end of Condition #23:

"A soils caution agreement, if required, shall be registered on title, to the satisfaction of the Chief Building Official and the City Solicitor."

4. By adding the following sentence at the end of Condition #24:

"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."

5. By adding the words "Canada Post," after "Bell," in Condition #32;

6. By deleting Condition #35 and replacing it with the following:

"35. 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

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed Aug 26, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Aug 26, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Aug 31, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Sep 3, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Sep 3, 20

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. Siltation controls 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.”

7. By deleting Condition #25 and replacing it with the following:

“25. 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 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;
- b) The underground storm sewer system within future right-of-way classified as collector, 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 10 year design storm;
- c) 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;
- d) “Enhanced” level must be used for the design of storm-water quality controls and 20% over-control of peak flows as defined by the Ministry of the Environment, Conservation and Parks;
- e) Storm-water management must follow the recommendations of the Ramsey Lake Sub-watershed Study;
- f) The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any storm-water management plan;
- g) 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;
- h) Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties; and,
- i) Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted.”;

8. By deleting Conditions #41 and #49 entirely;

9. By adding a new Condition #50 as follows:

“50. 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.”

10. By adding a new Condition #51 as follows:

“51. 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 Vytis Timestone draft approved plan of subdivision in the community of Sudbury for a period of two years until September 12, 2022. 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 two 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 verbiage relating to the possible requirement for a soils caution agreement that would be registered on title of the lands be added to the City’s standard geotechnical condition. Conservation Sudbury has recommended that the existing condition addressing erosion and sediment control during construction of the subdivision be updated to reflect current verbiage and best practices. Development Engineering has noted that since initial draft approval there have construction drawings for a first phase were submitted for review on April 17, 2015. At the time of writing this report, the first phase has not proceeded to the Ministry of Environment and Climate Change (MOECC) regarding compliance requirements around construction of said first phase. 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 future and further development of the Vytis Timestone Subdivision. Environmental Planning Initiatives has provided comment that the owner is advised that prior to vegetation removal or other site alteration on the subject lands they are 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. 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 \$235,000 in taxation revenue, based on the assumption of 35 single family dwelling units at an estimated assessed value of \$500,000 per dwelling units at the 2020 property tax rates.

In addition, this development would result in total development charges of approximately \$640,000 based

on the assumption of 35 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).

This application also includes 19 business industrial lots. However, staff is unable to determine the property taxation and development charge implications as the size/type of building development for each of the 19 lots is unknown at this time.

Date: August 18, 2020

STAFF REPORT

Applicant:

Vytis Lands (Kagawong) Ltd.

Location:

PINs 73572-0248 & 73561-0008, Lots 10 & 11, Concession 4, Township of Neelon (Vytis Timestone Subdivision, Sudbury)

Application:

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on September 12, 2011. The draft approval was most recently extended by Council on September 12, 2017, and is set to expire again on December 12, 2020, following a temporary administrative extension for a draft approved plan of subdivision on those lands described as PINs 73572-0248 & 73561-0008, Lots 10 & 11, Concession 4, Township of Neelon.

As noted above, there was one administrative extension issued by the Director of Planning Services having the effect of establishing a new lapsing date of December 12, 2020, in order to allow for agencies and departments to complete their review of the request. The most recent administrative extension was also granted in order to also afford staff the opportunity to schedule the item to a meeting of Planning Committee that is appropriate given the emerging and changing best practices for scheduling meetings due to the Covid-19 global pandemic.

Proposal:

The owner is requesting that the draft approval conditions for the above noted lands be extended for a period of two years until September 12, 2022.

Background:

The City received a written request via email from the owner's agent on May 26, 2020, to extend the draft approval on a plan of subdivision for a period of two years on those lands described as PINs 73572-0248 & 73561-0008, Lots 10 & 11, Concession 4, Township of Neelon. The draft approved plan of subdivision was initially approved by Council for a total of 19 industrial lots and 35 urban residential lots, along with 4 parks/open space blocks of land to the south of Kingsway Boulevard and to the east of Third Avenue in the community of Sudbury. The lots within the Vytis Timestone Subdivision are to be accessed from Kingsway Boulevard and with southerly road connections to the Hazelton and Lionsgate Subdivisions.

Staff notes that no phases of the draft approved plan of subdivision have been registered since the initial draft approval granted by Council on September 12, 2011. It should be noted however that construction drawings for a first phase were submitted for review on April 17, 2015. At the time of writing this report, the first phase has not proceeded to the Ministry of Environment and Climate Change (MOECC) regarding compliance requirements around construction of said first phase. No changes are requested the existing draft approval conditions.

Staff further notes that the draft approval is now set to expire on December 12, 2020 following an administrative extension that was granted in order to afford staff time to review the request during the ongoing Covid-19 global pandemic. Staff has circulated the request to relevant agencies and departments and is now bringing forward this report to extend the draft approval to September 12, 2022.

Date: August 18, 2020

Departmental & Agency Circulation:

Fire Services, Leisure Services, Operations, Roads, Traffic and Transportation, and Transit Services have each advised that they have no concerns from their respective areas of interest. Canada Post was also circulated the request to extend the draft approval for the Vytis Timestone Subdivision and did not provide any comments.

Active Transportation has noted that the owner will be required to construct a portion of the streets within the Vytis Timestone Subdivision (i.e. from Jeanine Street in an easterly direction and connecting generally then connecting to Kingsway Boulevard) to an urban collector standard complete with on-road bicycle lanes and sidewalks on both sides. On-street parking shall be restricted on both sides of streets constructed to said urban collector standard.

Building Services has requested that Condition #23 be updated to reflect current standard draft approval condition verbiage with respect to a soils caution agreement being registered on title of the lands, if required, to the satisfaction of the Chief Building Official.

Conservation Sudbury has no concerns with the draft approval extension request. Conservation Sudbury has however noted that existing Condition #35 should be updated to reflect current wording and best practices with respect to the requirement for an Erosion and Sediment Control Plan that details the location and types of erosion and sediment control measures that are to be implemented during the construction of each new phase of the Vytis Timestone Subdivision. 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 since initial draft approval there have construction drawings for a first phase were submitted for review on April 17, 2015. At the time of writing this report, the first phase has not proceeded to the Ministry of Environment and Climate Change (MOECC) regarding compliance requirements around construction of said first phase. No changes are requested the existing draft approval conditions.

The City's Drainage Section has requested that Condition #25 be deleted and replaced with one comprehensive 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. Condition #41 may also now be deleted as the updated Condition #25 addresses the need for conveyances of drainage channels when and where required to service the Vytis Timestone Subdivision. There is also a new Condition #42 being recommended that would provide clarity to the owner that they are responsible for the design and construction and conveyance of lands for any new storm-water management works that would be required in order to service the Vytis Timestone Subdivision.

Environmental Initiatives 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 advised to consult with the Ontario Ministry of the Environment, Conservation and Parks. It is therefore recommended that existing Condition #49 be deleted as it is no longer necessary given the above caution to the owner.

Water/Wastewater notes that the subject lands are within a Source Water Protection Area (ie. Intake Protection Zone 3 – Ramsey and the Ramsey Lake Issue Contributing Area). It is noted that a Risk Management Plan will be required for the activity of applying road salt and the storing of snow should there be any external parking lots having an area of equal to or greater than 1 ha (2.47 acres). The future handling and storage of road salt is also prohibited in the Ramsey Lake Issue Contributing Area. It is further noted however that no specific changes to the existing draft plan approval conditions are necessary.

Date: August 18, 2020

Planning Considerations:

Official Plan

Section 20.4.2 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 September 12, 2011, and at the time of writing this report none of the 19 industrial lots and 35 urban residential lots, along with 4 parks/open space blocks of land, have been registered.

The owner did not provide an update in regards to their progress on clearing draft approval conditions in their emailed letter dated May 26, 2020.

Draft Approval Conditions

Condition #11 should be deleted entirely and replaced with a sentence referring to September 12, 2022, as the revised date on which the subject draft plan of subdivision approval shall lapse.

The City's Drainage Section has requested that Condition #25 be updated to reflect current standard draft approval condition practices in terms of the infrastructure that will be required to facilitate development of the Vytis Timestone Subdivision. These requested changes are reflected in the Resolution section of this report as an amendment to existing Condition #25 and a new Condition #51.

Staff recommends that a standard draft approval condition be added that in accordance with Section 59(4) of the Development Charges Act, that 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. This requested change is reflected in the Resolution section of this report as new Condition #50 that is being recommended.

Building Services and Conservation Sudbury have both requested housekeeping changes to existing verbiage contained within existing Conditions #23 and #35 respectively.

No other administrative and housekeeping changes to the draft approval documents are required at this time. Further to this, 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 sketch of the draft approved plan of subdivision dated December 16, 2010, for reference purposes.

