



Planning Committee Agenda

Monday, July 8, 2024

Tom Davies Square

Councillor Cormier, Chair

11:30 a.m. Closed Session Committee Room C-12 / Electronic Participation

1:00 p.m. Open Session Council Chamber / Electronic Participation

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1.	Call to Order	
2.	Roll Call	
3.	Closed Session Resolution to move to Closed Session to deal with one Pending Acquisition of Disposition of Land Matters, regarding Magill Street, Lively, in accordance with Municipal Act, 2001, par 239 (2)(c).	
4.	Recess	
5.	Open Session	
6.	Roll Call	
7.	Declarations of Pecuniary Interest and the General Nature Thereof	
8.	Public Hearings	
8.1	828 Beatrice Crescent, Sudbury Extension This report provides a recommendation regarding an application for Rezoning to permit a motion picture staging and equipment rental company within the existing former arena building for a period of three years. This report is presented by Wendy Kaufman, Senior Planner. Letter(s) of concern from concerned citizens have been received.	4
8.2	0 Kingsway Boulevard, Sudbury This report provides a recommendation regarding applications for Official Plan Amendment and Rezoning to facilitate a 2 ha lot addition to an abutting property for the expansion of the existing businesses. This report is presented by Wendy Kaufman, Senior Planner.	17
8.3	2380 Long Lake Road, Sudbury This report provides a recommendation regarding an application to rezone the subject lands from “R1-5”, Low Density Residential One Zone and the “C3”, Limited General Commercial Zone to the “CS(S)”, Limited General Commercial Special Zone in order to remove a split-zoning and permit an addition to the existing commercial building and parking area on the southerly portion of the lands. This report is presented by Stephanie Poirier, Senior Planner.	59
8.4	101 C Johnson Road, Worthington This report provides a recommendation regarding an application to formally	71

recognize an existing private club on the subject lands, being the Sudbury & District Kennel Club Inc. and Nickel District Skeet & Trap Club.

This report is presented by Stephanie Poirier, Senior Planner.

9. Matters Arising from the Closed Session

At this point in the meeting, the Chair of the Closed Session, will rise and report. The Committee will then consider any resolution(s) emanating from the Closed Session.

10. 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.

10.1 Routine Management Reports

10.1.1 239 Struthers Street, Sudbury

78

This report provides a recommendation regarding a request to deem certain lots not to be part of a registered plan of subdivision, 239 Struthers Street, Sudbury.

10.1.2 Vacant Land South of Kingsway – Declaration of Surplus Land

81

This report provides a recommendation to declare surplus vacant land lying south of Kingsway, Sudbury.

11. Members' Motions

12. Addendum

13. Civic Petitions

14. Question Period

15. Adjournment

828 Beatrice Crescent, Sudbury Extension

Presented To:	Planning Committee
Meeting Date:	July 8, 2024
Type:	Public Hearing
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-6/24-09

Report Summary

This report provides a recommendation regarding an application for Rezoning to permit a motion picture staging and equipment rental company within the existing former arena building for a period of three years.

This report is presented by Wendy Kaufman, Senior Planner.

Letter(s) of concern from concerned citizens have been received.

Resolution

THAT the City of Greater Sudbury approves the application by the Nickel District Conservation Authority to amend Zoning By-law 2010-100Z in order to permit a motion picture staging and equipment rental company in accordance with Section 39 of the Planning Act for a temporary period of three (3) years, on those lands described as PINs 02132-0402 & 02132-0597, Parcels 31700 & 38788 SES, Lots 1-4, Plan M-797, Lot 6, Plan M-906, Lots 2 & 3, Concession 5, Township of McKim as outlined in the report entitled “828 Beatrice Crescent, Sudbury Extension”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of July 8, 2024, subject to the following conditions:

1. That the uses be limited to the existing arena building;
2. That there shall be no outdoor storage of equipment or materials, and;
3. That no additional parking, beyond the existing parking area, shall be required for the temporary use.

Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding. The application aligns with the 2019-2027 City of Greater Sudbury Strategic Plan goals related to business attraction, development and retention.

The application aligns with the Community Energy and Emissions Plan (CEEP) by supporting the strategy of compact, complete communities through the continued reuse of an existing underutilized building.

Financial Implications

There are no financial implications associated with this report.

Report Overview:

An application for a temporary use by-law has been submitted pursuant to Section 39 of the Planning Act in order to permit the temporary use of the existing building located at 828 Beatrice Crescent, Sudbury by a motion picture staging and equipment rental company for a period of three (3) years. Staff recommends approval of the application subject to the conditions noted.

Staff Report

Proposal:

The application proposes to amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury in order to permit a temporary use by-law for a period of three years, pursuant to Section 39 of the Planning Act, to permit a motion picture staging and equipment rental company within the existing former arena building. No exterior construction or additions are proposed in conjunction with this temporary use.

The temporary approval for a motion picture staging and equipment rental business within the former arena building was approved by Planning Committee in 2012 ([751-6/12-07](#)), and extended or approved for a further three year period in 2015 ([751-7/14-32](#)), 2018 ([751-6/17-25](#)) and 2021 ([751-6/21-10](#)). The current approval expired on March 20, 2024.

The property is owned by the Nickel District Conservation Authority and is leased by the City of Greater Sudbury. The City owns the former arena building. The City is proposing to extend a current lease for portions of the building and to extend the sub-lease of non-exclusive rights to the access and parking areas to a motion picture staging and equipment rental company. The Director of Assets and Fleet Services has been delegated authority to enter into a lease agreement with the current tenants.

Existing Zoning: "P", Park, and "R1-5", Low Density Residential One

The subject lands are zoned "P", Park and the driveway from Beatrice Crescent is zoned "R1-5", Low Density Residential One under By-law 2010-100Z. A motion picture staging and equipment rental company is not permitted in these zones. A portion of the property is located within the "FP", Flood Plain Overlay.

The previous Temporary Use T63 which expired on March 20, 2024, permitted a motion picture staging and equipment rental company limited to the existing building with no outdoor storage and no additional parking.

Requested Zoning

The application proposes to permit a temporary use by-law for a period of three years, pursuant to Section 39 of the Planning Act, to permit a motion picture staging and equipment rental company.

Location and Site Description:

The subject property is described as PINs 02132-0402 & 02132-0597, Parcels 31700 & 38788, Lots 1-4, Plan M-797, Lot 6, Plan M-906, Lots 2 & 3, Concession 5, Township of McKim. The subject lands are generally located west of Beatrice Crescent in Sudbury.

Total property area is approximately 72.70 ha (179.65 acres), with vehicular access on Beatrice Crescent at two locations, one towards the south between 760 and 770 Beatrice Crescent providing access to the Adanac ski hill and one towards the north between 824 and 836 Beatrice Crescent providing access to the building.

The building is surrounded with an asphalt parking area that can accommodate between 190 and 200 cars. As the former arena is not open to the general public, the parking area is used to accommodate other active and passive recreational uses on site, including the Rotary Park Trail and surrounding recreational facilities including Adanac ski hill. It is also used as an overflow parking lot for the Adanac ski hill during the winter months.

Surrounding Land Uses:

The area surrounding the site includes:

North: CNR rail line, vacant "FD", Future Development zone
East: low density residential
South: vacant "OSP", Open Space – Private zone
West: CNR rail line and vacant "FD", Future Development zone

The existing zoning & location map indicate the location of the subject lands to be rezoned and the zoning in the immediate area. The property is bounded on the north and west by the CNR rail line.

Site photos show the driveway entrance and low density residential uses along Beatrice Crescent to the east, as well as the existing former arena building and parking areas.

Public Consultation:

The statutory notice of the application was provided by newspaper along with a courtesy mail out to surrounding property owners and tenants within of 122 m of the property on May 6, 2024. The owner was advised of the City's policy recommending that applicants consult with their neighbours, ward councillor and key stakeholders to inform area residents on the application prior to the public hearing. The statutory notice of the public hearing was provided by newspaper and courtesy mail out on June 13, 2024. As of the date of this report, one letter has been received regarding this application.

Policy and Regulatory Framework:

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

- [2020 Provincial Policy Statement](#);
- [2011 Growth Plan for Northern Ontario](#);
- [Official Plan for the City of Greater Sudbury, 2006](#); and,
- [Zoning By-law 2010-100Z](#).

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

Provincial Policy Statement:

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters are consistent with the Provincial Policy Statement.

Policy 1.1.3.1 states that settlement areas shall be the focus of growth and development. Policy 1.1.3.2 states that land use patterns shall be based on opportunities for redevelopment in accordance with 1.1.3.3, which requires taking into account existing building stock and the availability of suitable existing or planned infrastructure and public service facilities.

Section 1.3.1 (b) states that planning authorities shall promote economic development and competitiveness

by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

Section 1.7.1(a) states that long-term economic prosperity should be supported by promoting opportunities for economic development and community investment-readiness.

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. The following policies of the Growth Plan for Northern Ontario are relevant to the application.

Section 2.2.2 (c) states that the Province will focus economic development strategies on the following existing and emerging priority economic sectors and the distinct competitive advantages that Northern Ontario can offer within these sectors: arts, culture and creative industries.

2.3.4 1(b) states that efforts by the Province, industry and, where appropriate, other partners, to grow and diversify the arts, culture and creative industries sector should include promoting incentives for film and television, interactive digital media, and computer animation and special effects.

Official Plan for the City of Greater Sudbury:

The lands are designated Parks & Open Space in the Official Plan, permitting active and passive recreational uses, arenas, recreation centres and accessory uses, Conservation Areas and cemeteries. Section 20.5.3 of the Official Plan indicates that conformity with the land use policies of the Plan is not required for temporary use by-laws.

Zoning By-law 2010-100Z:

The subject lands are zoned "P", Park and the driveway from Beatrice Crescent is zoned "R1-5", Low Density Residential One under By-law 2010-100Z. A motion picture staging and equipment rental company is not permitted in these zones. A portion of the property is located within the "FP", Flood Plain Overlay.

Site Plan Control:

Site plan control is not required for this development given the temporary nature and scope of the proposed use.

Department/Agency Review:

Planning staff circulated the development application to all appropriate internal departments and external agencies. These responses have been used to assist in evaluating the application and to formulate appropriate zoning by-law standards. Infrastructure Capital Planning and Building Services have advised that they have no concerns with respect to the application. Conservation Sudbury has advised they have no comments on the application given they are the owners of the subject lands. Transit was not circulated for comment due to the nature of the application.

Development Engineering advises that this site is currently serviced with municipal water and sanitary sewer.

Strategic and Environmental Planning advises that the owner is solely responsible for ensuring that vegetation removal, site alteration, and development undertaken on the subject lands do not contravene the provincial Endangered Species Act and the federal Migratory Birds Convention Act. The subject lands are adjacent to a provincially significant wetland. Site alteration and development beyond the footprint of the existing building and parking areas will require an environmental impact study that includes the delineation of the wetland.

There have not been any complaints filed with respect to the temporary film studio use, with the exception of one complaint received regarding snow plowing that was investigated and resulted in no further action being required.

Planning Analysis:

The PPS (2020), the Growth Plan (2011), and the Greater Sudbury Official Plan, and other relevant policies and supporting guidelines were reviewed in their entirety. The following section provides a planning analysis of the application in respect of the applicable policies, including issues raised through agency circulation.

The application proposes to permit a motion picture staging and equipment rental company for three years within the former arena building. The building was initially permitted to be used in this manner in 2012.

This proposed temporary use in the former arena will serve as an incubator to foster the further development of the film industry in the City. The application conforms to the Growth Plan for Northern Ontario by aligning with the provincial strategy of focusing on emerging sectors including arts, culture and creative industries, and supporting efforts to grow and diversify the arts, culture and creative industries sector. The application is consistent with the Provincial Policy Statement in that it intensifies the use of an existing building, and by providing a location for economic activities.

Given this is an application for a temporary use, there is no requirement for the by-law to conform to the Official Plan. As has been in-effect previously, it is recommended that the temporary use by-law continue to be limited to the existing arena building, prohibit outdoor storage of equipment or materials, and limit parking to the existing parking area. With these continued restrictions, the proposed use is expected to continue to be compatible with the adjacent uses and not result in land use conflicts. Given the proposed size and scale of this operation, staff is of the opinion that there is adequate parking on-site to accommodate this use and the other active and passive recreational uses on site.

While onsite, staff observed several large white enclosed trailers. Staff notes that the current temporary zoning approval prohibits the outdoor storage of equipment or materials and recommends that the tenants be advised that outdoor storage noted above is not permitted.

It is recommended that the proposed temporary use for a three year period would be appropriate, with the above-noted conditions.

Conclusion:

The Planning Division undertook a circulation of the application to ensure that all technical and planning matters have been satisfactorily addressed.

The following are the principles of the proposed site specific Zoning By-law Amendment:

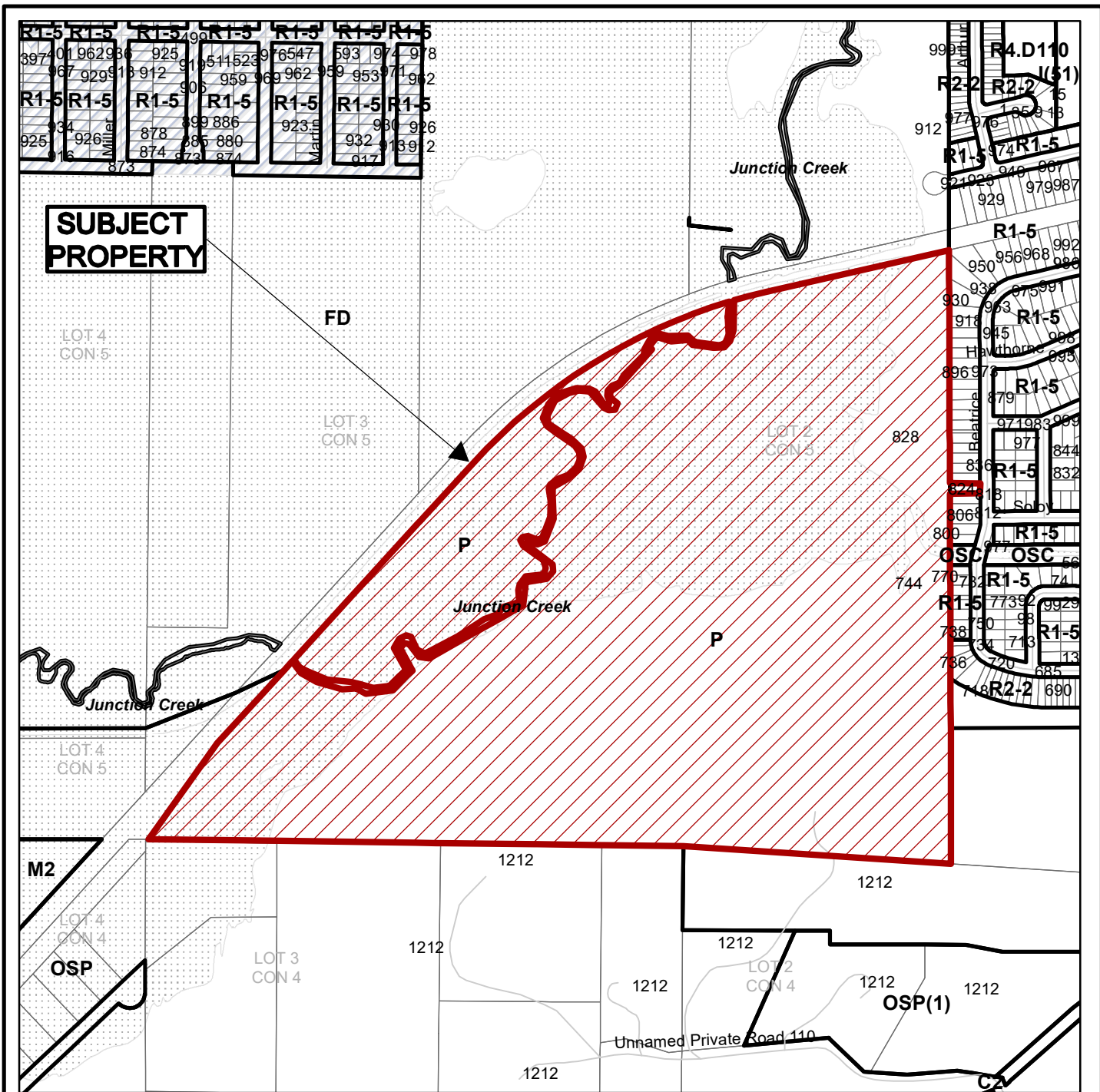
- to permit the temporary use of the existing building by a motion picture staging and equipment rental company for a period of three (3) years.

