

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

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Senior Planner
Digitally Signed Aug 31, 20

Manager Review

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Financial Implications

Apryl Lukezic
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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
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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

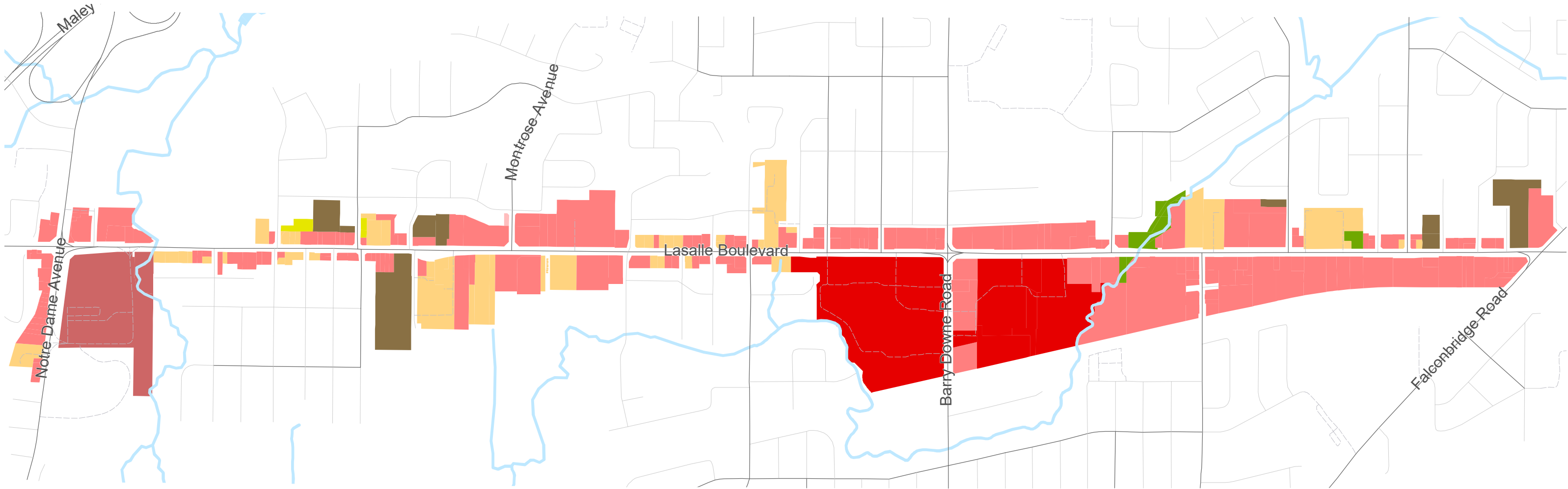
1. City-Wide Nodes and Corridor Strategy
<http://agendasonline.greatersudbury.ca/index.cfm?pg=feed&action=file&agenda=report&itemid=9&id=992>
2. “Proposed LaSalle Boulevard Corridor Plan and Strategy”, July 9, 2018 Report From the General Manager of Growth and Infrastructure
<http://agendasonline.greatersudbury.ca/index.cfm?pg=agenda&action=navigator&lang=en&id=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