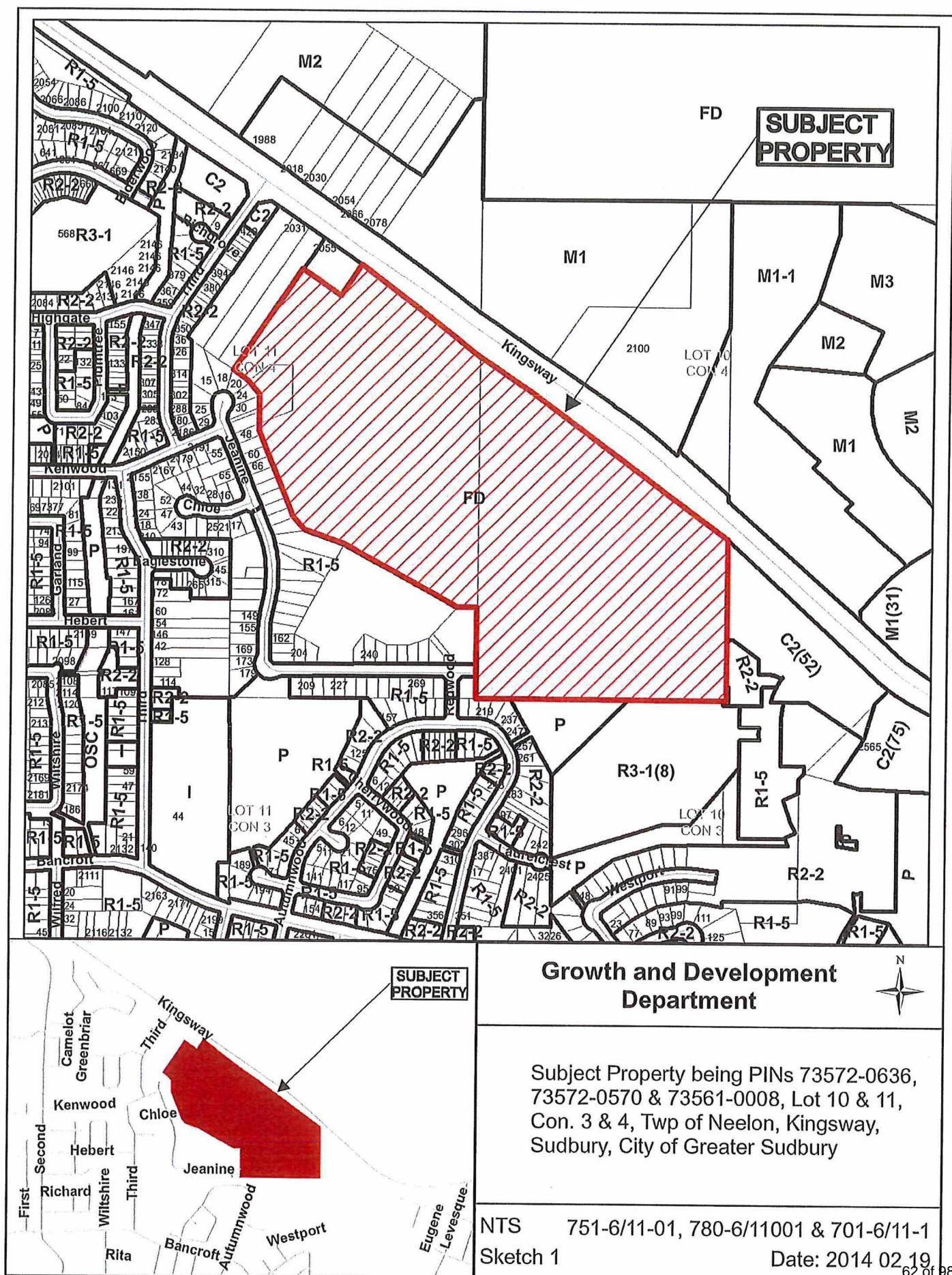
Processing Fees

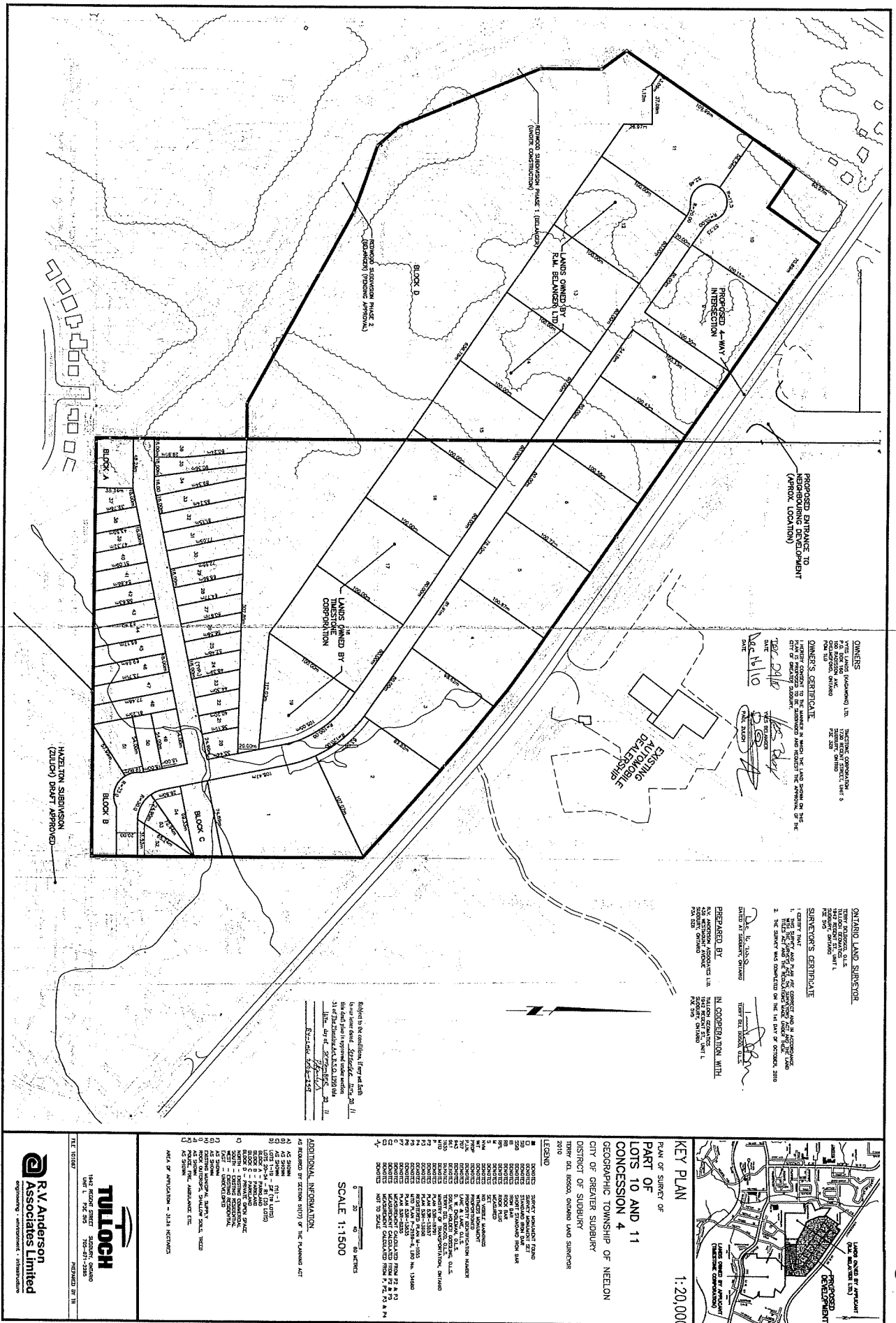
The owner has provided the applicable processing fee in the amount of \$1,998.33. This amount was calculated as per By-law 2020-26 being the Miscellaneous User Fees for Certain Services By-law that was in effect at the time the request was made.

Date: August 18, 2020

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 two 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 Planning Services Division therefore recommends that the application to extend the draft approval for the Vytis Timestone Subdivision for a period of two years until September 12, 2022, be approved as outlined in the Resolution section of this report.





PROPOSED ENTRANCE TO
NEIGHBORING DEVELOPMENT
(APPROX. LOCATION)

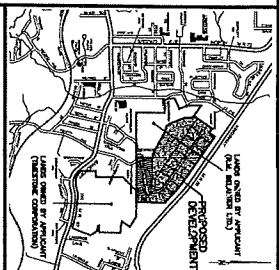
OWNER'S CERTIFICATE
I, the undersigned, being the owner of the land shown on the plan of subdivision, do hereby certify that the plan is a true and correct copy of the plan as approved by the City of Greater Sudbury, Ontario, and that the same is being submitted to the City of Greater Sudbury for its approval.