Staff is of the opinion that the proposed amendment is appropriate based on the following:

- The application conforms to the Growth Plan for Northern Ontario by aligning with the provincial strategy of focusing on emerging sectors including arts, culture and creative industries, and supporting efforts to grow and diversify the arts, culture and creative industries sector.
- The application is consistent with the Provincial Policy Statement in that it intensifies the use of an existing building, and by providing a location for economic activities.
- The use is compatible with surrounding properties.
- The existing parking facilities and road access are appropriate and can accommodate the expected

demand.

The application is considered to be consistent with the Provincial Policy Statement and in conformity with the Growth Plan for Northern Ontario. As noted, conformity with the City of Greater Sudbury Official Plan is not required for temporary use by-laws. Planning Services recommends that the application be approved subject to the above noted conditions which have been included in the recommendation section of this report.



SUBJECT PROPERTY

FD

LOT 4
CON 5

LOT 3
CON 5

LOT 2
CON 5

LOT 4
CON 5

M2

OSP

LOT 3
CON 4

1212

1212

1212

1212

1212

1212

OSP(1)

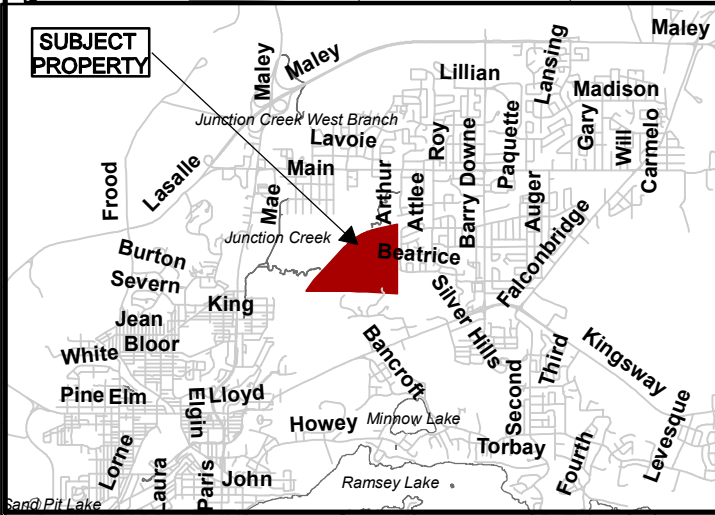
1212

1212

Unnamed Private Road 110

1212

CA



SUBJECT PROPERTY

Growth and Infrastructure Department



Subject Property being PIN 02132-0402 & 02132-0597, Parcels 31700 & 38788 SES, Lots 1-4, Plan M-797, Lot 6, Plan M-906, Lots 2 & 3, Concession 5, Township of McKim, 828 Beatrice Crescent, Sudbury, City of Greater Sudbury

NTS
Sketch 1

751-6/24-09
Date: 2024 04 30



Photo 1. Subject lands, 828 Beatrice, facing west, showing the existing arena building. Photo taken May 24, 2024. CGS File 751-6/24-09.



Photo 2. Subject lands, 828 Beatrice, facing northwest, showing the existing arena building and parking area. Photo taken May 24, 2024. CGS File 751-6/24-09.



Photo 3. Subject lands, 828 Beatrice, facing east, showing the 'main entrance' to the existing arena building. Photo taken May 24, 2024. CGS File 751-6/24-09.



Photo 4. Subject lands, 828 Beatrice, facing southwest, showing the existing arena building and parking area. Photo taken May 24, 2024. CGS File 751-6/24-09.



Photo 5. Subject lands, 828 Beatrice, facing south, showing the existing arena building and parking area. Photo taken May 24, 2024. CGS File 751-6/24-09.



Photo 6. Subject lands, 828 Beatrice, facing east, showing the driveway into the site and low density residential use beyond. Photo taken May 24, 2024. CGS File 751-6/24-09.



Photo 7. Existing driveway into the site and low density residential use fronting on the west side of Beatrice Street, to the north of the existing driveway, facing northwest. Photo taken May 24, 2024. CGS File 751-6/24-09.



Photo 8. Low density residential use fronting on the west side of Beatrice Street, to the south of the existing driveway into the site, facing southwest. Photo taken May 24, 2024. CGS File 751-6/24-09.



Photo 9. Low density residential use fronting on the east side of Beatrice Street, opposite and to the north of the existing driveway into the site, facing northeast. Photo taken May 24, 2024. CGS File 751-6/24-09.

Maria Gonzalez Santos

From: Wendy Maxwell <[REDACTED]>
Sent: Monday, May 27, 2024 10:34 AM
To: Alex Singbush
Subject: File: 751-6/24-09

You don't often get email from [REDACTED] [Learn why this is important](#)

RE: MCKIM CON 5 LOT 3 PCL 166

I received a Notice of an application for Nickel District Conservation Authority to extend a temporary use of 3 years to parcels of land surrounding mine.

Myself and the co-owners of the above mentioned lot are beginning to look into the possibility of selling our lot....we are hoping that if this extension goes forward that it will not hinder the sale of our lot if the opportunity arises.

Thank you for your consideration.

Rita Maxwell
940 Windermere Cres
Sudbury, ON P3A 5A5
[REDACTED]

0 Kingsway Boulevard, Sudbury

Presented To:	Planning Committee
Meeting Date:	July 8, 2024
Type:	Public Hearing
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	701-6/24-03 & 751-6/24-04

Report Summary

This report provides a recommendation regarding applications for Official Plan Amendment and Rezoning to facilitate a 2 ha lot addition to an abutting property for the expansion of the existing businesses.

This report is presented by Wendy Kaufman, Senior Planner.

Resolutions

Resolution 1:

Resolution Regarding the Official Plan Amendment:

THAT the City of Greater Sudbury approves the application by Peter Kyrzakos Estate and Michael Kyrzakos Estate to amend the City of Greater Sudbury Official Plan by redesignating the subject land from Parks and Open Space to Mixed Use Commercial on those lands described as Part of PIN 02132-0463, Parcel 24005A, Lot 3, Concession 4, Township of McKim, as outlined in the report entitled “0 Kingsway Boulevard, Sudbury” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of July 8, 2024.

Resolution 2:

Resolution Regarding the Rezoning:

THAT the City of Greater Sudbury approves the application by Peter Kyrzakos Estate and Michael Kyrzakos Estate to amend By law 2010-100Z being the Zoning By-law for the City of Greater Sudbury by changing the zoning classification on the subject lands from “OSP” Open Space Private to an amended “C2(106)” General Commercial (Special) Zone on those lands described as Part of PIN 02132-0463, Parcel 24005A, Lot 3, Concession 4, Township of McKim, as outlined in the report entitled “0 Kingsway Boulevard, Sudbury” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of July 8, 2024, subject to the following conditions:

1. That prior to the enactment 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 the only permitted uses shall be Automotive Body Shop; Tire Storage Building; Warehouse; Automotive Repair Shop; and Commercial or Public Garage.
3. That conditional approval shall lapse on July 9, 2026, unless Condition #1 above has been met or an extension has been granted by Council.

Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

The applications to amend the City's Official Plan and Zoning By-law are operational matters under the Planning Act to which the City is responding. The applications generally align with Goal # 2 - Business Attraction, Development and Retention in the City's Strategic Plan insofar as they would facilitate the future expansion of existing businesses. The applications are not expected to have any direct negative impacts on the stated goals and recommendations that are contained within the CEEP.

Financial Implications

If approved, staff is unable to estimate taxation revenues as the assessment value of the proposed building would be determined by Municipal Property Assessment Corporation (MPAC).

If there is additional taxation revenue, it will only occur in the supplemental tax year. Any taxation revenue generated from new development is part of the supplemental taxation in its first year. Therefore, the City does not receive additional taxation revenue in future years from new development, as the tax levy amount to be collected as determined from the budget process, is spread out over all properties within the City. The amount of development charges will be based on final review of the property by the Building Services department.

Report Overview:

This report reviews applications for Official Plan Amendment and Zoning By-law Amendment that are intended to facilitate a 2 ha lot addition to benefit the property to the east known as 1024 Kingsway for the future expansion of the existing businesses onto the subject lands. The lands are designated Parks and Open Space in the Official Plan.

Staff recommends approval of the applications as described in the Resolution section on the basis that they are consistent with the Provincial Policy Statement, and conform to the Growth Plan for Northern Ontario, have regard for matters of provincial interest and represent good planning.

STAFF REPORT

PROPOSAL:

The applications propose to amend the City's Official Plan and Zoning By-law 2010-100Z to facilitate a 2 ha lot addition to benefit the property to the east known as 1024 Kingsway, for the future expansion of the existing businesses onto the subject lands. The requested uses include Automotive Body Shop; Tire Storage Building; Warehouse; Automotive Repair Shop; and Commercial or Public Garage. A 1522 sqm warehouse is shown on the applicant's concept plan, which straddles the boundary between the subject lands and benefitting lot, and which would be accessible via private driveway extending from Kingsway Boulevard across the benefitting lands. Existing land uses and buildings situated on the benefitting lands would continue to remain and are not proposed to be altered. In order to accommodate the proposed uses, the proposed official plan amendment would redesignate the lands from Parks and Open Space to Mixed Use Commercial. The rezoning would change the zoning classification of the subject lands from "OSP" Open Space Private to an amended "C2(106)" General Commercial (Special) Zone.

The applications included the submission of the following documents and technical studies:

- Existing Conditions Plan
- Concept Plans and Elevation Plan
- Planning Justification Report
- Source Water Protection S. 59 Application
- Sewer and Water Capacity Request

Existing Zoning: "OSP", Open Space Private

The only permitted use in the OSP zone is a park.

The benefitting lands to the east, known as 1024 Kingsway, are zoned "C2(106)", General Commercial Special, which additionally permits an automotive body shop, tire storage and warehouse. It also establishes that a tire storage and warehouse building shall have a maximum gross floor area of 1,600 square metres.

Requested Zoning: Amended "C2(106)", General Commercial Special

The proposed rezoning to an amended "C2(106)" would permit the development of the requested uses including Automotive Body Shop; Tire Storage Building; Warehouse; Automotive Repair Shop; and Commercial or Public Garage on the subject lands. A survey would be required to implement the amending by-law. No site-specific zoning relief is requested.

Location and Site Description:

The subject lands are described as Part of PIN 02132-0463, Parcel 24005A, Lot 3, Concession 4, Township of McKim. The subject lands are located on the north side of Kingsway Boulevard between Silver Hills Drive to the east and Bancroft Drive to the west in the community of Sudbury. The subject lands are approximately 2 ha in size, with the remainder of the property being approximately 45 ha in size. The subject lands have no road frontage. The subject lands are partially cleared and the planning justification report indicates these lands are being used as a temporary parking area. The benefitting lands to the east, known as 1024 Kingsway, are approximately 6 ha in size with 20 m of frontage on Kingsway Boulevard. The benefitting lands contain two main buildings occupied by automotive and retail uses (Imperial Collision Centre, Forest & Lawn Equipment Supply, Insurance Company).

Development Engineering advises that municipal water and sanitary sewer are available at the Kingsway, and the existing buildings at 1024 Kingsway are serviced with water and sanitary sewer services. The nearest transit stop is located approximately 100 m to the east on Kingsway Boulevard.

The lands are located within a Source Water Protection area, being the Ramsey Lake Intake Protection Zone 3 with a Vulnerability Score of 9.

Surrounding Land Uses:

North and west: retained lands being vacant with mature vegetation and rocky topography

East: the benefitting lands, known as 1024 Kingsway, which contain two main buildings occupied by automotive and retail uses (Imperial Collision Centre, Forest & Lawn Equipment Supply, Insurance Company)

South: commercial use fronting on Kingsway Boulevard (Palladino Honda)

The existing zoning and location map are attached to this report and indicate the location of the subject lands, as well as the zoning on other parcels of land in the area.

Site photos show the proposed lands for lot addition, the benefitting lands, and surrounding commercial uses.

Related Applications

The benefitting lands to the east, known as 1024 Kingsway, are zoned “C2(109)”, General Commercial Special, as a result of the approval of rezoning application [751-6/15-11](#) in 2015 and [751-6/22-24](#) in 2023. These applications additionally permitted an automotive body shop, and tire storage and warehouse. The tire storage and warehouse building shall have a maximum gross floor area of 1,600 square metres.

Public Consultation:

The statutory Notice of Application was provided to the public by newspaper and to nearby landowners and tenants located within 122 m of the subject lands on April 30, 2024. The statutory Notice of Public Hearing dated June 13, 2024, was provided to the public by newspaper and to nearby landowners and tenants located within 122 m of the subject lands.

The owner’s agent was 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. At the time of writing this report, no phone calls, letters or emails with respect to the development proposal have been received by the Planning Services Division.

POLICY AND REGULATORY FRAMEWORK:

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

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

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

2020 Provincial Policy Statement:

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters are consistent with the 2020 PPS. Several sections of the PPS are relevant to the applications.

The lands are included in the City's settlement area.

Section 1.1.1 states that healthy, liveable and safe communities are sustained by (a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term.

Section 1.1.3 identifies that settlement areas are to be the focus of growth and development.

Section 1.3 of the PPS establishes policies for employment and requires planning authorities to promote economic development and competitiveness by providing for an appropriate mix and range of employment uses to meet long-term needs, and maintaining a range and choice of suitable sites, which take into account the needs of existing and future businesses.

Policies 1.7.1 (a) & (c) state that long-term economic prosperity should be supported by promoting opportunities for economic development and community investment-readiness, and by optimizing the use of land and infrastructure.

Growth Plan for Northern Ontario:

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters conform with the Growth Plan for Northern Ontario. Staff has reviewed the planning matters contained within the Growth Plan for Northern Ontario and is satisfied that the applications conform to and do not conflict with the Growth Plan for Northern Ontario.

Official Plan for the City of Greater Sudbury:

The subject lands are designated Parks and Open Space in the Official Plan for the City of Greater Sudbury and are located within the settlement area boundary and outside the built boundary. The subject lands are proposed to be designated Mixed Use Commercial in the Official Plan.

Section 7.3.2 states that Parks and Open Space held in private ownership form an integral part of the open space network. In some instances, public access is provided through arrangements made with private landowners. Such lands could potentially fill missing linkages in the open space network, or provide buffers between incompatible land uses. For these reasons, the City will encourage the protection of privately owned Parks and Open Space.

Policy 1 states that private lands designated Parks and Open Space primarily consist of:

- a. lands with natural hazards such as flood plains that are not suitable for development;
- b. lands that are difficult and uneconomical to develop and service;
- c. lands that are intended to be left undeveloped to serve as buffers between mining or heavy industrial uses and built-up areas;
- d. hydro corridors; and,
- e. lands occupied by private outdoor recreational facilities such as golf courses.

Section 1.3.2 of the Official Plan regarding Economic Development acknowledges the link between planning, design and economic development, such as by providing a framework to reinforce the urban structure and achieve efficient urban form and use of infrastructure.

Policy 2.3.2(1) states that future growth and development will be focused in the Settlement Area through intensification, redevelopment and, if necessary, development in designated growth areas.

Policy 2.3.2(3) states that intensification and development within the Built Boundary is encouraged in accordance with the policies of this Plan. Development outside of the Built Boundary may be considered in accordance with the policies of this Plan.

Section 4 of the Official Plan regarding employment areas identifies these areas as lands where people presently work and lands where employment opportunities will be provided in the future. Section 4.3 regarding the Mixed Use Commercial designation describes that these uses are generally concentrated along certain stretches of Arterial Roads. Given the function and high visibility of these areas, special attention is to be given to sound urban design principles including supporting active transportation and transit.

Policy 4.3(1) states that all uses permitted by the Plan except Heavy Industrial may be accommodated in the Mixed Use Commercial designation through the rezoning process. Uses permitted in the Mixed Use Corridor designation shall provide for a broad range of uses that serve the needs of the surrounding neighbourhoods at a lesser density and concentration than Regional Corridors.