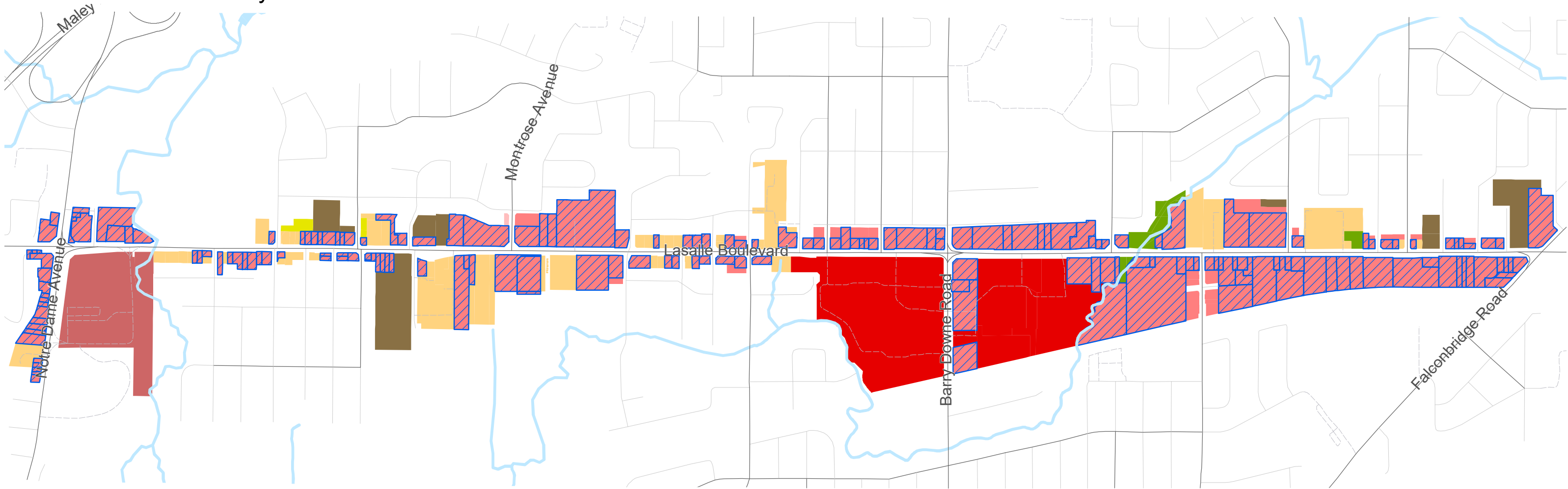
Proposed Rezoning of LaSalle Overview

Attachment A



Proposed C2 Special LaSalle Corridor Overlay

Attachment B



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)

ATTACHMENT C – PROPOSED ZONING BY-LAW AMENDMENT TEXT

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

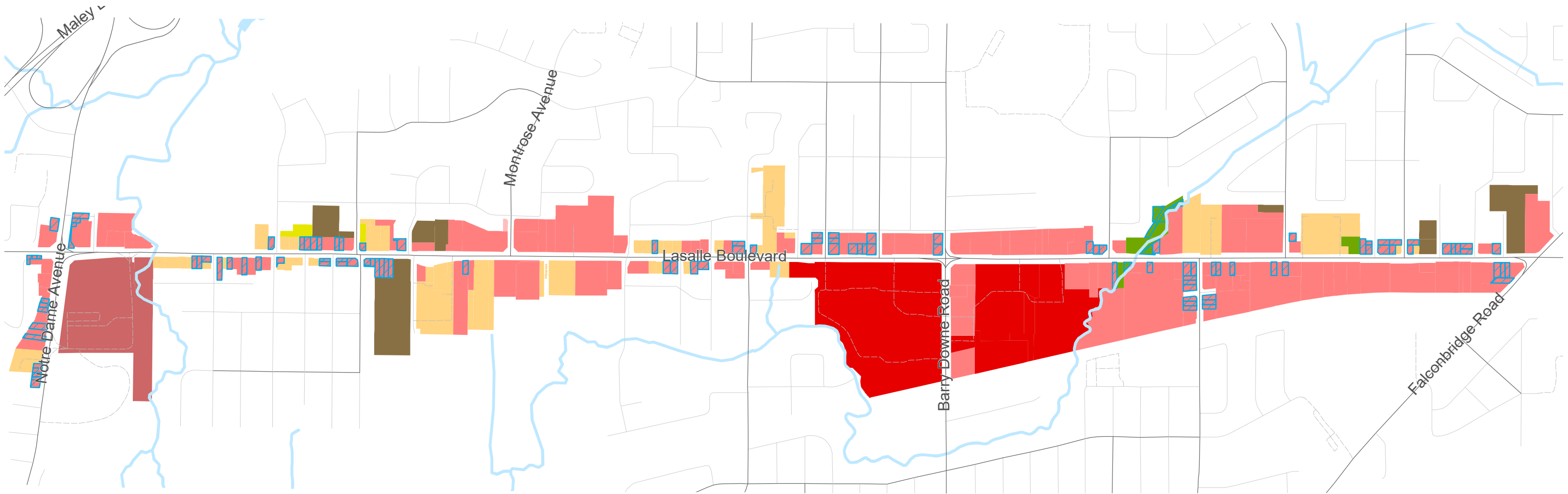
2. This By-law is in conformity with the City of Greater Sudbury Official Plan as amended by Official Plan Amendment #102.

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

DRAFT

Proposed Holding Zone Along LaSalle

Attachment D



Existing Zoning along LaSalle Overview

Attachment E