DATE: 2010
SIGNED: [Signature]
[Signature]

ONTARIO LAND SURVEYOR
TULLOCH ASSOCIATES LTD.
1700 BAYVIEW STREET, SUITE 5
SCARBOROUGH, ONTARIO M1S 5V6
P.O. BOX 100
TEL: 416-291-1110
FAX: 416-291-1111

PREPARED BY:
TULLOCH ASSOCIATES LTD.
1700 BAYVIEW STREET, SUITE 5
SCARBOROUGH, ONTARIO M1S 5V6
P.O. BOX 100
TEL: 416-291-1110
FAX: 416-291-1111

IN COOPERATION WITH:
TULLOCH ASSOCIATES LTD.
1700 BAYVIEW STREET, SUITE 5
SCARBOROUGH, ONTARIO M1S 5V6
P.O. BOX 100
TEL: 416-291-1110
FAX: 416-291-1111



KEY PLAN
1:20,000

PLAN OF SURVEY OF
PART OF
LOTS 10 AND 11
CONCESSION 4
GEOGRAPHIC TOWNSHIP OF NEELON
CITY OF GREATER SUDBURY
DISTRICT OF SUDBURY
TOWNSHIP OF GREATER SUDBURY
2010

LEGEND

BOUNDARY OF LOT 10 AND 11
BOUNDARY OF CONCESSION 4
BOUNDARY OF TOWNSHIP OF NEELON
BOUNDARY OF CITY OF GREATER SUDBURY
BOUNDARY OF DISTRICT OF SUDBURY
BOUNDARY OF TOWNSHIP OF GREATER SUDBURY
BOUNDARY OF LOT 10 AND 11
BOUNDARY OF CONCESSION 4
BOUNDARY OF TOWNSHIP OF NEELON
BOUNDARY OF CITY OF GREATER SUDBURY
BOUNDARY OF DISTRICT OF SUDBURY
BOUNDARY OF TOWNSHIP OF GREATER SUDBURY

SCALE 1:1500
60 METERS

ADDITIONAL INFORMATION
AS REQUIRED BY SECTION 27(1) OF THE PLANNING ACT
1. THE PLAN IS A TRUE AND CORRECT COPY OF THE PLAN AS APPROVED BY THE CITY OF GREATER SUDBURY, ONTARIO, AND THAT THE SAME IS BEING SUBMITTED TO THE CITY OF GREATER SUDBURY FOR ITS APPROVAL.
2. THE SURVEY WAS COMPLETED ON THE 14 DAY OF OCTOBER, 2010.

TULLOCH
1700 BAYVIEW STREET, SUITE 5
SCARBOROUGH, ONTARIO M1S 5V6
P.O. BOX 100
TEL: 416-291-1110
FAX: 416-291-1111

R.V. Anderson Associates Limited
engineering • environmental • infrastructure
1445 KENNEDY STREET, SUITE 100, MARKHAM, ONTARIO L3R 9W7
TEL: 905-477-2300

**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 73572-0248 & 73561-0008, Lots 10 & 11, Concession 4, Township of Neelon as shown on a plan of subdivision prepared by Terry Del Bosco, O.L.S. and dated December 16, 2010 and redlined as follows:
 - a) Lots 1 to 19 to be shown as M1-1
2. That the plan be revised such that Blocks A, B and C be incorporated into the residential lotting in a layout acceptable to the Director of Planning Services.
3. That the streets shall be named to the satisfaction of the Municipality.
4. 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.
5. 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.
6. That the subdivision agreement be registered by the Municipality against the land to which it applies, prior to any encumbrances.
7. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
8. 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.
9. 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.
10. Draft approval does not guarantee an allocation of sewer or water capacity. Prior to the signing of the final plan, the Director of Planning Services is to be advised by the General Manager of Growth and Infrastructure, that sufficient sewage treatment capacity and water capacity exists to service the development.

11. That this draft approval shall lapse on December 12, 2020.
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. That 2% of the cash value of the land for the business industrial lots described on the plan as Lots 1 through 19 shall be paid to the City in lieu of the conveyance of land in accordance with Section 51.1 (3) of the Planning Act.
14. That the Owner agrees to develop a paved pathway extending from the parkland (lots 37 and 38) in this plan to Autumnwood Crescent to the satisfaction of the Director of Leisure, Community and Volunteer Services.
15. That the Owner agrees to improving the existing Autumnwood playground to the satisfaction of the Director of Leisure, Community and Volunteer Services.
16. That the Owner agrees to convey to the City lots 37 and 38 for parks purposes in accordance with Section 51.1 of the Planning Act.
17. 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 including an elevation of the water table 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.
18. The Owner will be required in the geotechnical report to outline 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.

19. The Owner agrees that 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 their 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 particular project.
20. The Owner agrees that 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 infrastructures within the 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.
21. The Owner agrees that the 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.
22. The Owner agrees that should the developer's schedule require to commence blasting and rock removal prior to the site plan 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.
23. The Owner agrees that a geotechnical report is also required to confirm the bearing capacity and suitability of all underlying soils for this development.
24. 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.

25. 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, 1:100 year, and Regional Storm events, so as to limit the volume of flow generated on the site to pre-development levels. The owner shall be required to submit a comprehensive drainage plan of the subject property, and any upstream areas draining through the subdivision. The Regional Storm flow path is to be set out on the plan(s). The civil engineering consultant shall meet with the Development Approvals Section prior to commencing the stormwater management report.
26. 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.
27. The proposed internal subdivision roadways are to be built to urban standards, including barrier curbs, gutters, storm sewers maximum 6% road grades and related appurtenances to the City of Greater Sudbury Engineering Standards at the time of submission.
28. 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 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.
29. 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.
30. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
31. The owner will be required to ensure that the corner radius for all intersecting streets is to be 9.0 m.

32. 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.
33. The owner shall provide 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 borne totally by the owner.
34. The owner shall provide proof of sufficient sanitary sewer capacity in conjunction with the submission of construction drawings for each phase of construction.
35. 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.
36. Sidewalks shall be constructed consistent with Official Plan policies to the satisfaction of the Director of Planning Services.
37. That a Traffic Impact Study be completed to identify any improvements or upgrading that is required to roadways or traffic control in order to accommodate the development.
38. The owner agrees to participate in the cost of any improvements or upgrading identified in the approved Traffic Impact Study, including if and when required the installation of traffic signals at the Kingsway entrance to the development including participating in any front-ending agreements for these improvements or upgrades, all to the satisfaction of the General Manager of Growth and Infrastructure.
39. The owner agrees to construct those roadways which are adjacent to the industrial lands to an urban collector standard.
40. That direct access onto Kingsway Boulevard will be prohibited from the subject property through the dedication of a 0.3 m (9.84 ft) wide reserve along the entire Kingsway Boulevard frontage, except for the future public road right-of-way.

41. The Owner agrees to convey a drainage channel for the Regional Storm along the northern boundary of the proposed subdivision adjacent to the Kingsway, and along the eastern limits of the subject property.
42. The Owner must ensure that adequate turnarounds are provided at the ends of streets for firefighting and school bus vehicles.
43. The owner shall include on all offers to purchase and sale to the satisfaction of the Director of Engineering of the City of Greater Sudbury and Canada Post, a statement that advises the prospective purchaser that home/business mail delivery will be from a designated Community Mail Box.
44. The Owner/Developer further agrees to:
 1. Work with Canada Post to determine and provide temporary suitable Community Mail Box locations, which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision;
 2. Install a concrete pad in accordance with the requirements of, and in locations to be approved by, Canada Post to facilitate the placement of the Community Mail Boxes;
 3. 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. Curb depression will be required if not a roll over curb; and,
 4. These pads are to be installed 3 m (9.84 ft) from a fire hydrant or a transformer.
45. Prior to the submission of servicing plans for any phase that includes Lot 1 and Lots 20 to 54, the location of the 750 mm diameter trunk water-main is to be field determined and the condition of the water-main is to be assessed to the satisfaction of the General Manager of Growth and Infrastructure. The owner shall not connect to the existing 750 mm diameter trunk water-main at any location.
46. The owner is to provide sufficiently wide access to the 750 mm diameter trunk water-main by way of a municipal right-of-way or easements to the satisfaction of the General Manager of Growth and Infrastructure.

...7

47. 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.”
48. 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.
49. 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.

Request for Decision

22 Main Street, Chelmsford - Declaration of Surplus Vacant Land

Presented To:	Planning Committee
Presented:	Monday, Sep 21, 2020
Report Date	Monday, Aug 31, 2020
Type:	Routine Management Reports

Resolution

THAT the City of Greater Sudbury declare surplus to the City's needs, vacant land municipally known as 22 Main Street, Chelmsford, legally described as PIN 73349-1361(LT), and offer the land for sale to the abutting owner to the west pursuant to the procedures governing the sale of limited marketability surplus land as outlined in Property By-law 2008-174, as outlined in the report entitled "22 Main Street, Chelmsford - Declaration of Surplus Vacant Land", from the General Manager of Corporate Services, presented at the Planning Committee meeting on September 21, 2020.

Relationship to the Strategic Plan / Health Impact Assessment

This report refers to an operational matter.

Report Summary

This report will recommend that vacant land municipally known as 22 Main Street, Chelmsford, be declared surplus to the City's needs and offered for sale to the abutting owner to the west.

Financial Implications

This report has no financial implications.

Signed By

Report Prepared By

Angela Roy
Property Administrator
Digitally Signed Aug 31, 20

Manager Review

Keith Forrester
Manager of Real Estate
Digitally Signed Aug 31, 20

Recommended by the Division

Shawn Turner
Director of Assets and Fleet Services
Digitally Signed Aug 31, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Aug 31, 20

Recommended by the Department

Kevin Fowke
General Manager of Corporate Services
Digitally Signed Sep 8, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Sep 9, 20

22 Main Street, Chelmsford – Declaration of Surplus Vacant Land

Presented: September 21, 2020

Report Date: August 28, 2020

Background

The subject land measures 3.96 m x 18.59 m (13' x 61') in size and is zoned 'C6(1)' – Special Downtown Commercial. The location of the land is identified on the attached Schedule 'A'.

In March 2017, the City issued an Order to Remedy Unsafe Building under the Building Code Act due to the structural failure of the roof. The registered owner at the time did not comply with the Order and the building remained unsafe. The City subsequently demolished the building.

In 2019, the City of Greater Sudbury became the registered owner of the land through a failed tax sale process.