Policy 4.3(3) states that in order to minimize the disruption of traffic flow along Arterial Roads and promote better development, small lot rezoning will be discouraged and land assembly for consolidated development will be promoted.

Policy 4.3(4) states that subject to rezoning, new development may be permitted provided that:

- a. sewer and water capacities are adequate for the site;
- b. parking can be adequately provided;
- c. no new access to Arterial Roads will be permitted where reasonable alternate access is available;
- d. the traffic carrying capacity of the Arterial Road is not significantly affected;
- e. traffic improvements, such as turning lanes, where required for a new development, will be provided by the proponent;
- f. landscaping along the entire length of road frontages and buffering between non-residential and residential uses will be provided; and,
- g. the proposal meets the policies of Sections 11.3.2 and 11.8, and Chapter 14.0, Urban Design.

Policy 14.7.1 states that new land uses or design features that would detract from the enhancement of major focal point areas within the City, such as Science North, the Big Nickel, Bell Park, Tom Davies Square and Laurentian University are discouraged. The open space character and natural aesthetic environment of the Paris Street corridor, especially that section between Walford Road and York Street, will be preserved and enhanced. In particular, the view corridor to and from Science North will be protected.

Employment Land Strategy (July 2022)

The City's Employment Land Strategy (July 2022) identifies a vacant commercial land inventory of approximately 340 hectares (almost half is serviced), with 90% of these lands located in the Community of Sudbury. The report recommends planning for 20 hectares of additional retail-commercial land through 2046. The report goes on to recommend that, to the extent that developer interest is identified on lands that are not currently designated, land use conversion requests should be evaluated on a case-by-case basis. The report states that a reactive and flexible approach is preferred, in allowing market participants to guide site selection preferences rather than the City trying to anticipate occupier needs. Further, that entertaining applications for Official Plan and Zoning By-law amendments to allow retail-commercial uses in areas where they are not currently permitted is supportable, given the conclusions of the Employment Land Strategy that the overall employment land supply is more than sufficient to accommodate anticipated growth through the forecast horizon.

Zoning By-law 2010-100Z:

Development standards for the requested 'C2' zone include a maximum height of 15 m. The minimum required rear yard is 7.5 m, and the minimum required interior side yard to the west and south is 0 m given the adjacent non-residential zoning. The maximum lot coverage is 50%. The minimum landscaped open space required is 5%.

Site Plan Control

A site plan control agreement would be required prior to development of the subject lands. A registered site plan control agreement is in place for the lands to the east with the existing businesses and that would benefit from the lot addition.

Department/Agency Review:

The applications including relevant accompanying materials have been circulated to all appropriate agencies and departments. Responses received have been used to assist in evaluating the applications.

Infrastructure Capital Planning, Transit, Strategic and Environmental Planning Services, and Fire Services have each advised that they have no concerns from their respective areas of interest.

Building Services advises that the proposed building construction will require a Building Permit to the satisfaction of the Chief Building Official. Applicant to be advised that further comments may arise at time of fulsome review of the project plans.

Conservation Sudbury advises that 0 Kingsway (the Larger Property) land cover is primarily exposed bedrock with sparse tree cover. The portion proposed to be rezoned (Subject Property) includes similar ground cover as the Larger Property as well as a gravel fill pad used for parking, and an ephemeral watercourse draining towards 1024 Kingsway. As per Ontario Regulation 41/24, made pursuant to the Conservation Authorities Act, Conservation Sudbury regulates development adjacent to the watercourse. Conservation Sudbury has no objection to the proposed Official Plan amendment and Zoning By-Law amendment. The Existing Condition Plan by Tulloch shows the extent of the watercourse. Future warehouse plans shown on the Concept Plan by Luciw Boudreau Architecture appears to be located adjacent to the watercourse and would require permission of Conservation Sudbury. On site plan control agreement applications, the site plan should show the watercourse and separation distance between such and warehouse.

Development Engineering advises that municipal water and sanitary sewer are available at the Kingsway. The existing building at 1024 Kingsway is serviced with water and sanitary sewer services. There is sufficient sanitary sewer capacity within the Kingsway sanitary sewer, and the watermain within the Kingsway road allowance can provide 87 litres/second for firefighting purposes. Any development of this site will need to address the limited fire flow available, through sprinklers within the building or other construction methods at the time of building permit application.

Water/Wastewater 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 at this time. The owner is advised that they may undertake the activity or activities described in the application and proceed to apply for a building permit or any further planning approvals as they are neither prohibited nor restricted for the purpose of Part IV of the [Clean Water Act](#).

PLANNING ANALYSIS:

The 2020 PPS, the 2011 Growth Plan, 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 applications would increase the amount of land designated Mixed Use Commercial along Kingsway Boulevard, and permit the site to be used for Automotive Body Shop; Tire Storage Building; Warehouse; Automotive Repair Shop; and Commercial or Public Garage.

Staff recommends that the proposed increase in Mixed Use Commercial land in this area is appropriate. The proposal conforms with the Growth Plan for Northern Ontario in that it aligns with the general economic policies. The applications are consistent with PPS policies and conform with Official Plan policies that acknowledge the link between land use planning and economic prosperity, and maintaining a range of sites to provide employment opportunities. Further, the increase is supported by the direction provided in the City's Employment Lands Strategy, specifically the recommendation to plan for 20 hectares of additional retail-commercial land through 2046 through the review of Official Plan and Zoning By-law Amendments to allow retail-commercial uses. The proposal would contribute positively to providing for an appropriate mix and range of employment-related uses along an existing cluster of employment-related uses, and meet the longer-term needs of existing automotive-related uses.

The proposed location aligns with the Official Plan direction to locate Mixed Use Commercial areas along Arterial Roads. The proposed designation and zoning would match the benefitting lands to the east, and represent a logical extension of the Mixed Use Commercial designation in this area. This site is well-served by transit. Land assembly in this manner is identified in the Official Plan as a strategy to minimize the disruption of traffic flow along Arterial Roads.

The subject lands are within a fully-serviced settlement area. The applications align with the PPS as well as Official Plan section 1.3.2 regarding directing development to settlement areas to promote long-term economic prosperity by optimizing the use of land and infrastructure. The applications will enable the efficient use of the existing transportation infrastructure being Kingsway Boulevard.

The reduction of lands designated as Parks and Open Space in this location is not expected to have a negative impact on the supply of natural park area. Despite the Official Plan policy that states these lands may be unsuitable for development, review of the applications has not identified significant physical constraints. Further to comments from Conservation Sudbury, the location of an ephemeral stream shown on the Existing Conditions Plan will need to be shown on any future site plan application and appropriate setbacks applied.

The rezoning application meets the specific considerations listed in policy 4.3 of the Official Plan:

- The lands are fully serviced with municipal water and sanitary sewer infrastructure that is available from Kingsway Boulevard. Further to comments from Development Engineering, development of this site will need to address the limited fire flow available, through sprinklers within the building or other construction methods at the time of building permit application.
- The site is large enough to accommodate required parking.
- No new access to Arterial Roads is requested or required.
- Regarding traffic carrying capacity, the applicant was advised during pre-consultation that a request to permit all uses listed in the C2(106) zone would require a Traffic Impact Study to be submitted with the application given the significant size of the subject land. The applicant has chosen to scope the request to certain uses intended to accommodate their business needs, rather than provide a traffic impact study to assess the impact and any required road upgrades needed to permit a full range of commercial uses. Restricting the uses to those requested will ensure that the traffic carrying capacity of the Arterial Road is not significantly affected.
- Landscaping requirements can be met.
- Matters relating to site design will be further addressed through the site plan control agreement process. The applicant has provided a building elevation plan that illustrates the proposed built form, which is expected to compliment the commercial character of the Kingsway Boulevard, in alignment with Section 14.7 of the Official Plan.

Staff recommends the official plan amendment be passed without any conditions, and not tied to the rezoning approval. This is because staff recommends the zoning by-law amendment be approved subject to a condition requiring submission of a plan of survey in order to implement the rezoning by-law, and a survey will also be required for the consent application. After the official plan amendment comes into effect, the owner can apply for and receive conditional consent approval with any special instructions for the survey. This will enable the owner to complete the survey for both the rezoning and lot addition at the same time.

CONCLUSION:

The Planning Division undertook a circulation of the applications to ensure that all technical and planning matters have been satisfactorily addressed.

The following are the principles of the proposed official plan amendment and zoning by-law amendment:

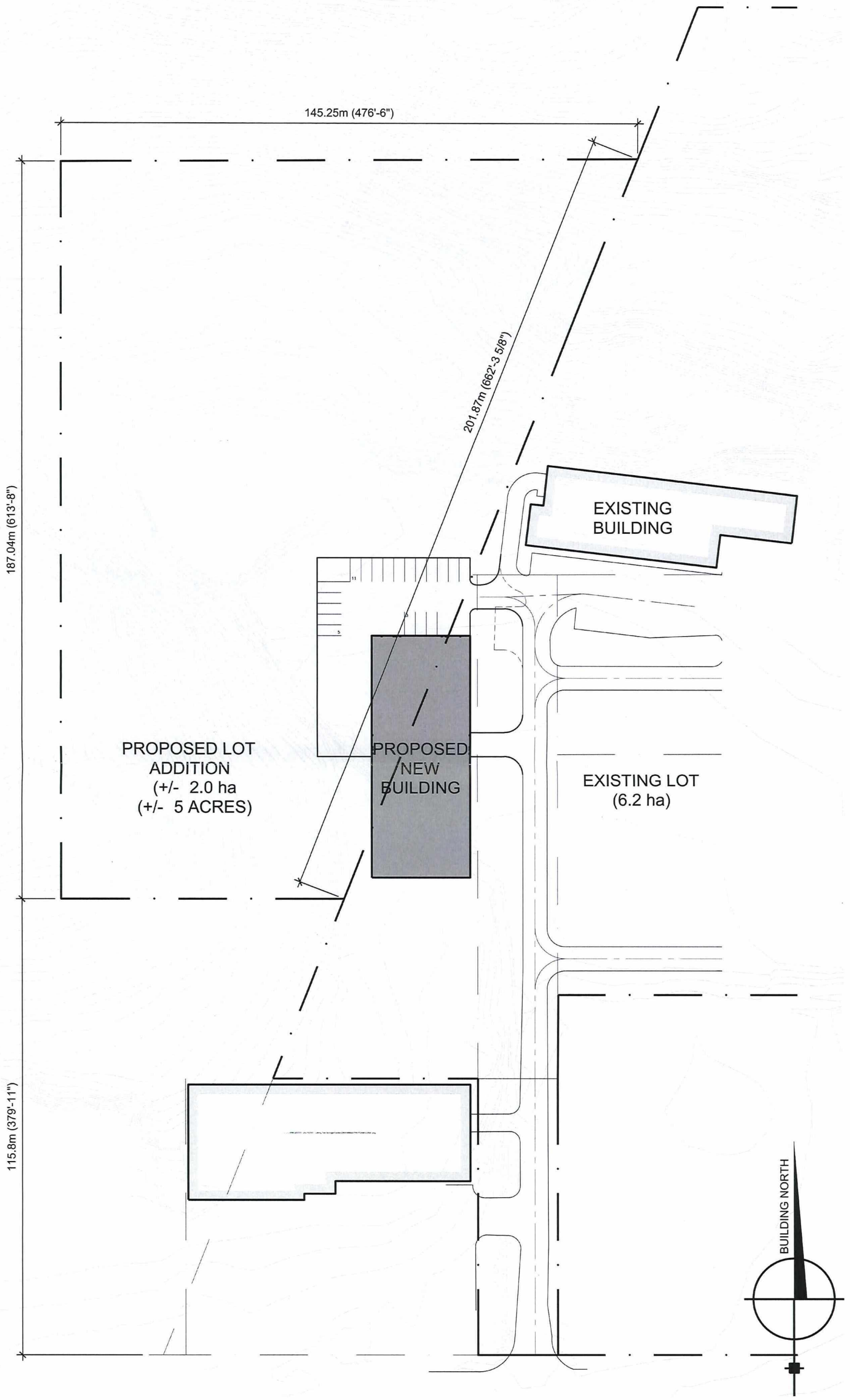
- to permit Automotive Body Shop; Tire Storage Building; Warehouse; Automotive Repair Shop; and Commercial or Public Garage on the subject land.

The development of the subject land achieves a number of policy directives, including the promotion of economic development in a manner that considers the available servicing and compatibility with adjacent uses. Staff has considered, amongst other matters, a full range of factors through a detailed review when forming the recommendation of approval for these applications.

Staff is of the opinion that the proposed amendments are appropriate based on the following:

- The proposed increase in Mixed Use Commercial land is appropriate.
- Development in this location aligns with economic development policies and directing development to an area with existing infrastructure.
- The proposal has been evaluated in the context of the surrounding and future land uses and is considered appropriate.
- There are no identified servicing constraints and the traffic increase can be accommodated. Adequate on-site parking can be provided.
- The site design, including landscaping provisions, will be further addressed through the site plan control agreement process.

Staff recommends approval of the applications as described in the Resolution section on the basis that they are consistent with the Provincial Policy Statement, conform to the Growth Plan for Northern Ontario, have regard for matters of provincial interest and represent good planning.



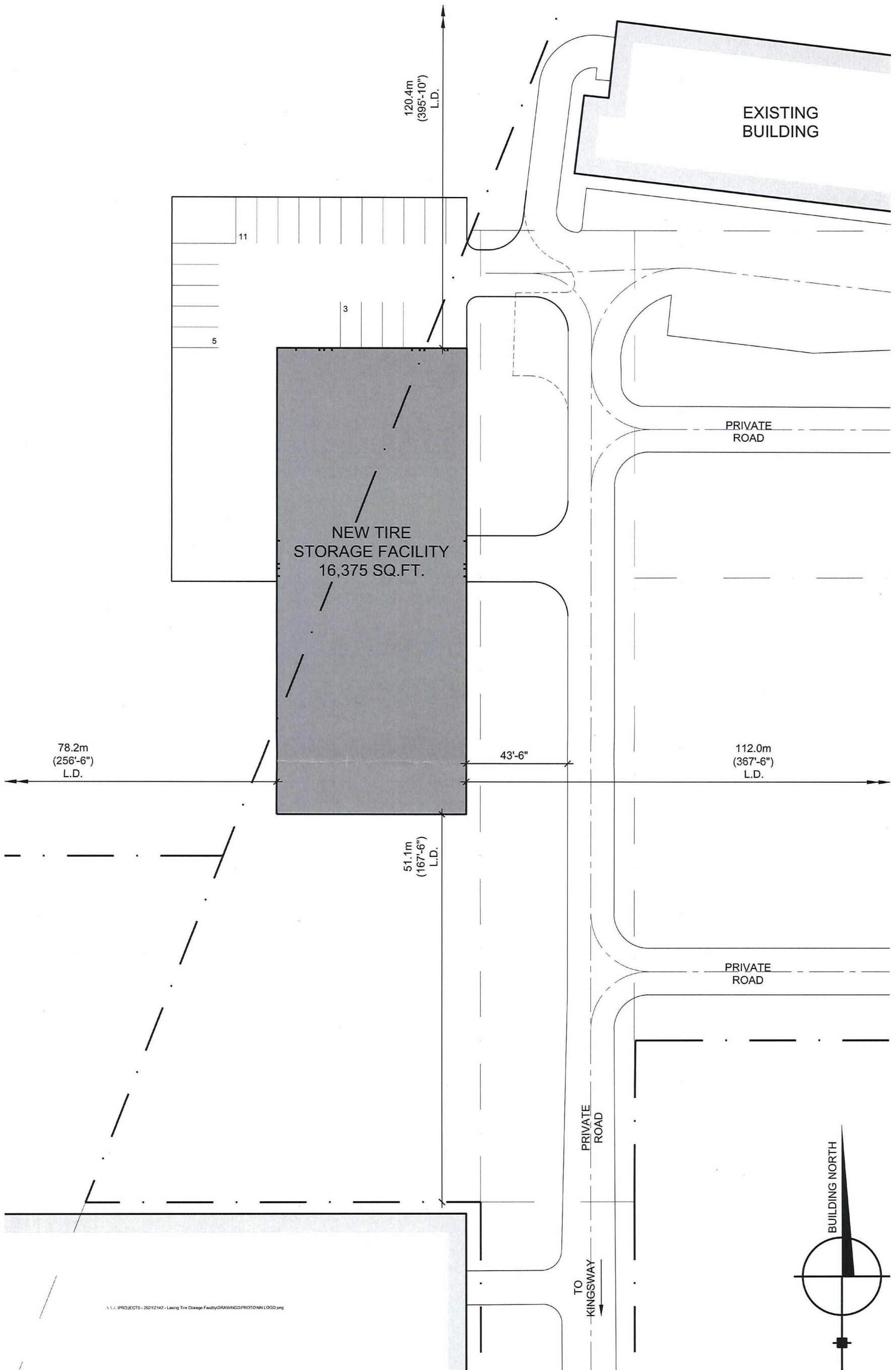
Laking Tire Storage Facility

Kingsway
Sudbury, Ontario

LUCIW BOUDREAU
ARCHITECTURE

Proposed Key Site Plan - Option F
Scale = 1" = 80'-0"
March 14, 2024

SP-F.1



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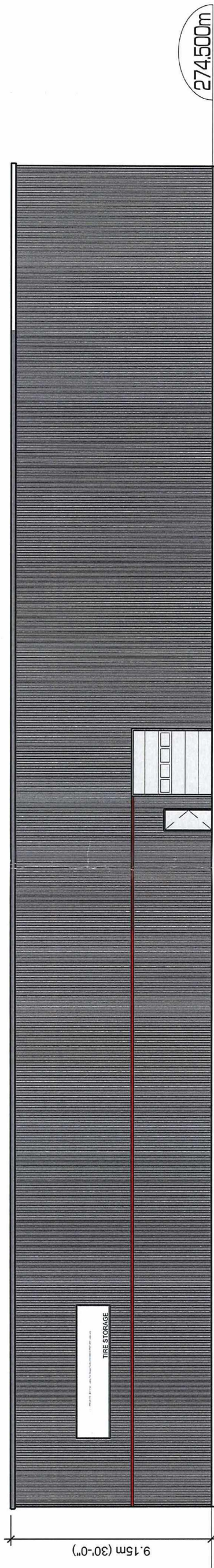
Laking Tire Storage Facility