The City recently received a request to purchase the land from the abutting property owner to the west.

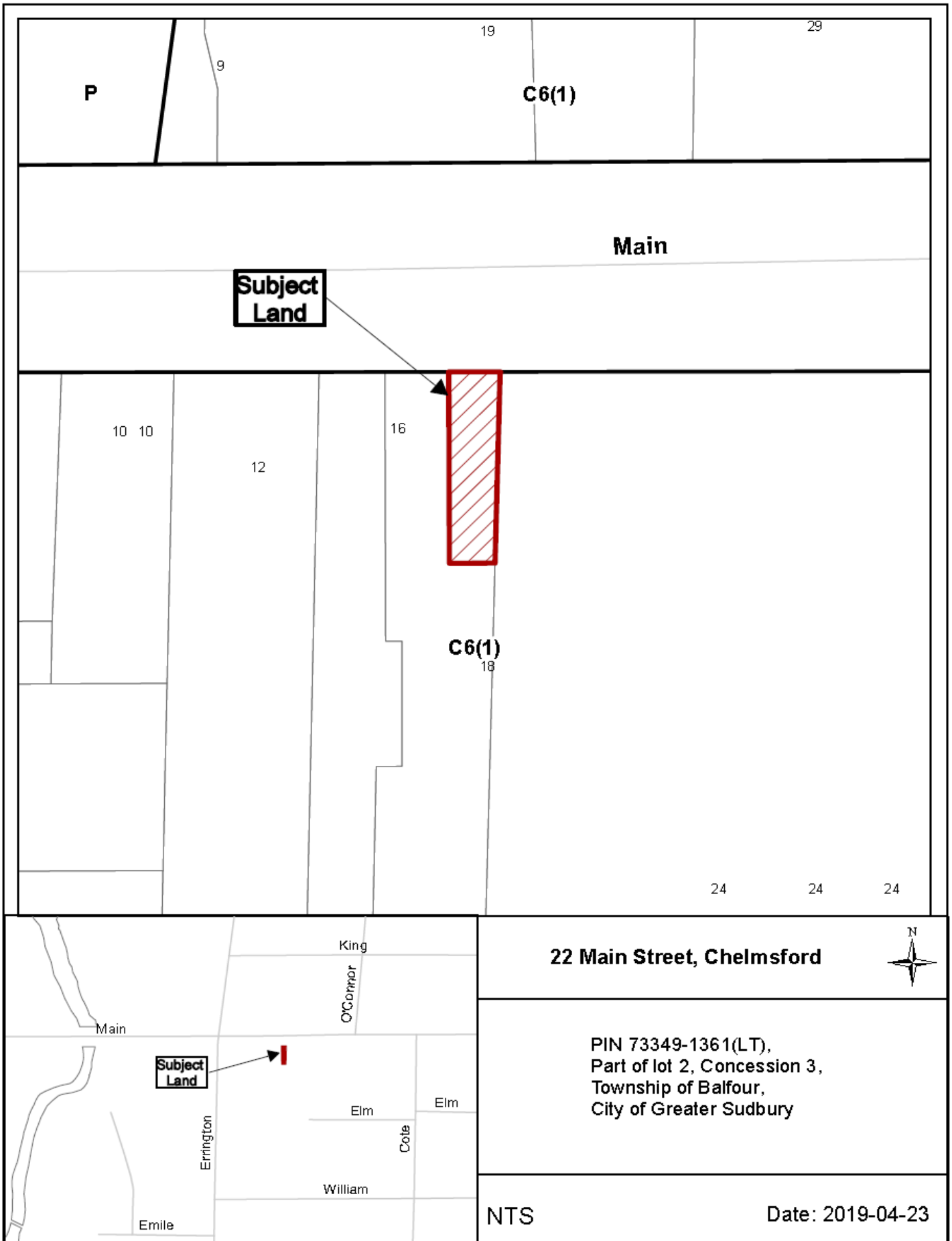
The proposal to declare the land surplus was circulated to all City departments and no objections were received.

Recommendation

It is recommended that the subject land, municipally known as 22 Main Street, Chelmsford, be declared surplus to the City's needs and offered for sale to the abutting property owner to the west.

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

Schedule 'A'



Presented To:	Planning Committee
Presented:	Monday, Sep 21, 2020
Report Date	Monday, Aug 31, 2020
Type:	Managers' Reports

Request for Decision

LaSalle Boulevard Corridor Plan and Strategy - Proposed Zoning By-law Amendment

Resolution

THAT the City of Greater Sudbury directs staff to commence public consultation on the draft amendment to the City's Zoning By-law to implement Official Plan Amendment No. 102 and to return to the Planning Committee with a public hearing pursuant to the Planning Act, as outlined in the report entitled "LaSalle Boulevard Corridor Plan and Strategy - Proposed Zoning By-law Amendment", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on September 21, 2020.

Relationship to the Strategic Plan / Health Impact Assessment

The proposed zoning by-law amendment is consistent with Goal 2.4B of Council's 2019-2027 Strategic Plan which is "to complete the existing nodes and corridors strategy to ensure that strategic centres and corridors are ready for investment that complements transit and active transportation strategies."

Report Summary

This report is the second of three reports on the proposed zoning amendments associated with the LaSalle Boulevard Corridor Plan and Strategy (LBCPS). The first report described the approach to the zoning by-law amendment. This second report includes the draft zoning by-law amendment. The third report will include the final zoning by-law presented for consideration at a public hearing under the Planning Act.

Highlights of the proposed zoning framework include "upzoning" most of LaSalle Boulevard to C2 (General Commercial), and establishing build-to line from the Right Of Way. In order to complement that concept, the amendment introduces a requirement that a certain percentage of the front lot line be occupied by a building

Staff should now be directed to commence public consultation on the draft zoning by-law and to return to Planning Committee with a public hearing.

Signed By

Report Prepared By

Ed Landry
Senior Planner
Digitally Signed Aug 31, 20

Manager Review

Kris Longston
Manager of Community and Strategic Planning
Digitally Signed Aug 31, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Aug 31, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Sep 3, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Sep 3, 20

Financial Implications

There are no financial implications associated with this report at this time.

LaSalle Boulevard Corridor Plan and Strategy

Proposed Zoning By-law Amendment

Planning Services Division

Report Date: August 31, 2020

Background

Council endorsed the City's Nodes and Corridors Strategy in November, 2016 (See Reference 1). The strategy prioritizes study areas to help guide investment and intensification within the community. It will help revitalize and better connect our Downtown, the Town Centres, strategic core areas and corridors of the City. Such a strategy will help create new and distinctive corridors and centres, all featuring mixed uses, public realm improvements and public transit.

In 2017, Council directed staff to proceed with the LaSalle Boulevard Corridor Plan and Strategy (LBCPS – See Reference 2). The LBCPS was completed over 13 months with various check-ins with the community and with Council. The LBCPS has a number of recommendations associated with land use planning to create a new land use framework for the corridor, including integrating high-quality intensification, supporting public transit, and policies for private and public realm improvements.

In July 2018, Council directed staff to commence work on the Official Plan and Zoning amendments. The draft proposed Official Plan Amendment (OPA 102) was brought to Planning Committee in June 2019 (See Reference 3). The OPA was adopted on April 14, 2020. The OPA came into effect on June 18, 2020.

Purpose

This report is the second of three reports on the proposed zoning amendments associated with the LaSalle Boulevard Corridor Plan and Strategy (LBCPS). The July 6, 2020 report described the approach to the zoning by-law amendment (See Reference 4). This second report further refines the approach and includes the draft zoning by-law amendment. The third report will include the final zoning by-law presented for consideration at a public hearing under the Planning Act.

Highlights of the draft zoning by-law include “upzoning” most of LaSalle Boulevard to General Commercial (C2) Special, and establishing build-to line from the City's desired Right Of Way. In order to implement the built form recommendations of the LBCPS, intended to create a more pedestrian environment along LaSalle, the amendment introduces a requirement that a certain percentage of the front lot line be occupied by a building.

Discussion

Proposed Draft Zoning By-Law

The recent changes to the Official Plan (OPA 102) to implement the LBCPS guide the more detailed proposed changes to the City's Zoning By-law. Pursuant to the Planning Act, the zoning by-law must conform to the Official Plan.

The following section of the report details the proposed zoning by-law, which would rezone the properties fronting onto LaSalle Boulevard from Notre Dame to Falconbridge Road. The proposed zoning by-law would also encompass some properties on the west side of Notre Dame Avenue as shown on Attachment A - Proposed Rezoning of LaSalle – Overview.

Upzoning to C2

The proposed zoning by-law upzones the majority of the properties along LaSalle to C2 – General Commercial – Special (See Attachment B – Proposed C2 Special – LaSalle Corridor Overlay). In general, properties upzoned to ‘C2 (XXX)’ include existing C1, C3, R1, R2, vacant R3, some I, M1 and M1-1.

As noted in the July, 2020 report, the C2 Zone is the most permissive commercial zone in the City’s Zoning By-law. It allows for most commercial uses except for Camping Grounds, Carnivals, Commercial Tourist Facilities and Marinas. It also permits any dwelling containing not more than 2 dwelling units, multiple dwelling, private home daycares and shared housing (along the corridors only).