Kingsway
Sudbury, Ontario

LUCIW BOUDREAU
ARCHITECTURE

Proposed Site Plan - Option F
Scale = 1" = 40'-0"
March 14, 2024

SP-F.2



EAST ELEVATION

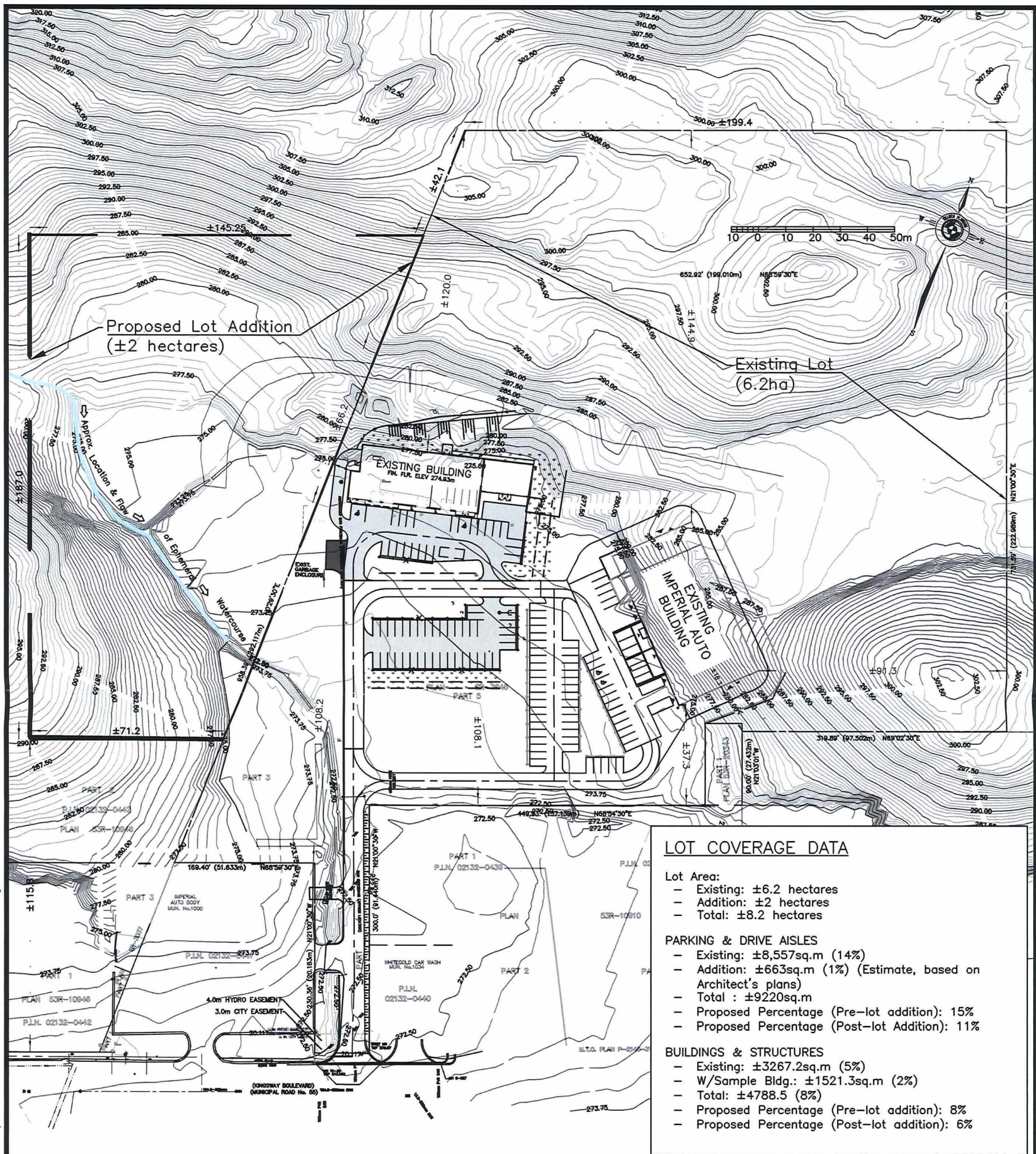
Laking Tire Storage Facility

Kingsway
Sudbury, Ontario

LUCIW ■ BOUDREAU
ARCHITECTURE

Proposed East Elevation - Option F
Scale = 1/16" = 1'-0"
March 14, 2024

EL-F



LOT COVERAGE DATA			
Lot Area:			
- Existing:	±6.2 hectares		
- Addition:	±2 hectares		
- Total:	±8.2 hectares		
PARKING & DRIVE AISLES			
- Existing:	±8,557sq.m (14%)		
- Addition:	±663sq.m (1%) (Estimate, based on Architect's plans)		
- Total:	±9220sq.m		
- Proposed Percentage (Pre-lot addition):	15%		
- Proposed Percentage (Post-lot Addition):	11%		
BUILDINGS & STRUCTURES			
- Existing:	±3267.2sq.m (5%)		
- W/Sample Bldg.:	±1521.3sq.m (2%)		
- Total:	±4788.5 (8%)		
- Proposed Percentage (Pre-lot addition):	8%		
- Proposed Percentage (Post-lot Addition):	6%		

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 SUDBURY, ONTARIO
 P3A 5Z8

PROJECT:
900281 Ontario Inc.
PIN 02132-1364 & 02132-0463

DRAWING:
Existing Conditions Plan
 (Not a Plan of Survey or Site Plan)

No.	DATE	BY	ISSUES / REVISIONS

DRAWN BY: MDJ CHECKED BY: AA PROJECT No.: 213401

SCALE: 1:2000 DATE: MAR 13, 2024

CAUTION
 THE PROPERTY BOUNDARIES ILLUSTRATED ON THIS PLAN HAVE BEEN COMPILED FROM REGISTRY PLANS AND HAVE NOT BEEN CONFIRMED.
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PLANNING JUSTIFICATION

REPORT

1024 KINGSWAY, SUDBURY
OFFICIAL PLAN & ZONING BY-LAW AMENDMENT

MARCH 2024

Prepared by: TULLOCH
Prepared for: 900281 ONTARIO INC.

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1.0 INTRODUCTION

TULLOCH is retained by the owner of 1024 Kingsway (being PIN 02132-1364) in Sudbury to prepare a planning justification report as part of a complete application to amend the *City of Greater Sudbury Official Plan* and the *City of Greater Sudbury Zoning By-Law 2010-100Z*. This report provides justification for the application to redesignate a ±2 hectare extent of PIN 02132-0463 (the ±2 hectare extent being the subject property) from Parks and Open Space to Mixed Used Commercial, and to rezone the said ±2 hectare extent from OSP (Open Space Private) to an amended C2(106) (General Commercial Special). The application would facilitate a lot addition from PIN 02132-0463 to 1024 Kingsway (PIN 02132-1364, being the benefitting property) for the future expansion of the existing businesses over the benefitting property.

This report reviews the consistency and conformity of the application in the context of the applicable policies and direction found within the following documents and plans:

- *2020 Provincial Policy Statement (PPS)*
- *Growth Plan for Northern Ontario (GPNO)*
- *City of Greater Sudbury Official Plan (OP)*
- *City of Greater Sudbury Zoning By-Law 2010-100Z*

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

2.0 SUBJECT PROPERTY & SURROUNDING CONTEXT

The subject property is located on the north side of the Kingsway (a large mixed use commercial corridor) in Sudbury between Silver Hills Drive to the east and Bancroft Drive to the west. The subject property makes up ±2 hectares and is currently apart of a property that makes up ±44.6 hectares with frontage on the Kingsway, while the irregular-shaped benefitting property makes up ±6 hectares with ±20 metres of frontage on the Kingsway (see *Figure 1 & Figure 2*).

The entirety of PIN 02132-0463 is currently zoned OSP (Open Space – Private) in the zoning by-law and designated Parks and Open Space in the OP. 1024 Kingsway is currently zoned C2(106) (General Commercial) and designated Mixed Use Commercial in the OP. PIN 02132-0463 is largely vacant, while 1024 Kingsway currently contains two main buildings occupied by an automotive body shop (Imperial Collision Centre) and a retail store/business office (Forest & Lawn Equipment Supply & Insurance Company). The subject property contains an existing cleared area that makes up ±0.9 hectares. This area is currently being used as a temporary parking area for the Imperial Collision Centre (see *Figure 4 & Figure 5*). Both properties are designated as an intake protection zone 3 in the City of Greater Sudbury's Source Water Protection Plan, and located within the Ramsey Lake Watershed in the zoning by-law.

The Kingsway is fully serviced by municipal water and sanitary sewer, classified as a Primary Arterial road on OP *Schedule 7* and benefits from access to GOVA Transit Routes 2, 12, and 103. The nearest transit stop is located approximately 110 metres from 1024 Kingsway.

The surrounding area largely comprises of a mix of general commercial land uses. The immediate surrounding area can be described as follows:

NORTH: Several large tracts of privately-owned open space containing mature vegetation and rocky topography.

EAST: General commercial land uses (eg. Pioneer Gas Station, Lot 88 Steakhouse & Bar, Kia Sudbury Motors, etc.), several large tracts of both public and privately-owned open space, and Silver Hills Drive.

SOUTH: General commercial land uses (eg. Northern Nissan, Wendy's, Esso Canada Gas Station, Tim Hortons, etc.).

WEST: General commercial land uses (eg. Palladino Honda), and two large tracts of public and privately-owned open space containing mature vegetation and rocky topography.



Figure 1: Subject Property and Surrounding Context

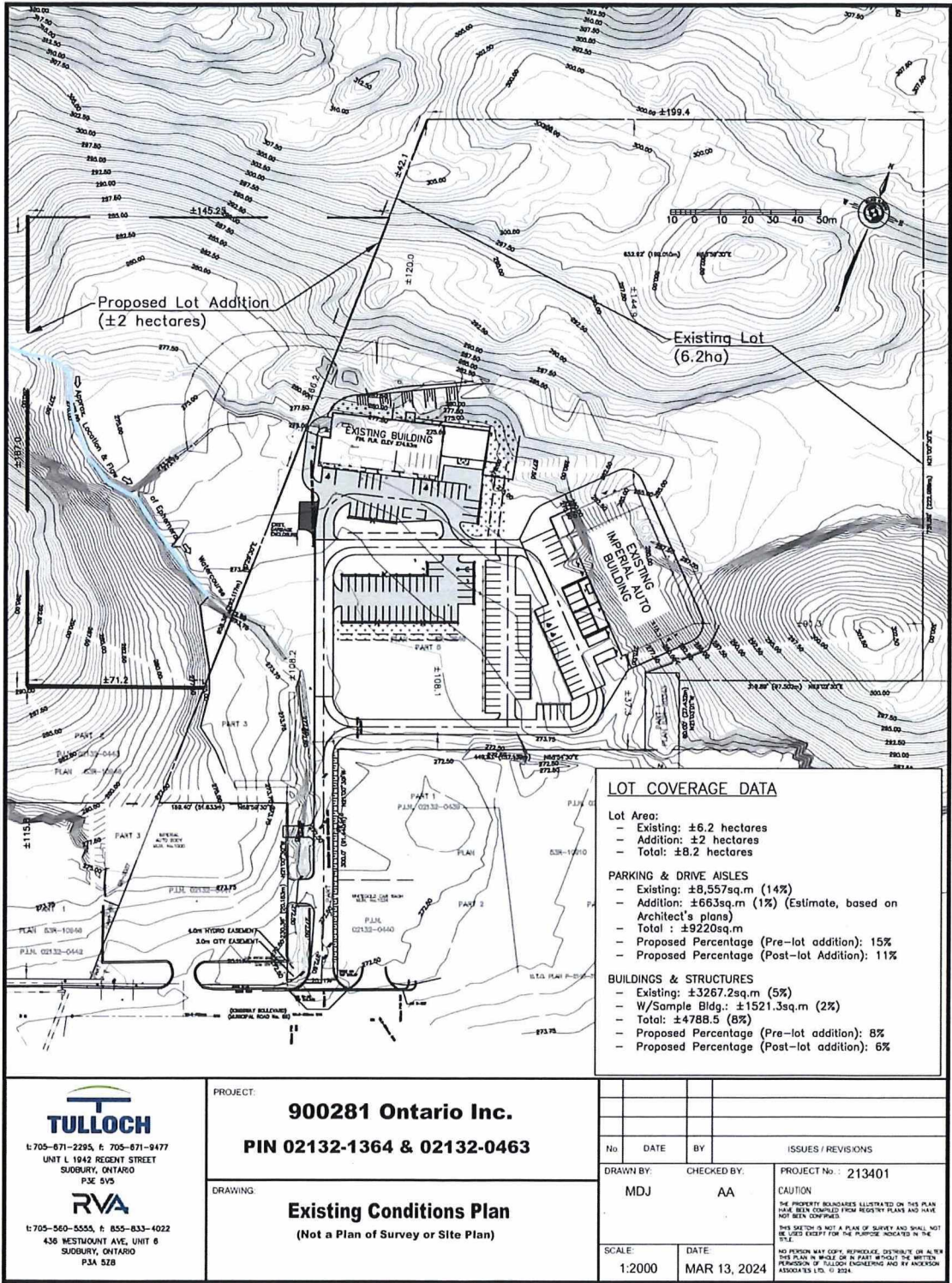


Figure 2: Existing Conditions



Figure 3: Photo taken near the north-east extent of the subject property, facing north



Figure 4: Photo taken near the north-east extent of the subject property, facing west



Figure 5: Photo taken near the north-east extent of the subject property, facing south



Figure 6: Potential location of ephemeral watercourse near the north-west extent of the subject property