C2 Special – LaSalle Corridor Overlay Zone

In order to implement the built form recommendations of the LBCPS, the proposed zoning by-law includes an overlay zone expressed as a C2 Special, specific only to the LaSalle Corridor. Lands zoned C2 (XXX) would be subject to additional provisions, including a new build-to line, a percentage of front lot line occupied by a building, and a prohibition of uses including commercial parking lots, duplexes, single and semi-detached dwellings.

Most of the R3 and R4 zones are proposed to remain the same. Staff is proposing to upzone the vacant R3 parcels to C2, as well as some underutilized R3 lots. Other zones like C3, C5, I, and R3 would also each be placed in a new Special Zone (e.g. R3 (xx), C3 (xx), C5 (xx)).

Establishment of a Build-To Line based on 30M Right of way

The current minimum setback for commercial uses along LaSalle is 7.5m, and 9.0 metres for business industrial uses. The proposed zoning by-law introduces a build-to line to the corridor in order to promote a more consistent streetscape, introduce sound urban design, and to make the corridor friendlier to all users. A build-to line would bring buildings closer to the street, and would direct the parking to the rear of the buildings.

The build-to line requires that new buildings to be set back from 0m (minimum) to 4.5m (maximum) of the desired Right-of-Way as expressed in the City’s Official Plan (which is 30 metres for LaSalle Boulevard). The Right of Way is the City’s long-term vision for a road, and includes the space required for travelling lanes, the curb, sidewalk, and associated amenities (See Attachment C - Proposed Zoning By-Law Amendment Text).

Establishment of Percentage of Lot Line Occupied by Building

As noted in the July, 2020 report, this tool is typically used to ensure that the front of the building is located along the front lot line of the street. Should the City adopt a build-to standard for building, there is a risk that new buildings would be turned to their side and the flank of the building would front onto LaSalle.

The proposed zoning by-law introduces a “Percentage of Lot Line Occupied by Building” of 60%.

Maximum or Minimum Building Heights

The LBCPS recommends that the City establish a minimum height of 11 metres along the corridor. It also recommends that the City consider a height overlay schedule to accommodate varied standards along the corridor.

Only the Downtown Commercial (C6 Zone) contains a minimum height in the City's Zoning By-law. It is 8 metres. The C2 and C3 zones currently have maximum height provisions of 15 metres and 8 metres, respectively.

Staff does not recommend implementing a minimum building height or modifying maximum building heights at this time. However, staff will continue to explore this question during the public consultation phase and will include an update and recommendation regarding heights in the next report.

Prohibition of Some C2 Uses along LaSalle

Not all permitted C2 uses meet the new vision of LaSalle as expressed in the Official Plan. The proposed zoning by-law prohibits future standalone commercial parking lots, duplexes, single and semi-detached dwellings. Doing so encourages the development of these properties to increase assessment. It would also encourage sound urban design and community-oriented uses at transit-supportive densities in compact, pedestrian-friendly built forms.

Holding Zone

The proposed zoning by-law introduces a Holding Zone to those properties smaller than the minimum lot size for a C2 zone (1350 sq. m). These properties are identified in Attachment D. Further to the newly-adopted Official Plan policies, the Holding Zone would be conditional upon a site plan agreement being entered into with the City. The effect of the Holding Provision and site plan control is to “discourage small lot rezoning” and to “promote land assembly for consolidated development.” Land assembly could “reduce the need for additional driveways along arterials and can be used to promote a more consistent streetscape.”

Legally existing single, semi-detached, duplex, group homes (type 1), row dwellings and linked dwellings would enjoy legal nonconforming status.

Legal Non-Conforming Uses

The proposed zoning by-law outlined in this report may create a legal non-conforming status for certain uses, lots or buildings. For example, some buildings may not meet the new standards of the proposed build-to line, the percentage of lot occupied by a building, while some industrial uses, single-detached dwellings, etc, may no longer be a permitted use along the corridor. These situations are contemplated by the City's Zoning By-law.

Section 4.24 of the City's Zoning By-law relates to non-conforming uses. Section 4.24.1 allows for the continuation of existing uses, lots, buildings or structures if they were lawfully used for those purposes prior to the effective date of the zoning by-law.

Existing Special Exception Zones

As noted above, there are numerous zoning exceptions along the corridor. These are demarcated by the use of a bracket after the Zone category (e.g. C1(14)). These exceptions generally:

- Add additional permitted uses to zone
- Remove permitted uses from a zone
- Provide minimum parking requirements; and/or
- Provide tailored setbacks and building sizes

Most (61%) of these exception zones were introduced prior to the 2010 Zoning By-law, fewer (39%) were established after.

OPA 102 introduces a new vision for the LaSalle Corridor. The City therefore has several options regarding the special exception zones:

- Keep the exception zones as is
- Examine and tailor each exception zone to new proposed standards
- Upzone each exception zone to C2 (i.e. “wiping the slate clean”)

The City is currently considering its commercial parking standards, which may aid in this regard (e.g. by revising the current ratios).

Recommendations for each special zone will be analyzed and addressed as part of the next report. Individual landowners with special exceptions will be consulted as part of this process.

PUBLIC CONSULTATION STRATEGY

The current emergency declaration requires some modifications to City practices regarding public consultation. Per the Official Plan, the City will hold a minimum of two open houses and a public hearing to present the proposed ZBLA. Staff recommends that a two-stage public hearing take place on the proposed changes.

Staff will host some open houses in person, in accordance with public health guidance. For example, we will:

- allow for appointments and drop offs;
- maintain limits regarding the amount of people permitted in a room;
- require facemasks and physical distancing;
- make hand sanitizer available; and,
- complement these meetings with online technology such as virtual meetings

We will send notice of public hearing per the requirements of the Planning Act, including direct communication with corridor stakeholders, publish notices in community newspapers, and make use of the City’s social media platforms.

The City will also provide citizens the opportunity to comment online via such channels as “Over to You”, which was used in the development of LaSalle Boulevard Corridor Plan and Strategy and Official Plan Amendment No. 102.

Staff would consider the feedback, propose any necessary changes, and return with the recommended ZBLA for adoption.

Summary and Recommendations

This report outlined the background to the LaSalle Boulevard Corridor Plan and Study (LBCPS), and introduced a proposed zoning by-law amendment (ZBLA) that incorporates Official Plan Amendment No. 102 and the LBCPS' land use planning recommendations where appropriate.

Highlights of the proposed zoning by-law include “upzoning” most of LaSalle Boulevard to a Special C2 (General Commercial), and establishing a 0-4.5m build-to line from the Right Of Way. In order to complement that concept, the amendments would introduce a requirement that a certain percentage of the front lot line be occupied by a building.

Staff is seeking direction to proceed with public consultation on the proposed zoning by-law amendment.

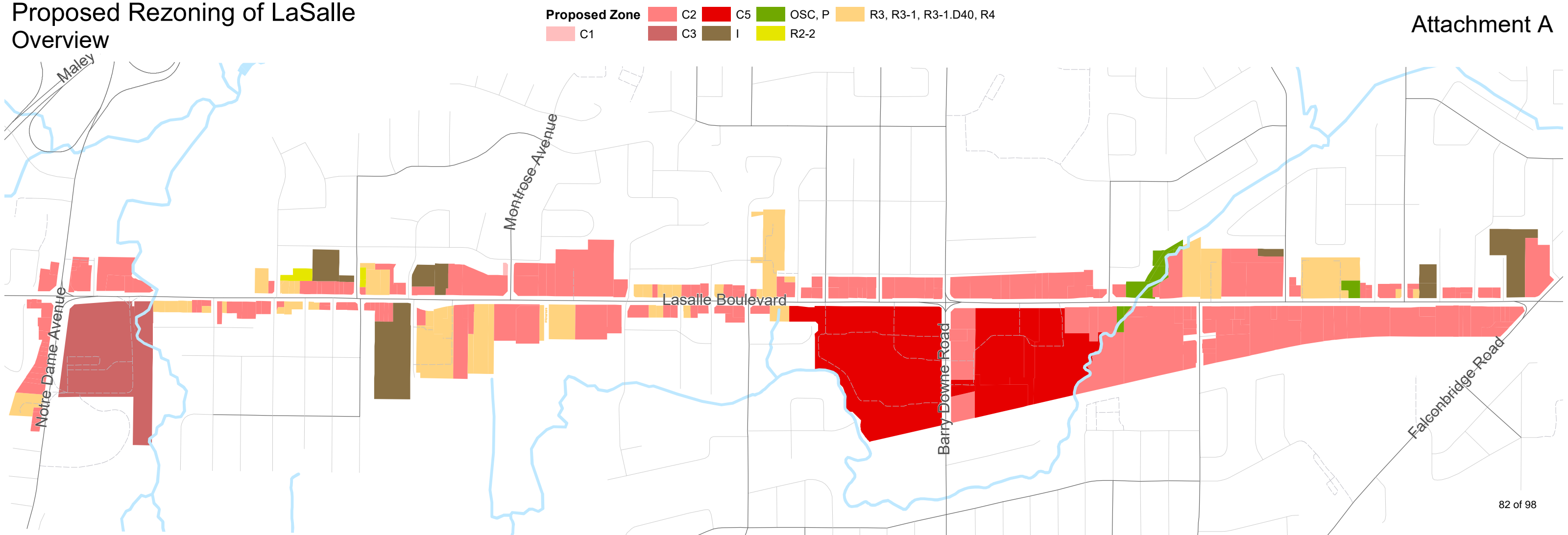
References

1. City-Wide Nodes and Corridor Strategy
<http://agendasonline.greatersudbury.ca/index.cfm?pg=feed&action=file&agenda=report&itemid=9&id=992>
2. “Proposed LaSalle Boulevard Corridor Plan and Strategy”, July 9, 2018 Report From the General Manager of Growth and Infrastructure
<http://agendasonline.greatersudbury.ca/index.cfm?pg=agenda&action=navigator&lang=en&id=1227&itemid=14212>
3. Official Plan Amendment No. 102
<https://agendasonline.greatersudbury.ca/index.cfm?pg=agenda&action=navigator&id=1444&itemid=18472&lang=en>
4. July 6, 2020 Report, “LaSalle Boulevard Corridor Plan and Strategy – Proposed Approach to Zoning By-Law Amendment”, July 6, 2020 report from the General Manager of Growth and Infrastructure.
<https://agendasonline.greatersudbury.ca/index.cfm?pg=feed&action=file&agenda=report&itemid=8&id=1452>
5. City of Greater Sudbury Zoning By-law
<https://www.greatersudbury.ca/do-business/zoning/zoning-by-law-2010-100z/>