Figure 7: View of potential ephemeral watercourse facing north



Figure 8: View of potential ephemeral watercourse facing south

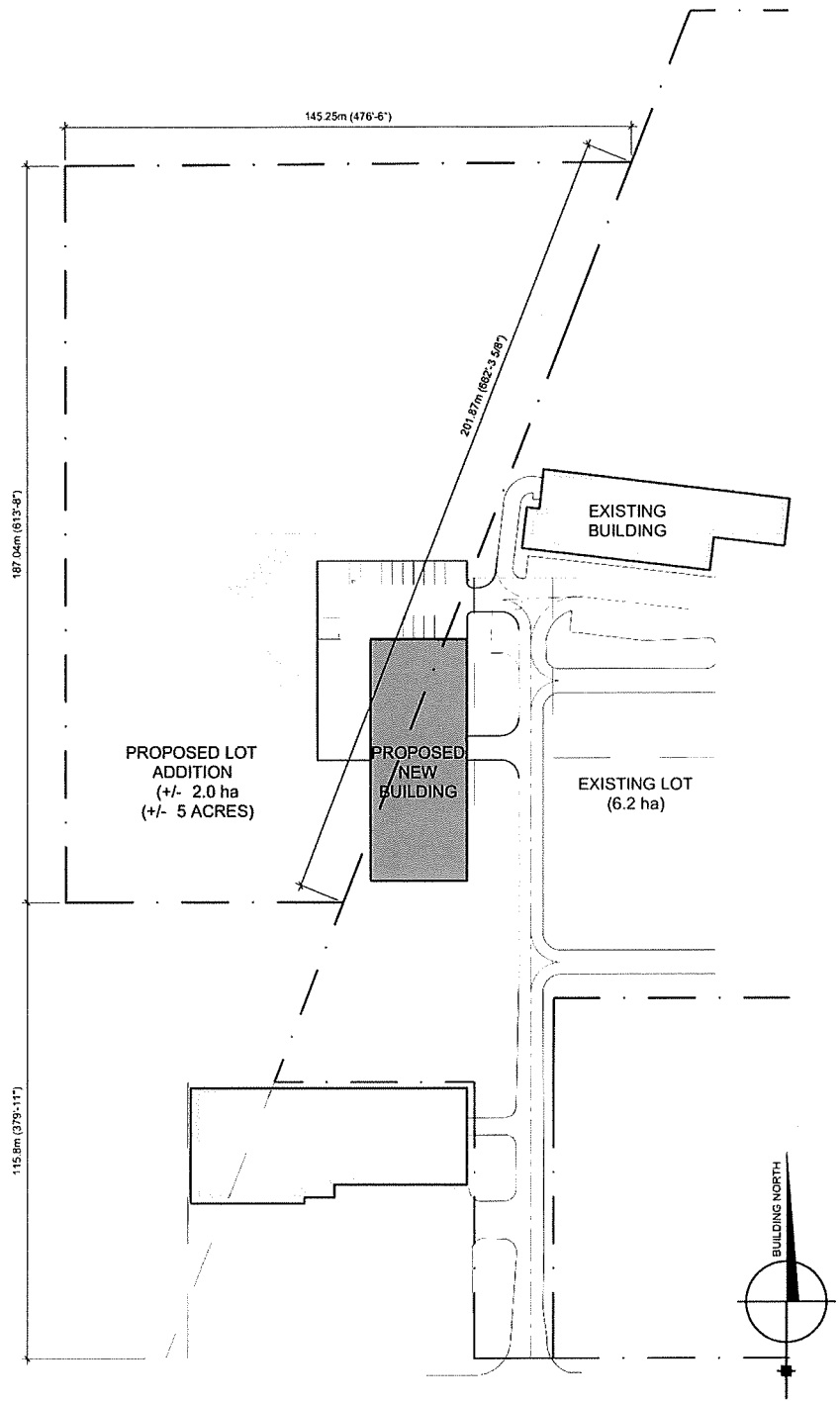
3.0 PROPOSED DEVELOPMENT

The application proposes to redesignate a ±2 hectare extent of PIN 02132-0463 (the ±2 hectare extent being the subject property) from Parks and Open Space to Mixed Used Commercial, and to rezone the said ±2 hectare extent from OSP (Open Space Private) to an amended C2(106) (General Commercial Special). **Section 19.9** of the OP considers boundary designations as '*general guidelines only, except where such areas or boundaries coincide with existing roads, railways, rivers, waterbodies and other defined features.*' Through pre-consultation, this section was discussed, and the City confirmed the need for an official plan amendment. Although the agent does not agree with the need for an official plan amendment, such is being submitted as pre-consultation comments from the City indicated that the City is the formal interpreter of the boundaries of the designations within the OP.

The proposal seeks to avoid a split-zoning issue from occurring as a result of a future application for consent that would facilitate a lot addition from PIN 02132-0463 to 1024 Kingsway (PIN 02132-1364 being the benefitting property). The proposal would also resolve the encroachment of two existing accessory structures between the subject property and benefitting property (see *Figure 2*). The proposed zoning by-law amendment defines the uses permitted over the subject property, restricting these lands to the following uses in the zoning by-law:

- *Automotive Body Shop;*
- *Tire Storage Building;*
- *Warehouse;*
- *Automotive Repair Shop;*
- *Commercial or Public Garage.*

A ±1522m² warehouse is outlined on the submitted concept plan for the purpose of demonstrating the applications compliance with the zoning by-law, and for the purpose of producing the required building elevation plans and sewer/water capacity analysis that are required as part of a complete application (see *Figure 9, Figure 10 & Figure 11*). Ultimately, the application would facilitate a lot addition for the future expansion of the existing businesses over the benefitting property - no new buildings or structures are proposed at this time.



Laking Tire Storage Facility

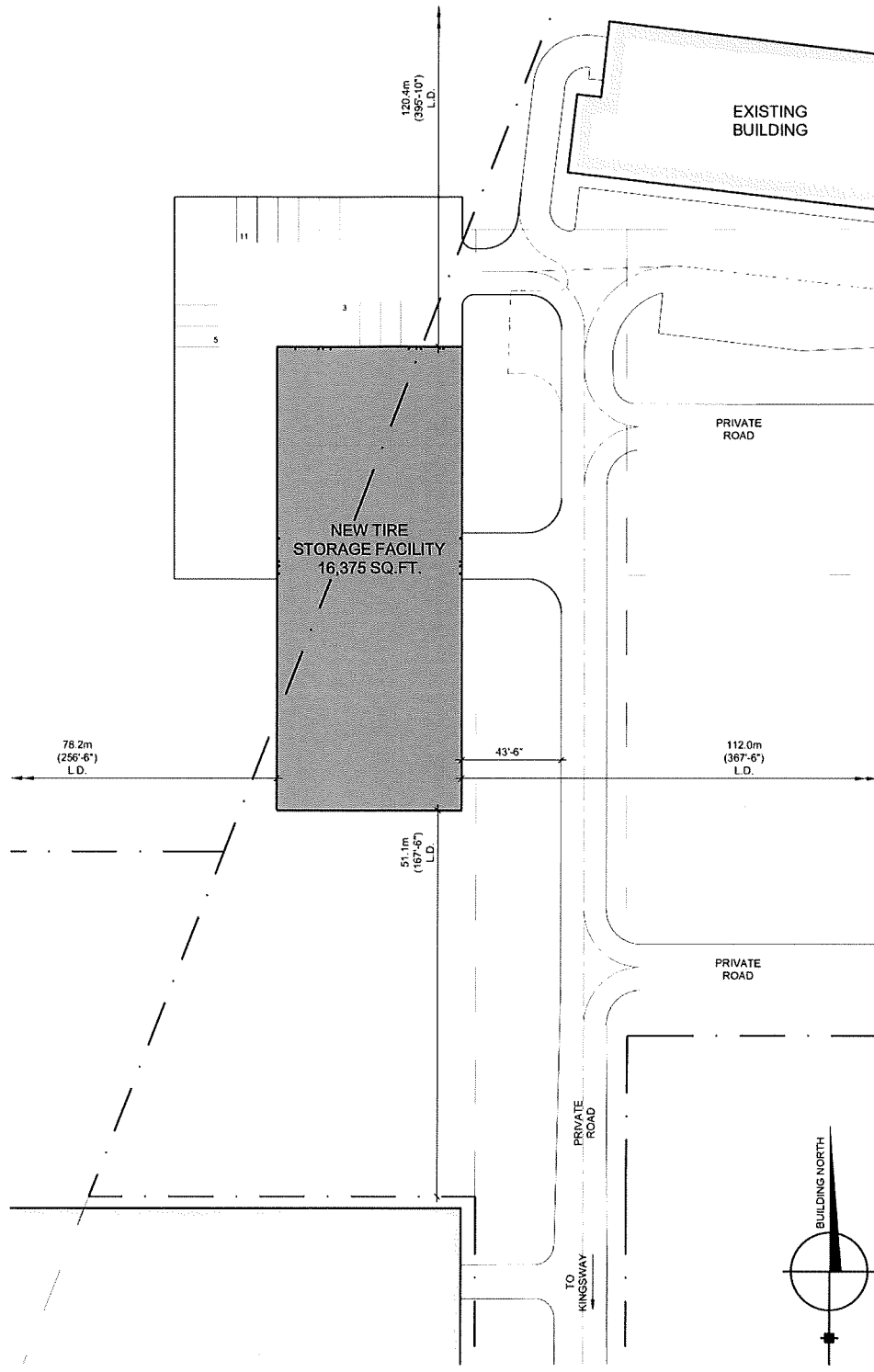
Kingsway
Sudbury, Ontario

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Proposed Key Site Plan - Option F
Scale = 1" = 80'-0"
March 14, 2024

SP-F.1

Figure 9: Concept Plan



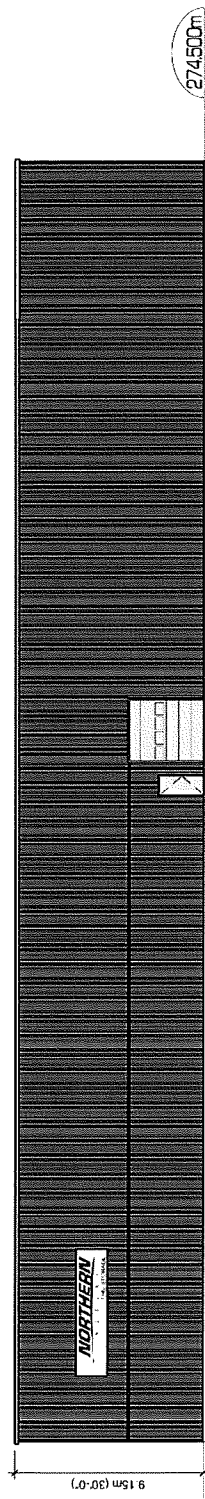
Laking Tire Storage Facility
 Kingsway
 Sudbury, Ontario

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Proposed Site Plan - Option F
 Scale = 1" = 40'-0"
 March 14, 2024

SP-F.2

Figure 10: Concept Plan – Zoomed-in



EAST ELEVATION

Laking Tire Storage Facility

Kingsway
Sudbury, Ontario

LUCI W ■ BOUDREAU
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Proposed Floor Plan - Option E
Scale = 1/16" = 1'-0"
February 13, 2024

EL-E

Figure 11: Conceptual Elevations

4.0 POLICY OVERVIEW & ANALYSIS

The following section sets out the relevant planning policy framework to assess the appropriateness of the application in the context of Provincial and municipal policies and regulations. Each sub-section will outline relevant policies and provide an analysis with respect to how the official plan and zoning by-law amendments are consistent with or conforms to such policy.

4.1 PROVINCIAL POLICY STATEMENT, 2020 (PPS)

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

Section 1.1 of the PPS speaks to managing and directing land use to achieve efficient and resilient development and land use patterns. **Section 1.1.1** states, in part:

- 1.1.1** *Healthy, liveable and safe communities are sustained by:*
- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
 - b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
 - c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- ...

Section 1.1.3 of the PPS states that settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted. Considering the subject property is located within Sudbury's settlement area, the following policies are applicable:

- 1.1.3.1** *Settlement areas shall be the focus of growth and development.*
- 1.1.3.2** *Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*
- a) efficiently use land and resources;*

b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

...

Per **Section 1.1.1**, healthy, livable and safe communities are sustained by accommodating an appropriate market-based range and mix of residential types and employment uses (including industrial and commercial) to meet long-term needs. The application seeks to expand upon the employment land of the benefitting property, contributing to a range and mix of employment land which already exists along the Kingsway corridor. The application promotes efficient development and land use patterns by adding employment land to an area that benefits from existing municipal services and infrastructure, thereby supporting the financial well-being of the Province and the municipality over the long term. The benefitting property is connected to full municipal sewer and water services, and active transportation (sidewalks) and public transit networks in proximity (within 110m, being GOVA Transit Routes 2, 12, and 103).

With respect to **Section 1.1.1 (c)**, the application seeks to avoid a development and land use pattern that would negatively contribute to environmental or public health and safety concerns. Considering the subject property is located within an intake protection zone 3 in the City of Greater Sudbury's Source Water Protection Plan, a Source Water Protection Section 59 application is being submitted as part of a complete application to evaluate the proposals impact on the quality of drinking water in the area.

The subject property is located within the City's settlement area boundary, which under **Section 1.1.3** shall be the focus of growth and development. The PPS encourages a mix of densities and land uses that efficiently use land and resources within settlement areas. To support consistency with the above noted policies outlined in **Section 1.1.3**, the application focuses growth and development within the City's settlement area boundary and represents a land use pattern that is based on a mix of land uses that:

- Efficiently use land and existing resources as the application would make more efficient use of an underutilized part of PIN 02132-0463 (through the proposed amendments and eventual lot addition) that would benefit from (once the subject property is added to the benefitting property) a variety of existing municipal infrastructure and services which already exist along the Kingsway corridor; and
- Are appropriate for, and would continue to utilize existing municipal infrastructure, generally avoiding the need for their unjustified and/or uneconomical expansion.

Section 1.3 of the PPS contains policies related to promoting economic development and competitiveness within employment areas. **Section 1.3.1** states:

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

a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;

b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;

c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;

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

e) ensuring the necessary infrastructure is provided to support current and projected needs.

Per **Section 1.3.1 (a) & (b)**, the application provides the opportunity for a more diversified economic base by maintaining and expanding upon lands that are suitable for employment uses along the Kingsway. These lands support a wide range of economic activities and account for the needs of existing and future businesses. Regarding the existing businesses, the proposed zoning by-law amendment defines the uses permitted over the subject property, restricting these lands to a limited number of uses in the zoning by-law to ensure that these lands can appropriately tie into the benefiting property, while still meeting the short term needs of the current property owner. With respect to future businesses, all the provisions of the zoning by-law applicable to the C2(106) zone will still apply to the current extent of the benefiting property. This will provide flexibility to future businesses considering the C2 zone permits a wide range and mix of employment and residential uses as outlined in *Table 7.1* and *Table 7.2* in the zoning by-law.

With respect to **Section 1.3.1 (c), (d) & (e)** the subject property would benefit from (once the subject property is added to the benefiting property) a variety of existing municipal infrastructure and services that already exist along the Kingsway corridor, making it a strategic site for investment. The subject property is also market-ready as it does not contain any significant constraints (e.g. environmental, topographic, etc.) that would hinder its future development. While the subject property contains, and is surrounded by, mature vegetation and rocky topography, it also contains an existing cleared area that makes up ±0.9 hectares. As previously discussed, this area serves as a temporary parking area for the Imperial Collision Centre. However, this area can additionally be used for the future expansion of the existing businesses over the benefiting property. The application incorporates and builds off of compatible employment uses to assist in supporting a livable and resilient community.

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

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

a) promoting opportunities for economic development and community investment-readiness;

...

c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;

...

Per **Section 1.7.1 (a) & (c)**, the application promotes opportunities for economic development and community investment-readiness by expanding upon the employment land of the benefitting property, while accounting for the needs of existing businesses, and the needs of future businesses to ensure the benefitting property remains investment-ready by continuing to permit a wide range and mix of employment and residential uses. The application utilizes existing resources, infrastructure, and public services in a more efficient manner by expanding upon the employment land along the Kingsway, and contributing to a range and mix of employment uses which already exist along this corridor.

4.2 GROWTH PLAN FOR NORTHERN ONTARIO (GPNO)

The *Growth Plan for Northern Ontario* (GPNO) is a 25-year plan that provides guidance in aligning provincial decisions and investment in Northern Ontario. It contains policies to guide decision-making surrounding growth that promotes economic prosperity, sound environmental stewardship, and strong, sustainable communities that offer northerners a high quality of life. It also recognizes that a holistic approach is needed to plan for growth in Northern Ontario.

Section 4.3 of the GPNO promotes efficient use of economic and service hubs in Northern Ontario. The following policies are applicable:

4.3.3 *Economic and service hubs shall maintain updated official plans and develop other supporting documents which include strategies for:*

a. developing a diverse mix of land uses, an appropriate range of housing types, and high quality public spaces; and providing easy access to stores, services and recreational opportunities

...

d. encouraging a significant portion of future residential and employment development to locate in existing downtown areas, intensification corridors, brownfield sites, and strategic core areas

...

The City of Greater Sudbury is designated as an economic and service hub under the GPNO. Per the above noted policies, economic and service hubs shall maintain updated official plans and develop other supporting documents that include strategies for developing a diverse mix of land uses, and encourage a significant portion of future employment development to locate in existing downtown areas, intensification corridors, brownfield sites, and strategic core areas.

Within the GPNO, intensification corridors are defined as *'areas along major roads, arterials or transit corridors that have the potential to provide a focus for higher density mixed-use development.'* The subject property and benefitting property are located along an arterial road (being the Kingsway).

Therefore, the application encourages future employment development to locate in existing intensification corridors, consistent with **Section 4.3.3**.

4.3 CITY OF GREATER SUDBURY OFFICIAL PLAN (OP)

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

Section 2.3.2 contains land use policies related to the City's settlement area and states, in part:

- 2.3.2.1** *Future growth and development will be focused in the Settlement Area through intensification, redevelopment and, if necessary, development in designated growth areas.*
- 2.3.2.2** *Settlement Area land use patterns will 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.*
- 2.3.2.3** *Intensification and development within the Built Boundary is encouraged in accordance with the policies of this Plan. Development outside of the Built Boundary may be considered in accordance with the policies of this Plan.*

...

The application would direct growth and development in the settlement area through the proposed amendments and eventual lot addition. In doing so, the proposal seeks to establish a more suitable use for the subject property, while continuing to utilize existing municipal infrastructure. The subject property is located outside of the Built Boundary, however per **Section 2.3.2.3**, development outside of the Built Boundary may be considered in accordance with the policies of the OP. It is the authors opinion that the application conforms to the applicable policies found within the OP, given the analysis provided in this section of the report.

Section 4.1 speaks to the objectives of the City's Employment Areas and states, in part:

- 4.1** *It is the objective of the Employment Area policies to:*
 - a) ensure that an adequate supply and variety of serviced employment land exists throughout Greater Sudbury in accordance with the settlement pattern, allowing for the expansion and diversification of the employment base;*
 - b) ensure that a broad range of commercial opportunities are provided for residents, employees and tourists;*
- ...
- f) ensure that existing industrial lands are used efficiently and promote the development and redevelopment of existing, underutilized, or unused sites;*

...

Mixed Use Commercial areas have been developed in Sudbury with the intent of recognizing the development potential of these areas by permitting a balance of mixed uses including commercial, institutional, residential, and parks and open space through the rezoning process. **Section 4.3** provides municipal policies regarding the development of lands designated Mixed Use Commercial in the OP and states, in part:

4.3.1 *All uses permitted by the Plan except Heavy Industrial may be accommodated in the Mixed-Use Commercial designation through the rezoning process. Uses permitted in the Mixed-Use Corridor designation shall provide for a broad range of uses that serve the needs of the surrounding neighbourhoods at a lesser density and concentration than Regional Corridors.*

...

4.3.4 *Subject to rezoning, new development may be permitted provided that:*

- a) sewer and water capacities are adequate for the site;*
- b) parking can be adequately provided;*
- c) no new access to Arterial Roads will be permitted where reasonable alternate access is available;*
- d) the traffic carrying capacity of the Arterial Road is not significantly affected;*
- e) traffic improvements, such as turning lanes, where required for a new development, will be provided by the proponent;*
- f) landscaping along the entire length of road frontages and buffering between non-residential and residential uses will be provided; and,*
- g) the proposal meets the policies of Sections 11.3.2 and 11.8, and Chapter 14.0, Urban Design.*

With respect to **Section 4.1**, the application would assist in meeting the objectives of the Employment Area policies, considering it:

- Contributes to the supply and variety of serviced employment land which already exists along the Kingsway corridor, allowing for the expansion and diversification of existing and future businesses;
- Ensures that a broad range of commercial opportunities are maintained for residents, employees and tourists as all the provisions of the zoning by-law applicable to the C2(106) zone will still apply to the current extent of the benefitting property. As previously discussed, this will provide flexibility to future businesses considering the C2 zone permits a wide range and mix of employment and residential uses as outlined in *Table 7.1* and *Table 7.2* in the zoning by-law; and
- Promotes the growth and development of an underutilized site, as discussed throughout this report.

Moreover, all uses permitted by the Plan except Heavy Industrial may be accommodated in the Mixed Use Commercial designation through the rezoning process, per **Section 4.3.1**. **Section 4.3.4** outlines the tests that these new developments must align with. The application seeks to align with these tests, considering it:

- Is accompanied by a sewer and water capacity request to determine if there is adequate municipal capacity to service the uses proposed over the subject property;
- Demonstrates that parking can be adequately provided over the subject property, in accordance with the applicable provisions found within the zoning by-law;
- Does not propose new access to the Kingsway (being an Arterial Road);
- Would likely introduce a negligible impact on the traffic carrying capacity of the Kingsway. A traffic impact study is not required as part of a complete application considering the subject property will be restricted to the uses outlined in *Section 3.0* of this report; and
- Meets the applicable policies of **Section 14** of the OP. An analysis of such is provided in this section of the report.

Section 7.3.2 contains land use policies for properties that are privately owned and designated Parks and Open Space in the OP. This section states, in part:

- 7.3.2.1** *Private lands designated Parks and Open Space primarily consist of:*
- a) lands with natural hazards such as flood plains that are not suitable for development;*
 - b) lands that are difficult and uneconomical to develop and service;*
 - c) lands that are intended to be left undeveloped to serve as buffers between mining or heavy industrial uses and built-up areas;*
 - d) hydro corridors; and,*
 - e) lands occupied by private outdoor recreational facilities such as golf courses.*
- ...

The subject property is currently privately owned and designated Parks and Open Space in the OP.

Section 7.3.2.1 outlines what these types of lands primarily consist of. The subject property does not align with this section, considering it:

- Is not located within an area regulated by Conservation Sudbury. Pre-consultation comments from Conservation Sudbury indicated that there appears to be an unmapped ephemeral watercourse which appears to drain toward the subject property, however due to consolidated bedrock visible at surface, there are no erosion hazards associated with the said watercourse. The submitted concept plan confirms (through site visits and topographic data) the approximate location, and flow of the said watercourse (see *Section 2.0* & *Section 3.0* of this report);
- Does not contain any significant constraints (e.g. environmental, topographic, etc.) that would hinder the future development of this site. In addition, should the subject property be added to the benefitting property, the subject property will benefit from access to the Kingsway and full municipal sewer and water services;

- Does not serve as a buffer between mining or heavy industrial uses and built-up areas;
- Is not apart of a hydro corridor; and
- Is not occupied by a private outdoor recreational facility.

Building off of the analysis provided herein, and given the above, it is the authors opinion that the subject property does not fully align with the intent of **Section 7.3.2.1**, and such lands would be more suitable for employment uses.

The OP promotes their dedication to the preservation and enhancement of the City's design features, views and corridors, as outlined in **Section 14.7**, which states, in part:

14.7.1 *New land uses or design features that would detract from the enhancement of major focal point areas within the City, such as Science North, the Big Nickel, Bell Park, Tom Davies Square and Laurentian University are discouraged. The open space character and natural aesthetic environment of the Paris Street corridor, especially that section between Walford Road and York Street, will be preserved and enhanced. In particular, the view corridor to and from Science North will be protected.*

...

As previously discussed, a ±1522m² warehouse is outlined on the submitted concept plan partially for the purpose of producing building elevation plans that are required as part of a complete application. This warehouse is sited at an elevation of 274.5 metres, while elevations in proximity to the benefitting property's frontage along the Kingsway range from 272.5 – 273.75 metres above sea-level (see *Section 2.0* of this report). This results in a 0.75 - 2 metre difference in elevation from the benefitting property's frontage along the Kingsway to the location of the conceptual warehouse outlined on the submitted concept plan. In addition, the subject property is setback ±116 metres from the Kingsway, and screened by a range and mix of existing employment uses along the north side of the Kingsway. These uses are largely automotive related (as outlined in *Section 2.0* of this report), similar to those uses proposed over the subject property.

Given the elevations outlined above and the surrounding context of the subject property, it is the authors opinion that the proposed land uses would not detract from the enhancement of any focal point areas along the Kingsway, per **Section 14.7.1**.

5.0 CITY OF GREATER SUDBURY ZONING BY-LAW 2010-100Z

As previously discussed, a ±1522m² warehouse is outlined on the submitted concept plan for the purpose of demonstrating the applications compliance with the zoning by-law, and for the purpose of producing the required building elevation plans and sewer/water capacity analysis that are required as part of a complete application. The below zoning matrix table evaluates zoning compliance with respect to the conceptual warehouse and the applicable provisions in the zoning by-law:

	MINIMUM FRONT YARD	MINIMUM REAR YARD	MINIMUM INTERIOR SIDE YARD	MAX. LOT COVERAGE	MAX HEIGHT	MINIMUM LANDSCAEPED OPEN SPACE	STANDARD PARKING SPACES	ACCESSIBLE PARKING SPACES	LOADING SPACES
PROVIDED	>15m	±120.4m	±51.1m	±6%	±9.15m	>5%	19	SUFFICIENT AREA AVAILABLE	SUFFICIENT AREA AVAILABLE
REQUIRED	15m	15m	NO MINIMUM	50%	15m	5%	17 (1/90m2)	1	1

Ultimately, the application would facilitate a lot addition for the future expansion of the existing businesses over the benefitting property - no new buildings or structures are proposed at this time.

6.0 CONCLUSION

The subject amendments would facilitate a lot addition from PIN 02132-0463 to 1024 Kingsway (PIN 02132-1364, being the benefitting property) for the future expansion of the existing businesses over the benefitting property. These amendments seek to expand upon the employment land of the benefitting property, contributing to a range and mix of employment land which already exists along the Kingsway corridor, and supporting current and future needs. Overall, the author found that the application promotes a more efficient use of land and land use patterns that expand upon compatible employment uses and effectively utilize existing municipal infrastructure.

Given the analysis provided herein, it is the author's opinion that the proposed official plan and zoning by-law amendments are consistent with the *2020 Provincial Policy Statement*, conforms with the *Growth Plan for Northern Ontario* and the intent of the *City of Greater Sudbury Official Plan*, and represents good planning.

Respectfully submitted,

Prepared by:



Aaron Ariganello, BURP

Land Use Planner

TULLOCH

Reviewed by:



Mark H. Simeoni, MCIP, RPP

Senior Planning Consultant

TULLOCH

May 30, 2024

R.V. Anderson
436 Westmount Ave, Unit 6
Sudbury, ON
P3A 5Z8

Attention: Candice Green, P. Eng

**Re: Sewer and Water Capacity Analysis
1024 Kingsway
Township of McKim**

The Development Engineering Section has reviewed your request for a Sewer and Water Capacity Analysis at the above noted location and have the following to report:

A review of the sewage mains downstream from the proposed connection at MH 10-16 Kingsway revealed that the mains are capable of conveying the additional 2.0 L/s of flow expected from your development.

A capacity analysis performed by our WaterCAD model, developed the following results at the 200mm watermain at intersection of the Kingsway and Access Rd.

<u>Values Obtained from Model</u>	<u>C.G.S. Minimum Requirements</u>
Max Hour: 68 psi	• 40 psi
Max Day: 68 psi	• 50 psi
Fire Flow: 87 l/s	

It should be noted that these results are derived at by using a theoretical computer model based on our best available data. In the event that these developments do not proceed within a one (1) year period, then you should make the necessary arrangements to have a current analysis carried out to take into account any changes made in our sewer or WaterCAD models and to ensure that there is sufficient Sewage, Fire Flows and/or Domestic Pressures available for your proposal(s).

Should you have any questions or concerns please contact me at 671-2489 ext 2409.

Yours truly,

David Longarini
Development Engineering Technician

DVL/ds

cc: Akli BenAnteur, Wastewater Project Engineer, (Kelly Lake)

**AMENDMENT NUMBER 131
TO THE CITY OF GREATER SUDBURY OFFICIAL PLAN**

Components of the Amendment: Part A, the Preamble, does not constitute part of this Amendment.

Part B, the Amendment, which consists of the following map entitled Schedule "A", constitutes Amendment 131 to the City of Greater Sudbury Official Plan.

PART A - THE PREAMBLE

Purpose of the Amendment: The proposed amendment would redesignate the subject lands from "Parks and Open Space" to "Mixed Use Commercial".

Location: Part of PIN 02132-0463, Part of Parcel 24005A SES, in Lot 3, Concession 4, Township of McKim (0 Kingsway, Sudbury)

Basis: An Application for Official Plan Amendment (File #701-6/24-03) has been submitted for consideration by Planning Committee and Council in order to redesignate the subject lands from "Parks and Open Space" to "Mixed Use Commercial". The application, together with a concurrent Application for Zoning By-Law Amendment (File #751-6/24-04), would facilitate a lot addition to the property to the east known as 1024 Kingsway for the future expansion of the existing businesses onto the subject lands.

PART B - THE AMENDMENT

- 1) Schedule 2c Site Specific Policies of the Official Plan for the City of Greater Sudbury is hereby amended by redesignating the subject lands from "Parks and Open Space" to "Mixed Use Commercial", Part of PIN 02132-0463, Part of Parcel 24005A SES, in Lot 3, Concession 4, Township of McKim (0 Kingsway, Sudbury), as shown on Schedule "A" attached to this amendment.

Unnamed Private Road 110

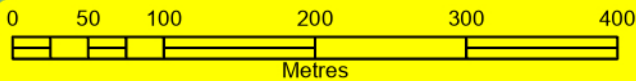
OPA 131
Parks & Open Space to
Mixed Use Commercial

Kingsway

Bancroft Drive

Hargreaves Avenue

Schedule 'A' to
OPA # 131



Greater Sudbury

Lake	Land Use
Road Network	Living Areas
Private Road	Living Area I
Railway	Employment Areas
	Mixed Use Commercial
	Other
	Parks & Open Space



Photo 1. Subject lands, 0 Kingsway Boulevard, facing northwest, showing the existing parking area. Photo taken May 24, 2024. CGS File 701-6/24-03 & 751-6/24-04.



Photo 2. Adjacent lands to the south which includes benefitting lands and commercial use beyond, facing south towards Kingsway Boulevard. Photo taken May 24, 2024. CGS File 701-6/24-03 & 751-6/24-04.



Photo 3. Subject lands, 0 Kingsway Boulevard, facing south towards Kingsway Boulevard, showing the existing parking area, benefitting lands and commercial use beyond. Photo taken May 24, 2024. CGS File 701-6/24-03 & 751-6/24-04.



Photo 4. Benefitting lands to the east of the subject lands, 1024 Kingsway Boulevard, facing northeast. Photo taken May 24, 2024. CGS File 701-6/24-03 & 751-6/24-04.



Photo 5. Benefitting lands to the east of the subject lands, 1024 Kingsway Boulevard, facing northeast. Photo taken May 24, 2024. CGS File 701-6/24-03 & 751-6/24-04.

2380 Long Lake Road, Sudbury

Presented To: Planning Committee

Meeting Date: July 8, 2024

Type: Public Hearing

Prepared by: Stephanie Poirier
Planning Services

Recommended by: Director of Planning
Services

File Number: 751-6/24-03

Report Summary

This report provides a recommendation regarding an application to rezone the subject lands from “R1-5”, Low Density Residential One Zone and the “C3”, Limited General Commercial Zone to the “CS(S)”, Limited General Commercial Special Zone in order to remove a split-zoning and permit an addition to the existing commercial building and parking area on the southerly portion of the lands.

This report is presented by Stephanie Poirier, Senior Planner.

Resolution

THAT the City of Greater Sudbury approves the application by 1679600 Ontario Ltd. to amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury to change the zoning classification from "R1-5", Low Density Residential One and "C3", Limited General Commercial to "C3(S)", Limited General Commercial Special on those lands described as PIN 73475-1812, Lot 6, Concession 6, Township of Broder, subject to the following conditions:

1. A Holding symbol which shall not be removed by the City of Greater Sudbury until the following condition has been addressed:
 - a) The owner shall have completed an amendment to the site plan agreement with the City and said site plan control agreement shall be registered on title to the satisfaction of the Director of Planning Services; and
 - b) The owner shall rectify all outstanding Ontario Building Code records for the building at 2380 Long Lake Road to the satisfaction of the Chief Building Official.