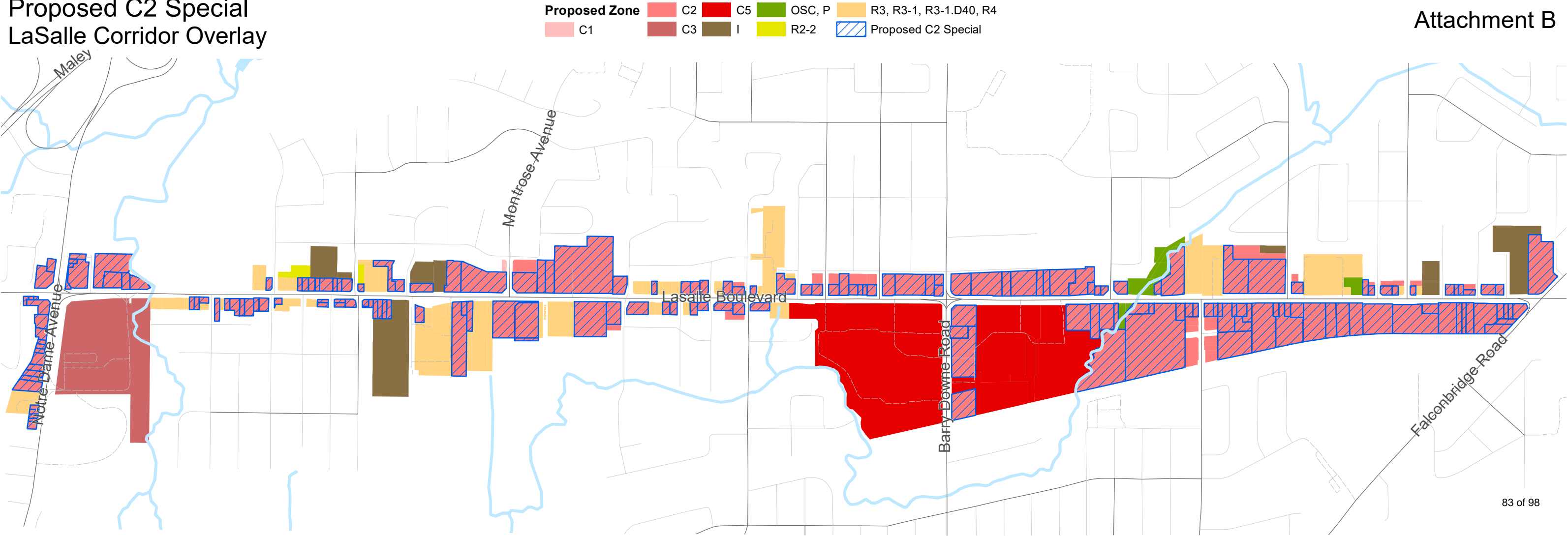
Attachments

- A. Proposed Rezoning of LaSalle – Overview
- B. Proposed C2 Special – LaSalle Corridor Overlay
- C. Proposed Zoning By-Law Amendment Text
- D. Proposed Holding Zone Along LaSalle
- E. Existing Zoning Along LaSalle Boulevard

Proposed Rezoning of LaSalle Overview



Proposed C2 Special LaSalle Corridor Overlay



By-law 2020-XXXZ

**A By-law of the City of Greater Sudbury
to Amend By-law 2010-100Z being the
Comprehensive Zoning By-law for the City of Greater Sudbury**

Whereas the Council of the City of Greater Sudbury deems it desirable to amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury;

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

1. That By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury be and the same is hereby amended by:

- (1) In PART 3, DEFINITIONS, by adding the following definitions

“

X	Build-To Line	The <i>building line</i> on which the front of a <i>building</i> or <i>structure</i> must be located or built, and which is measured from the desired <i>Right of Way width</i> .
X	Percentage of Front Lot Line Occupied by Building	The percentage of the length of the <i>front lot line</i> which must be occupied by a <i>building</i> .
X	Right of Way width	Desired width of a <i>public road</i> as described in the City of Greater Sudbury Official Plan

- (2) In Section 7.2, by adding Multiple Dwelling as a Permitted Residential Use in the C5 – Shopping Centre Commercial Zone
 - (3) In Part 11, Exceptions, by **TO BE DETERMINED**
 - (4) In Part 11, Exceptions, by adding the following:

“C2 (XXXXX) (LASALLE BOULEVARD CORRIDOR OVERLAY)

Notwithstanding any other provision hereof to the contrary, within any area designated C2(XXX) on the Zone Maps, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modifications:

- i. The minimum *build-to line* shall be 0 to 4.5 metres;
- ii. The minimum *percentage of the front lot line occupied by a building* shall be 60%.
- iii. The following *uses* shall not be permitted:
 - a. *parking lot;*
 - b. *single detached dwelling;*
 - c. *semi-detached dwelling;*
 - d. *duplex dwelling;*”

C3 (XXXXX) (LASALLE BOULEVARD CORRIDOR OVERLAY)

Notwithstanding any other provision hereof to the contrary, within any area designated C3(XXX) on the Zone Maps, all provisions of this By-law applicable to C3 Zones shall apply subject to the following modifications:

- i. The minimum *build-to line* shall be 0 to 4.5 metres;
- ii. The minimum *percentage of the front lot line occupied by a building* shall be 60%.
- iii. The following *uses* shall not be permitted:
 - a. *single detached dwelling;*
 - b. *semi-detached dwelling;*
 - c. *duplex dwelling;*”

C5 (XXXXX) (LASALLE BOULEVARD CORRIDOR OVERLAY)

Notwithstanding any other provision hereof to the contrary, within any area designated C5(XXX) on the Zone Maps, all provisions of this By-law applicable to C5 Zones shall apply subject to the following modifications:

- i. The minimum *build-to line* shall be 0 to 4.5 metres;

R3 and R3-1 (XXXXX) (LASALLE BOULEVARD CORRIDOR OVERLAY)

Notwithstanding any other provision hereof to the contrary, within any area designated R3 and R3-1(XXX) on the Zone Maps, all provisions of this By-law applicable to R3 and R3-1 Zones shall apply subject to the following modifications:

- i. The minimum *build-to line* shall be 0 to 4.5 metres;
- ii. The minimum *percentage of the front lot line occupied by a building* shall be 60%.
- iii. The following *uses* shall not be permitted:
 - a. *single detached dwelling*;
 - b. *semi-detached dwelling*;
 - c. *duplex dwelling*;

R4 (XXXXX) (LASALLE BOULEVARD CORRIDOR OVERLAY)

Notwithstanding any other provision hereof to the contrary, within any area designated R4(XXX) on the Zone Maps, all provisions of this By-law applicable to R4 Zones shall apply subject to the following modifications:

- i. The minimum *build-to line* shall be 0 to 4.5 metres;
- ii. The minimum *percentage of the front lot line occupied by a building* shall be 60%.

I (XXXXX) (LASALLE BOULEVARD CORRIDOR OVERLAY)

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

ATTACHMENT C – PROPOSED ZONING BY-LAW AMENDMENT TEXT

- i. The minimum *build-to line* shall be 0 to 4.5 metres;
- ii. The minimum *percentage of the front lot line occupied by a building* shall be 60%.”

(5) In Part 13, Holding Provisions, by adding the following:

Symbol	Application	Property/Legal Description	Conditions for Removal	Date Enacted	Date Removed
H50	Consolidation with abutting lots, Site Plan Control Agreement		<p>Until such time as the "H" symbol has been removed by amendment to this By-law by Council, the only uses permitted on lands designated H50C2(xxxxx) shall be those uses legally permitted on the date of the by-law applying the “H”, Holding designation, subject to the provisions of the applicable zoning classification in effect at that time.</p> <p>The "H" Holding symbol in this By-law shall only be removed by Council of the City of Greater Sudbury pursuant to Section 36 of The Planning Act, R.S.O. 1990, c. P. 13, provided that the following conditions are first satisfied:</p> <ol style="list-style-type: none"> 1. The minimum <i>lot area</i> is 1,350 m²; and, 2. The owner(s) have entered into a <i>Site Plan Control Agreement</i> with the City of Greater Sudbury to the satisfaction of Director of Planning Services demonstrating that the <i>lot</i> is of an appropriate size for the proposed use and number of driveways onto LaSalle Boulevard have been reduced. 	TBD	

ATTACHMENT C – PROPOSED ZONING BY-LAW AMENDMENT TEXT

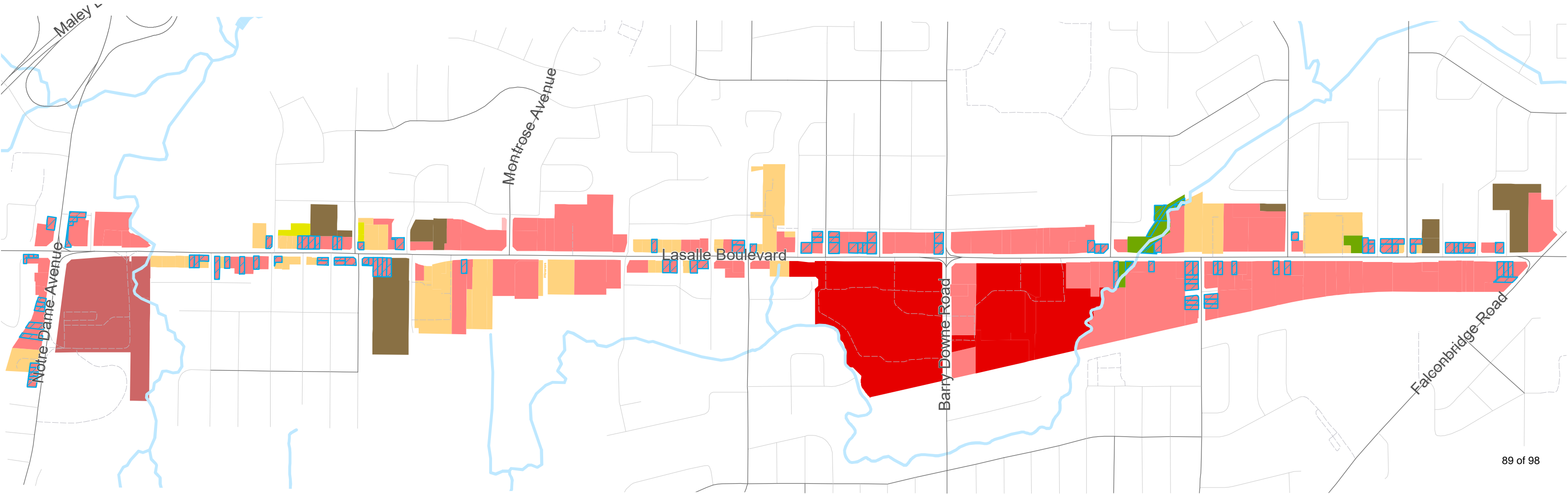
(6) By Rezoning the lands within the LaSalle Corridor Overlay as illustrated on Schedule 1 of this By-law

2. This By-law is in conformity with the City of Greater Sudbury Official Plan as amended by Official Plan Amendment #102.

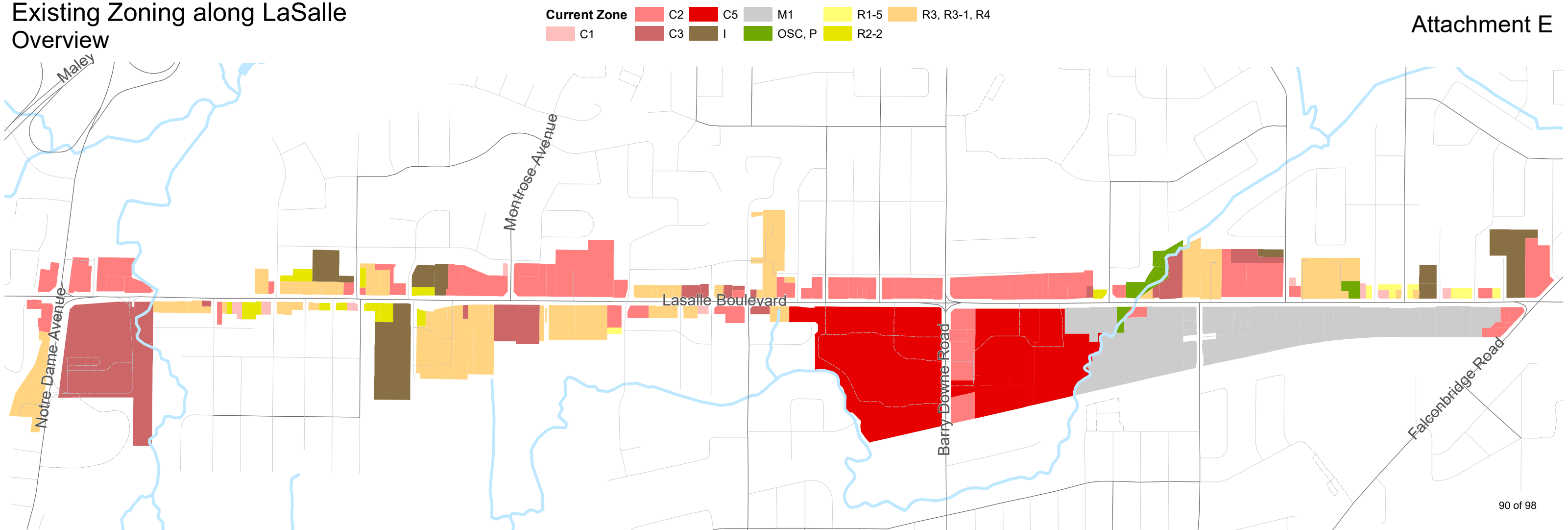
Read and Passed in Open Council this Xth day of XXXX, 2020

DRAFT

Proposed Holding Zone Along LaSalle



Existing Zoning along LaSalle Overview



Presented To:	Planning Committee
Presented:	Monday, Sep 21, 2020
Report Date	Friday, Aug 28, 2020
Type:	Managers' Reports

Request for Decision

Shopping Centre Commercial Zone: Proposed Amendments

Resolution

THAT the City of Greater Sudbury directs staff to initiate an amendment to the Zoning By-law to incorporate additional medium and high density residential related uses in the Shopping Centre Commercial Zone, as outlined in the report entitled "Shopping Centre Commercial Zone: Proposed Amendments", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on September 21, 2020.

Relationship to the Strategic Plan / Health Impact Assessment

Establishing policies that would permit additional medium and high density residential uses within the Shopping Centre Commercial Zone is consistent with both economic development and housing goals of the Strategic Plan. Specifically, the Economic Capacity and Investment Readiness goal of section 4.3 market and invest in Greater Sudbury as a centre of healthcare, healthcare technology, and healthcare innovation and the Housing strategic goal, section 5.1 Expand affordable and attainable housing options, and 5.1 Develop and Promote Solutions to Support Existing Housing Choices and encourage retirement residences in our town centres as part of the nodes and corridors strategy and improve services/housing for all those living or seeking to live in Greater Sudbury.

Report Summary

This report requests direction to initiate an amendment to the Commercial Shopping Centre (C5) Zone of Zoning By-law 2010-100Z to incorporate additional medium and high density residential uses. Specifically, multi-residential, long-term care facilities and retirement homes.

Financial Implications

Signed By

Report Prepared By

Melissa Riou
Senior Planner
Digitally Signed Aug 28, 20

Manager Review

Kris Longston
Manager of Community and Strategic Planning
Digitally Signed Aug 28, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Aug 31, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Sep 3, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Sep 3, 20

There are no financial implications associated with this report.

Staff Report: Policy Options for Amendments to the Shopping Centre Commercial Zone

August 31, 2020

Planning Services Division

Background

The LaSalle Corridor Study, and associated Official Plan amendment OPA 102 recommended the addition of residential uses, specifically multiple-residential uses to the Shopping Centre Commercial (C5) zone. Multiple Dwellings are currently permitted within the C2, C3, C4 and C6 zones.

Staff have since identified an opportunity to accelerate the incorporation of residential uses in the C5 Zone and expand the proposed permitted uses to include long-term care facilities and retirement homes.

Shopping centres, similar to downtowns and town centres, are a focus of commercial activity within our urban areas. The rise of online retailing, evolution of customer preferences, government intensification efforts, and the long-term impact of COVID-19 have collectively called into question the future of the traditional shopping centre model (Mitani, 2020).

Over the past number of years there has been trend of permitting residential uses within shopping centre commercial zones in North America. In 2018, Revera struck a non-exclusive deal with SmartCentres Real Estate Investment Trust to develop 25 new retirement homes over the next five years on SmartCentre properties (Globe and Mail, 2019). Staff research has identified that development applications and official plan amendments have been submitted for a number of these projects in southern Ontario, including the South Oakville Centre and at the corner of Weston Road and Major Mackenzie Drive West in Vaughn. A list of other similar redevelopments is provided in appendix A.

With the changing retail environment there is an opportunity to facilitate the adaptive reuse of shopping malls by allowing for medium and high density residential development. Additionally, with the recent announcement by the Province regarding funding for long term care, staff recommend that these changes to zoning by-law be made to facilitate potential future developments. (News Release, July 15, 2020)

Shopping Centre Commercial Zone

The Shopping Centre Commercial Zone does not currently permit any residential uses. A range of non-residential uses are permitted, including personal service shop, pharmacy, and professional office. Hotels are currently permitted and Institutional uses are also currently permitted.