Until such time as the H symbol has been removed, the only permitted uses shall be those legally existing on the date that the amending by-law comes into effect.

2. That the amending zoning by-law include the following site-specific provisions:
 - a) A front yard setback of 13.98 m, where 15 m setback is required abutting primary arterial roads;
 - b) 0 loading spaces, where 1 is required;

- c) A parking area within 0 m of a road with a width greater than 10 m, where a 3 m setback is required;
- d) A parking area within 0 m of a residential zone, where a 3 m setback is required;
- e) A rear yard setback of 0 m for a retaining wall greater than 1 m in height, where 1.2 m is required;
- f) A rear yard setback of 5.25 m for the commercial building, where 7.5 m is required;
- g) A 0 m wide landscaped area south of the driveway entrance, where a 3 m wide landscaped area is required abutting roads with a width greater than 10 m; and
- h) Refuse storage within an exterior side yard, where refuse storage is permitted within an interior yard.

Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

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

Financial Implications

If approved, staff is unable to estimate taxation revenues as the assessment value of with addition to existing building would be determined by Municipal Property Assessment Corporation (MPAC).

Any additional taxation revenue will only occur in the supplemental tax year. Any taxation revenue generated from new development is part of the supplemental taxation in its first year. Therefore, the City does not receive additional taxation revenue in future years from new development, as the tax levy amount to be collected as determined from the budget process, is spread out over all properties within the City. The amount of development charges will be based on final review of the property by the Building Services department.

Report Overview:

An application for rezoning has been submitted to remove a split-zoning and permit an addition to the existing commercial building and parking area.

Staff recommends approval of the application as described in the Resolution section on the basis that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury, has regard for matters of provincial interest and represents good planning.

Staff Report

Proposal:

The purpose and effect of the application is to rezone the subject lands from the “R1-5”, Low Density Residential One Zone and the “C3”, Limited General Commercial Zone to the “CS(S)”, Limited General Commercial Special Zone in order to remove a split-zoning and permit an addition to the existing commercial building and parking area on the southerly portion of the lands. The following special provisions have been requested:

- 0 loading spaces, where 1 is required;
- A parking area within 0 m of a road with a width greater than 10 m, where a 3 m setback is required;
- A parking area within 0 m of a residential zone, where a 3 m setback is required;
- A rear yard setback of 0 m for a retaining wall greater than 1 m in height, where 1.2 m is required;
- A rear yard setback of 5.25 m for the commercial building, where 7.5 m is required;
- A 0 m wide landscaped area south of the driveway entrance, where a 3 m wide landscaped area is required abutting roads with a width greater than 10 m; and
- Refuse storage within an exterior side yard, where refuse storage is permitted within an interior yard.

The lands are subject to Zoning By-law Amendment Applications 751-6/17-09 & 751-6/14-25, which have lapsed. The lands are subject to a Site Plan Control Application, which has not been finalized.

The subject lands are designated ‘Mixed Use Commercial’ within the City’s Official Plan and are zoned “C3”, Limited General Commercial and “R1-5”, Low Density Residential One within By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. The subject lands contain a commercial building and are serviced by a municipal water and sanitary connection. The subject lands are accessed by an existing driveway from Long Lake Road.

Surrounding uses are residential and commercial in nature.

A location map has been attached for reference.

Policy & Regulatory Framework:

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

- [2020 Provincial Policy Statement](#);
- [2011 Growth Plan for Northern Ontario](#);
- [Official Plan for the City of Greater Sudbury, 2006](#); and,
- [Zoning By-law 2010-100Z](#).

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

Provincial Policy Statement:

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters are consistent with the Provincial Policy Statement (PPS).

Several sections of the PPS are relevant to the application.

Policy 1.1.3.1 identifies that settlement areas are to be the focus of growth and development.

1.3.1 Planning authorities shall promote economic development and competitiveness by providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs.

1.3.2.1 Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs.

Growth Plan for Northern Ontario:

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters conform with the Growth Plan for Northern Ontario. Staff is satisfied that the application conforms to the Growth Plan.

Official Plan for the City of Greater Sudbury:

The subject lands are designated 'Mixed Use Commercial' in the Official Plan for the City of Greater Sudbury.

All uses are permitted in the 'Mixed Use Commercial' designation except for Heavy Industrial. Subject to rezoning, new development may be permitted provided that:

- a) Sewer and water capacities are adequate for the site;
- b) Parking can be adequately provided;
- c) No new access to Arterial Roads will be permitted where reasonable alternate access is available;
- d) The traffic carrying capacity of the Arterial Road is not significantly affected;
- e) Traffic improvements where required are to be provided by the proponent; and,
- f) Landscaping along the entire length of road frontages and buffering between residential and non-residential uses are to be provided.

Section 4 of the Official contains policies on employment lands, which include commercial uses. An objective of the employment area is to ensure that an adequate supply and variety of serviced employment land exists throughout Greater Sudbury by ensuring that a broad range of commercial opportunities are provided for residents, employees and tourists. Intensification and revitalization of commercial areas should be promoted.

Section 19.5.4 contains policies on Holding Provisions and states that the City may pass Zoning By-laws containing "holding" provisions to specify the use to which lands, buildings, or structures may be put at some time in the future, providing:

- a. the holding symbol (H) is used only in the following instances:
 - i. when certain details of development have not yet been determined, or where certain conditions of development have not yet been met such as, but not limited to, development or servicing agreements with the City;
 - ii. when the level of community services and/or infrastructure is not yet adequate to support the proposed use;
 - iii. where environmental conditions or constraints temporarily preclude development or redevelopment;
 - iv. where required studies have not yet been approved by the City; and
 - v. where a risk management plan for drinking water source protection is being developed.
- b. the zoning by-law containing the holding provisions may specify the interim land uses to be permitted, the conditions for removal of the holding provision, and any regulations or restrictions applying to the lands during the time the holding provision is in place; and,
- c. a by-law to remove the holding symbol may be adopted when all the conditions set out in the holding provision have been satisfied.

Zoning By-law 2010-100Z:

The subject lands are zoned "R1-5" Low Density Residential One and "C3" Limited General Commercial within the City's Zoning By-law.

The development standards for a commercial building in the requested zone being the "C3" Limited General Commercial Zone are as follows:

- Minimum lot area of 900 m²
- Minimum lot frontage of 30 m
- Minimum front yard setback 15 m
- Minimum rear yard setback 7.5 m
- Minimum interior side yard setback no minimum
- Minimum corner side yard 4.5 m
- Maximum lot coverage 50%
- Minimum landscaped open space 5%
- Maximum height 8 m

Parking provisions for the existing financial institution is 1 space per 30 m². Parking provisions for the existing medical office is 1 space per 20 m². The future use of the proposed building addition will need to comply to the parking standards of the zoning by-law.

Landscaping provisions require a 3.0 m landscape area along the right-of-way of Long Lake Road. Additionally, a 3 m wide planting strip, or 1.5 m tall opaque fence with 1.8 m planting strip is required to be provided along the rear lot line abutting the residential zone.

Refuse storage is permitted to be located in an interior yard only, and no encroachment into the required front yard is permitted.

2.6 Holding Zones

Notwithstanding any other provision in this By-law, where a Zone symbol is preceded by, a letter “H” and a number— for example H1M1 – the symbol refers to a Holding provision that applies to the lands noted. No person shall use or permit the land to which the Hold applies for any use other than the use which legally existed on the date the By-law applying the Holding provision came into effect or the use(s) permitted in the By-law enacting the Hold, or expand or replace an existing building or structure as the case may be, until the Hold (H) is removed in accordance with the policies of the Official Plan and Section 36 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

Consultation:

Public Consultation:

The statutory notice of the application was provided by newspaper on May 14th, 2024 along with a courtesy mail-out to surrounding property owners and tenants within 122 m of the property on May 3rd, 2024. The statutory notice of the public hearing was provided by newspaper on June 15th, 2024, and courtesy mail-out within 122 m of the property on June 13th, 2024.

At the time of writing this report, two phone calls were received and no written submissions with respect to this application have been received by the Planning Services Division.

Department/Agency Review:

The application including relevant accompanying materials has been circulated to all appropriate agencies and departments. Responses received from agencies and departments have been used to assist in evaluating the application and to inform and identify appropriate development standards in an amending zoning by-law should the application be approved. Comments received from departments generally had no concerns with the rezoning request subject to an amended to the site plan control agreement being completed. Additionally, Building Services has requested that all outstanding building permit records be rectified as a condition to the rezoning application.

Detailed comments can be found in Appendix 1 to this report.

Planning Analysis:

The Provincial Policy Statement, Growth Plan for Northern Ontario, and City of Sudbury Official Plan all encourage appropriate growth and commercial intensification to occur within settlement areas on full municipal services. The subject lands are located in an existing commercial area within the City of Sudbury and is serviced by a municipal water and sanitary connection.

The Provincial Policy Statement and City's Official Plan promote the intensification of employment lands and encourage a wide range of uses to service existing and future needs of the community and area. The proposed rezoning application would allow for a third commercial business to be located on the subject lands, which is considered to be an appropriate scale of intensification for the site. The additional business will contribute to the diversity of commercial uses in the area and will serve residents.

The City's Official Plan provides criteria for rezoning lands for development purposes within the 'Mixed Use Commercial' designation. Staff is of the opinion that the criteria are being met as the site is capable of being adequately serviced, parking standards are being adhered to, no new entrances are being proposed, no traffic concerns were identified through the circulation process, and landscaping has been identified on the concept plan. The proposed building expansion requires an amendment to the site plan control agreement. Any additional technical requirements will be addressed through this process.

Since the previous two rezoning applications, the applicant has acquired additional lands from the City and is now proposing to add an additional 8 parking spaces in the front yard. As a result of the additional parking, the applicant has requested a 0 m wide landscaped area south of the driveway entrance, where a 3 m wide landscaped area is required abutting roads with a width greater than 10 m, as well as a parking area within 0 m of a road with a width greater than 10 m, where a 3 m setback is required. All other requested relief remains unchanged from the previous applications and largely reflects existing site conditions, for example recognizing the rear yard setback of the existing building. In reviewing the application, staff identified that relief is also required for the front yard setback of the building. It is recommended that the front yard setback of 13.98 m be recognized within the site-specific zoning provisions, which is reflected within the resolution. Staff is of the opinion that the relief being sought is appropriate for the subject lands and do not anticipate negative impacts to surrounding land uses as a result of the rezoning and building addition. Adequate buffering is being maintained between the commercial use and residential homes to the east in accordance with the zoning by-law standards. Although, relief is being sought for buffering and setbacks from the frontage along Long Lake Road, there is a landscaped section of the right of way in between the property line and the travelled portion of the road.

Staff recommends that a holding provision be placed on the lands which would prevent new development from occurring until an amendment to the site plan has been completed and all outstanding building records have been addressed. Removal of the holding provision is contingent upon the completion of these items in accordance with the resolution section of the report. There are no lapsing date provisions associated with the removal of a holding provision.

Overall, staff is of the opinion that the proposed building expansion is an appropriate size for the subject lands. Staff will continue to review the proposal through the site plan control amendment process. The applicant should be advised that if additional relief is required, a subsequent planning act application will be required.

Conclusion:

Staff recommends approval of the application as described in the Resolution section on the basis that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury, has regard for matters of provincial interest and represents good planning.

Appendix 1:

Departmental & Agency Comments

a) Building Services

1. The submitted sketch does not clearly identify the requested special provisions. The sketch requires correctly drafted property line with all setbacks indicated.
2. Building Services has several Building Permit records in Conditionally Issued status, as well as having outstanding Building Code infractions. We request that the required Site Plan Control Agreement and resolution of all outstanding records be rectified as a condition of rezoning.
3. Building Permit B20-1071 for the construction of the addition has been cancelled due to inactivity. A new Building Permit application to the satisfaction of the Chief Building Official will be required, complete with a drawing package submission in compliance with current Building Code.
4. A Building Permit application to the satisfaction of the Chief Building Official will be required to address retaining walls and required guards.

b) Development Engineering

This location is presently serviced with water and sanitary sewer and is subject to a Site Plan Control Agreement. No objections to the rezoning provided that any development to this site is through an amendment to the Site Plan Control Agreement.

c) Fire

No comments.

d) Infrastructure Capital Planning

No concerns.

e) Strategic & Environmental Planning

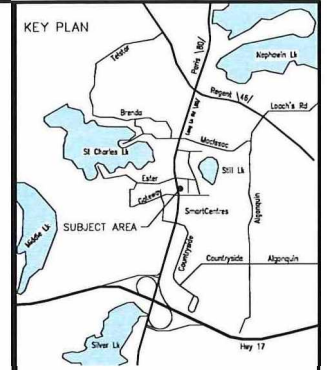
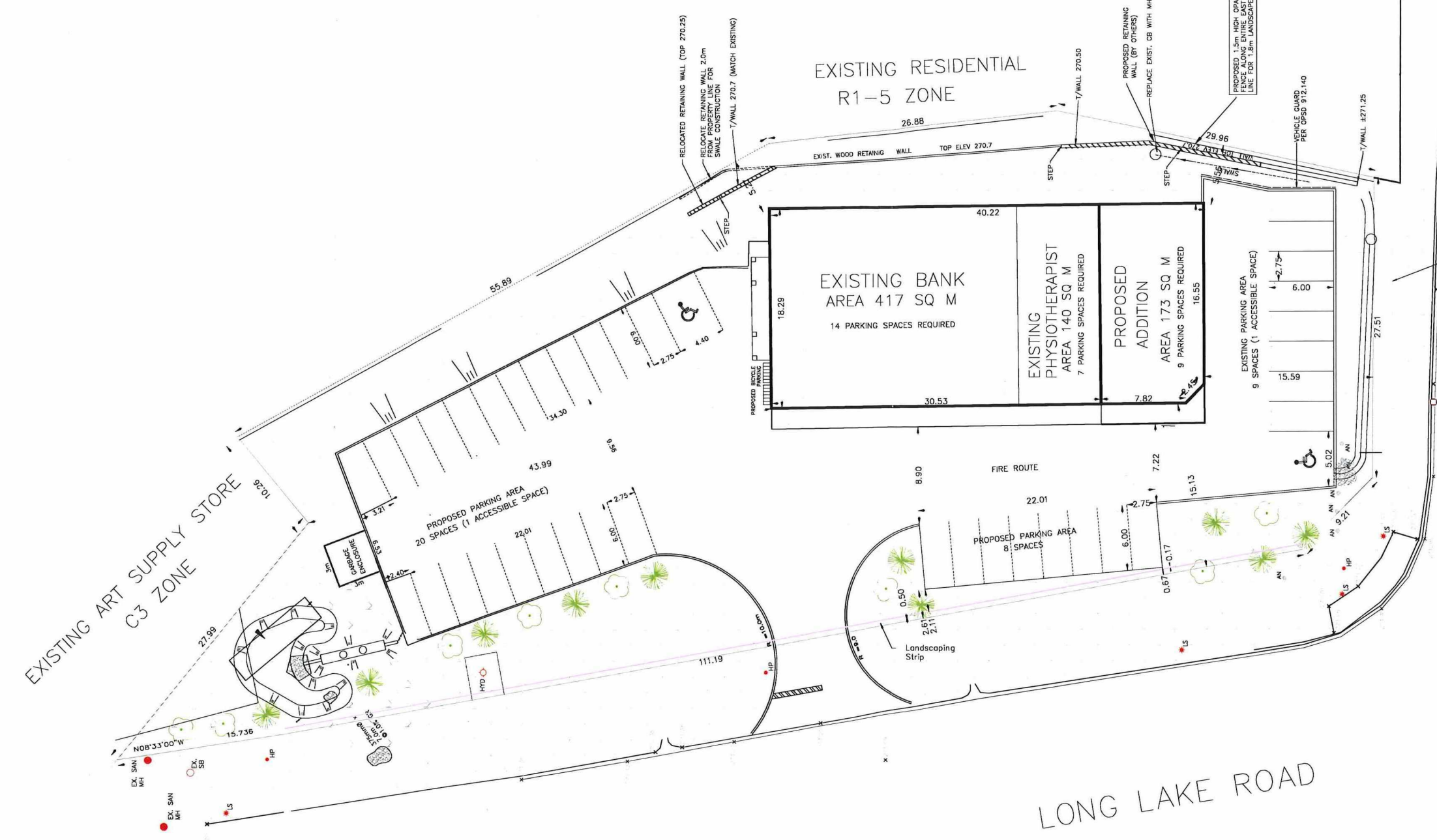
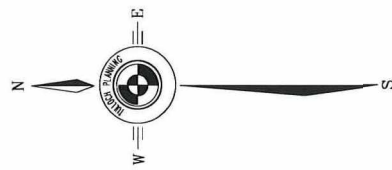
No concerns with this application.

f) Transit Services

No concerns or comments.

g) Nickel District Conservation Authority (NDCA)

Subject property is not located in any areas regulated by Conservation Sudbury. No objection to the proposed rezoning.