Per the Zoning By-law, *institutional uses* include *public uses*, the definition of which includes a building, structure, use or lot that is owned, occupied, used or administered by a public agency, such as Long Term Care Facilities which are licensed under the Long-Term Care Homes Act,

2007. The proposed amendment would more explicitly define long term care facilities as a permitted use.

Retirement Homes differ from Long-Term Care Facilities in that they are not licensed in the same manner. Similar to a Long-Term Care Facility, a Retirement Home provides private bedrooms or living units, in addition to common facilities for preparation and consumption of food, common lounges and medical care facilities may be provided for retired persons or residents that require nursing or homecare.

Other Considerations

Parking

A review of commercial parking standards was recently undertaken. It is recommended that the revised parking ratio for Shopping Centres as per the report prepared by J.L. Richards be incorporated into the Zoning By-law, which proposed a reduction from 1 per 20 square metres (5 per 100 square feet) to 1 per 25 square metres (4 per 100 square feet). The new parking rates would be more consistent with comparator municipalities and would help to facilitate the redevelopment of C5 sites.

Limitations on Size of Residential Component

The Shopping Centre Commercial Zone is primarily intended for commercial uses. In order to preserve the primary retail use of the site it is recommended that a cap be placed on the amount of residential ground floor area in relation to commercial ground floor area to preserve at grade retail. It is recommended that residential uses be limited to a maximum of 25% ground floor area. The Site Plan Control process will ensure that key integration issues such as emergency vehicle access, setbacks from adjacent railways, truck movement and loading access are appropriately considered.

Relationship to the Employment Land Strategy

An Employment Land Strategy which will ensure that the City is well positioned to respond to employment land needs, foster economic growth, and can support a diversified economy now and into the future, is currently underway and is expected to be completed in early 2021. The City's consultant, Cushman & Wakefield (CW) has advised that they are supportive of the proposed amendment for several reasons. As consumer preferences evolve, and more spending occurs online, shopping centres will need to overcome key challenges such as the departure of anchor tenants or the downsizing of stores – adaptive reuse will form a key role in overcoming these challenges. The proposed uses are compatible with the commercial uses and provide new residents in proximity to the commercial uses which can enhance their sales performance. CW has also noted that it is important to maintain a level of retail presence in a neighborhood to ensure that element is not lost. Which is consistent with staffs' recommendation that a limitation be placed on the maximum ground floor area that can be occupied by a residential use.

Conclusion/Next Steps

The addition of medium and high density residential along with retirement homes and long term care facilities has been identified as an opportunity facilitate the redevelopment and adaptive reuse of Shopping Centre Commercial (C5) zones while also providing additional opportunities for housing in areas that are well serviced by public transportation and retail. Adding these uses was also identified in LaSalle Corridor Study, and the planning policy frameworks has already been established by the City through the adoption of Official Plan amendment OPA 102.

The proposed amendment would also ensure the continued ability to provide commercial space while allowing shopping centres the flexibility to incorporate residential uses should the opportunity arise. Further, the proposed amendment would be consistent with Council's strategic objectives of ensuring investment readiness and encouraging retirement homes as part of the Nodes and Corridors Strategy. It is recommended that staff be directed to proceed with the preparation of the amending by-law. A draft by-law is attached to this report as Appendix B.

References

1. City-Wide Nodes and Corridor Strategy
<https://agendasonline.greatersudbury.ca/index.cfm?pg=agenda&action=navigator&lang=en&id=992&itemid=11977>
2. Official Plan Amendment No. 102
<https://agendasonline.greatersudbury.ca/index.cfm?pg=feed&action=file&agenda=report&itemid=2&id=1388>
3. City of Greater Sudbury Zoning By-law <https://www.greatersudbury.ca/do-business/zoning/zoning-by-law-2010-100z/#PART%203:%20%20%20DEFINITIONS>
4. Staff Report, LaSalle Boulevard Corridor Study and Strategy Proposed Approach to Zoning By-law Amendment. June 15, 2020.
<https://agendasonline.greatersudbury.ca/index.cfm?pg=feed&action=file&attachment=30549.pdf>
5. LaSalle Boulevard Corridor Plan and Strategy – Final Report, June 2018
<https://agendasonline.greatersudbury.ca/index.cfm?pg=feed&action=file&attachment=24185.pdf>
6. Staff Report, Report on the Commercial Parking Study. January 27, 2020.
<https://agendasonline.greatersudbury.ca/index.cfm?pg=feed&action=file&attachment=29789.pdf>

7. Province of Ontario, News Release, July 15, 2020. Ontario Accelerating the Development of Long-Term Care Homes. <https://news.ontario.ca/opo/en/2020/7/ontario-accelerating-the-development-of-long-term-care-homes.html>
8. Mitanis, Marc. 2020. QuadReal Submits Comprehensive Plan to Redevelop Cloverdale Mall. Urban Toronto. <https://urbantoronto.ca/news/2020/08/quadreal-submits-comprehensive-plan-redevelop-cloverdale-mall>
9. The Globe and Mail, November 15, 2019. Revera Partners with SmartCentres to Bring Seniors Housing to Shopping Plazas. <https://www.theglobeandmail.com/real-estate/toronto/article-revera-partners-with-smartcentres-to-bring-seniors-housing-to-shopping/>

Appendix A

Municipality	Redevelopment Name	Residential Component	Status
Toronto	Galleria Mall (Dupont and Dufferin)	84% of space intended to be residential	In progress, construction underway
Toronto	Golden Mile Shopping Centre (Eglinton, Ashtonbee, Hakimi)	89% of space is intended to be residential	Applications in progress
Oakville	Hopedale/South Oakville Centre	86 townhouse units and 161 retirement residence units	Applications submitted
City of Toronto (Etobicoke)	Cloverdale Mall	Proposal envisions 4,050 residential units (a minimum 40% designated as family-sized layouts)	Applications submitted
Barrie	Collier and Owen	14 storey 193 suite retirement residence with amenity and commercial uses at grade.	Applications submitted - revisions include additional residential units.
Oakville	Garden Drive and Lakeshore Boulevard	No details	Plans not yet submitted
Toronto	Bathurst and Wilson	No details	Plans not yet submitted
Boca Raton, Florida	Mizner Park	272 residential units (1991)	Complete (1991)
Ottawa	Elmview Acres (formerly Westgate Shopping Centre)	4 mixed-use buildings, 570 units	New secondary plan approved 2017 – redevelopment underway
Toronto	Bayview Village	2 mixed-use towers. 760 residential units and 4,881 m ² commercial space.	OPA and ZBA submitted 2017. Under consideration.
Toronto	Yorkdale	3 redevelopment options submitted, all including residential and office.	submitted
Toronto	Eglinton Square	Surface parking surrounding square to be developed for 5 mixed use towers	In progress
Irondequoit, New York	Skyview of the Ridge	To include 157 unit senior apartment development	In progress
Cap-Rouge, Quebec City		To include 360 unit retirement residence	In progress

SCHEDULE "A" TO

BY-LAW XXXX-XXX

APPENDIX B

That Zoning By-law 2010-100Z is hereby amended by:

- 1.** In Part 5: Parking and Loading Provisions, by amending Table 5.4: Non-Residential Parking Requirements for All Zones Except the Downtown Commercial (C6) Zone, by:
 - a) Deleting the minimum parking space requirement of "1/20m² net floor area" for "Shopping Centre" and replacing it with a minimum parking space requirement of "1/25m² net floor area".
- 2.** In Part 7 – Commercial Zones, by amending Table 7.2, Permitted Non-Residential Uses, by:
 - a) Adding "Long Term Care Facility" after "Group Home Type 1" in the Use column;
 - b) Adding "Retirement Home" after "Private Home Daycare" in the Use column;
 - c) Adding "Multiple Dwelling", "Long Term Care Facility" and "Retirement Home" as permitted uses in the Shopping Centre Commercial (C5) Zone column by indicating with an "X" symbol.
- 3.** In Part 7 – Commercial Zones, by amending Table 7.3 – Standards for Commercial Zones, by:
 - a) Adding a special provision to Table 7.3 as follows: "7.(iii) *Maximum ground floor area for Multiple Dwelling, Long-Term Care Facility and Retirement Home – 25%*".

The applicant, a person or public body who, before the by-law was passed, made oral submissions at a public meeting or written submission to the council, or the Minister may appeal the passage of this By-law to the Local Planning Appeal Tribunal by filing with the City Clerk, within 20 days of the giving of notice of passage of the By-law by the City Clerk:

- a) A Notice of Appeal;
- b) An explanation of how the by-law is inconsistent with a policy statement issued under subsection 3(1) of the *Planning Act*, fails to conform with or conflicts with a provincial plan or fails to conform with an applicable official plan; and
- c) The fee prescribed under the *Local Planning Appeal Tribunal Act, 2017*.

If these materials and fees have not been filed with the City Clerk within this period, this By-law shall be deemed to have come into force on the day it was passed.

If these materials have been received within that time, this By-law shall not come into force until all appeals have been withdrawn or finally disposed of and except for those parts repealed or amended, and in such case it shall be deemed to have come into force on the day it was passed.

This By-law is in conformity with the City of Greater Sudbury Official Plan as amended.

Read and Passed in Open Council this XX day of XXXX, 2020.