T: 705-671-2295
 sudbury@tulloch.ca
 UNIT L 1942 REGENT STREET
 SUDBURY, ONTARIO
 P3E 5V5

DATE	REV.	REVISION	BY	APP'D
12/03/24	2	Add Vegetation	UDJ	VS
08/01/24	1		UDJ	VS/KJ
22/03/23	0	ISSUED	VS	KJ

CLIENT:
1679600 ONTARIO LIMITED

PROJECT TITLE:
**SKETCH FOR REZONING
 FOR PLANNING PURPOSES ONLY**

ADDRESS:
**2380 LONG LAKE ROAD
 SUDBURY, ON**

MDJ/VS	VS
DRAWN	CHECKED
1:200	MAR 12, 2024
SCALE	DATE

231079

PROJECT No.

P:\2023\231079 Arnie Coll - Long Lake Road\Planning\07 Drawings\Sketch for Rezoning.dwg
 CAUTION
 THE PROPERTY BOUNDARIES ILLUSTRATED ON THIS PLAN HAVE BEEN COMPILED FROM REGISTRY PLANS AND HAVE NOT BEEN CONFIRMED.
 THIS SKETCH IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE.
 NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF TULLOCH ENGINEERING. © TULLOCH ENGINEERING, 2023.



Photo 1. Subject lands, 2380 Long Lake Road, Sudbury. Photo taken from the entrance off of Long Lake Road, facing east on June 6th, 2024. CGS file 751-6/24-03.



Photo 2. Subject lands, 2380 Long Lake Road, Sudbury. Photo taken showing vegetative buffer between subject lands and abutting residential uses on June 6th, 2024. CGS file 751-6/24-03.



Photo 3. Subject lands, 2380 Long Lake Road, Sudbury. Photo taken from the north facing south on June 6th, 2024. CGS file 751-6/24-03.



Photo 4. Subject lands, 2380 Long Lake Road, Sudbury. Photo taken from the south facing north on June 6th, 2024. CGS file 751-6/24-03.



Photo 5. Subject lands, 2380 Long Lake Road, Sudbury. Photo taken of the proposed location of the building expansion and additional parking on June 6th, 2024. CGS file 751-6/24-03.

101 C Johnson Road, Worthington

Presented To:	Planning Committee
Meeting Date:	July 8, 2024
Type:	Public Hearing
Prepared by:	Stephanie Poirier Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-8/24-01

Report Summary

This report provides a recommendation regarding an application to formally recognize an existing private club on the subject lands, being the Sudbury & District Kennel Club Inc. and Nickel District Skeet & Trap Club.

This report is presented by Stephanie Poirier, Senior Planner.

Resolution

THAT the City of Greater Sudbury approves the application by Sudbury District Kennel Club Inc. and Nickel District Skeet & Trap Club to amend By law 2010 100Z being the Zoning By-law for the City of Greater Sudbury by changing the zoning on the subject lands from “RU”, Rural to “RU(S)”, Rural Special on those lands described as PINs 73383-0107 & 73383-0081, Parcels 4892 & 5940, Lot 1, Concession 1, Township of Drury, as outlined in the report entitled “101 C Johnson Road, Worthington” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of July 8, 2024, subject to the following condition:

1. That the amending zoning by-law include the following site-specific provision:
 - a. In addition to the uses permitted in a RU Zone, a private club shall also be permitted.

Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

The application to amend the City’s Zoning By-law is an operational matter under the Planning Act to which the City is responding. The rezoning application does not directly align with or negatively impact any of strategic goals and objectives that are identified within the City’s Strategic Plan. The rezoning application does not directly align with or negatively impact any of the stated goals and recommendations that are contained within the CEEP.

Financial Implications

There are no financial implications associated with this report.

Report Overview:

The purpose and effect of the application is to rezone the subject lands from the “RU”, Rural to “RU(S)”, Rural Special in order to add ‘private club’ as a permitted use.

Staff recommends approval of the application as described in the resolution section on the basis that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury, has regard for matters of provincial interest and represents good planning.

Staff Report

Proposal:

The purpose and effect of the application is to rezone the subject lands from the “RU” Rural Zone to the “RU(S)” Rural Special Zone in order to add ‘private club’ as a permitted use. The Sudbury & District Kennel Club Inc. and Nickel District Skeet & Trap Club have been in operation at this location since 1996. The formal recognition of the use within the zoning by-law would allow the club to obtain necessary building permit(s) and would satisfy licensing requirements for the shooting range.

The subject lands are located on the east side of C Johnson Road, south of Fairbank Lake Road, and are known municipally as 101 C Johnson Road, Worthington.

The subject lands contain two skeet towers, a trap pit, a trap shed, a storage building, and a privy. The lands do not contain a water or sanitary service and have an existing access from C Johnson Road.

The subject lands are designated “Rural” within the City’s Official Plan, contain “Mining Mineral Reserve”, and are zoned “RU” Rural within By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury.

Surrounding land uses are mining industrial and rural in nature.

A Location Map is attached to this report.

Policy and Regulatory Framework:

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

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

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

2020 Provincial Policy Statement (PPS):

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters are consistent with the PPS 2020. Section 1.1.5 of the PPS speaks to

rural lands in Municipalities and states that recreational, tourism, and other economic opportunities should be promoted that is compatible with the rural landscape and can be sustained by rural service levels. Section 2.4 speaks to minerals and petroleum and states that mineral mining operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

Growth Plan for Northern Ontario:

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters conform with the Growth Plan for Northern Ontario. Staff has reviewed the planning matters contained within the Growth Plan for Northern Ontario and is satisfied that the application for Zoning By-law Amendment does not conflict with the Growth Plan for Northern Ontario.

Official Plan for the City of Greater Sudbury:

The subject lands are designated 'Rural' and contain 'Mining and Mineral Reserve' in the Official Plan for the City of Greater Sudbury.

Section 5.2 states that 'Rural Areas' contain a variety of land uses, such as farms, woodlots and forests, small industry, and clusters of rural residential development. These areas also provide for outdoor recreation opportunities such as snowmobiling, skiing, hiking, canoeing, and other activities in natural areas.

Section 5.2.4 states that 'Rural Areas' can accommodate a number of uses that are compatible with the natural setting and extensive open space areas, as well as existing uses such as farming. Activities related to outdoor recreation, agriculture, and natural resource management are considered appropriate within a rural setting.

Section 5.2.4.1 states that 'Rural Areas' may be used for recreational purposes that are primarily outdoor oriented. Silviculture, reforestation and those activities related to the conservation or management of the natural environment are permitted.

Section 4.6.1.4 states that uses such as forestry and other resource-related compatible uses, recreation, parks and open space, and wildlife management may be permitted provided they do not preclude future extraction of minerals.

Zoning By-law 2010-100Z:

The subject lands are zoned "RU", Rural within the City's Zoning By-law. The "RU" Zone permits a range of residential and non-residential uses.

The development standards for the "RU", Rural Zone are as follows:

- Minimum lot area of 2 ha
- Minimum lot frontage of 90 m
- Minimum front yard setback 10 m
- Minimum rear yard setback 10 m
- Minimum interior side yard setback 10 m
- Maximum lot coverage 10%
- Maximum height of non-residential uses 21 m

Consultation:

Public Comments:

The statutory Notice of Application was provided to the public by newspaper and to nearby landowners and tenants located within 244 m (800 ft) of the subject lands on May 3rd, 2024. The statutory Notice of Public

Hearing dated June 13th, 2024 was provided to the public by newspaper and to nearby landowners and tenants located within 244 m (800 ft) of the subject lands.

At the time of writing this report, no oral or written submissions were received from members of the public.

Department/Agency Comments:

The application 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 application and to inform and identify appropriate development standards in an amending zoning by-law should the application be approved.

Comments received from agencies and departments did not contain any concerns with the application. Building Services advised that a permit is required for the storage building on the subject lands. Detailed comments can be found in Appendix 1 to this report.

Planning Analysis:

The Provincial Policy Statement and City's Official Plan permit recreational uses in rural land use areas subject to compatibility with the rural area and appropriate service levels. The Sudbury & District Kennel Club Inc. and Nickel District Skeet & Trap Club is outdoor oriented and recreational in nature. Staff is of the opinion that the proposed use conforms to the PPS and Official Plan and is an appropriate use of the lands given the outdoor nature of the private club, the rural location, and surrounding land uses. Municipal services are not available in this area.

Recreational and tourism uses are encouraged as an economic opportunity within the policy documents. The agent has advised that the Sudbury & District Kennel Club hosts dog shows, obedience trials, rally trails, scent detection, spaniel field trials, and dog training classes. The agent has advised that the club services the Sudbury area and draws in people from North America for the spaniel field trials. Additionally, the agent advised that the Nickel District Skeet & Trap Club hosts shooting tournaments and fundraisers. Staff is of the opinion that permitting private club as a listed permitted use on the subject lands will allow for the continuation of the outdoor recreational use, which supports tourism and the economy as per the policy direction.

The Provincial Policy Statement and City's Official Plan contain policies on the protection of mining/mineral resources. Recreational uses that would not preclude continued or future extraction are permitted. The subject lands are approximately 63 ha (156 ac) in size and contains two skeet towers, a trap pit, a trap shed, a storage building, and a privy. The driveway, buildings, and structures are located in a cluster at the northwest portion of the subject lands. The remainder of the lands are in a state of natural vegetation and the lands do not contain any servicing. Staff is of the opinion that the outdoor recreational use would not prevent future extraction of the lands as the buildings and structures could be removed should the use be changed for extraction purposes. Additionally, staff does not anticipate negative impacts to the existing mining/mineral reserve deposits as a result of the existing use.

Conclusion:

Staff recommends approval of the application as described in the resolution section on the basis that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury, has regard for matters of provincial interest and represents good planning.

Appendix 1:

Departmental & Agency Comments

a) Building Services

No objection with the request. A Building Permit to the satisfaction of the Chief Building Official will be required for the storage building and any further construction proposed for the site.

b) Development Engineering

This location is not presently serviced with municipal water or sanitary sewer. No objection to the zone change.

c) Fire

Fire services has no comments.

d) Infrastructure and Capital Planning

No concerns.

e) Conservation Sudbury

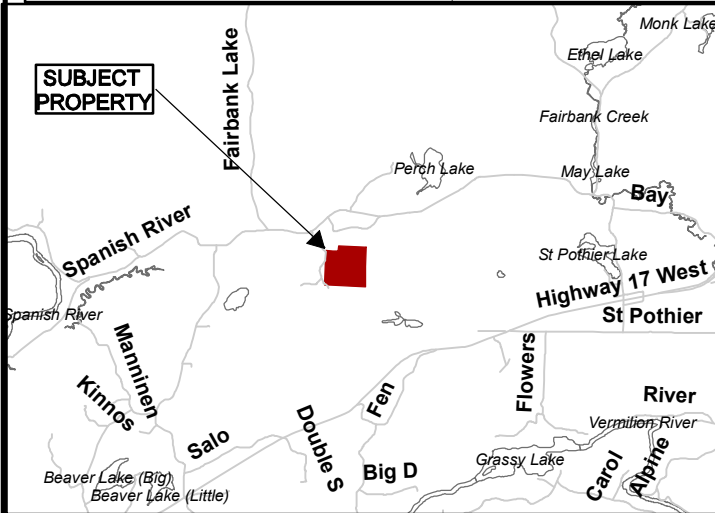
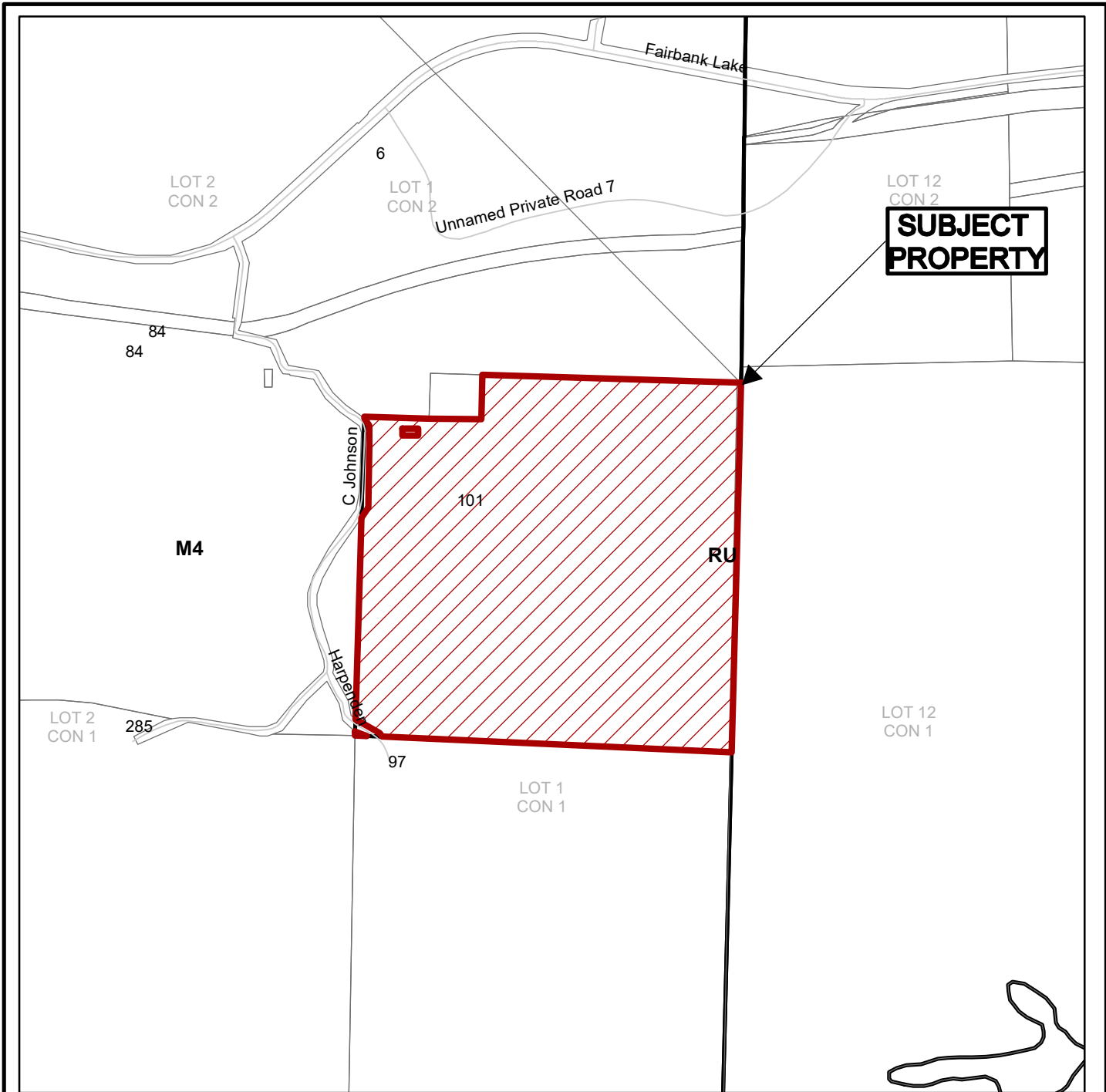
No comment on the application. Subject property is located outside of the jurisdictional boundary of the Conservation Authority. Conservation Sudbury defers to the agency who is responsible for enforcing section 3.1 of the Provincial Policy Statement regarding the natural hazards that might be present on the property.


f) Strategic and Environmental Planning

Strategic and Environmental Planning do not have concerns with this application.

g) Transit

No comments or concerns on this application.



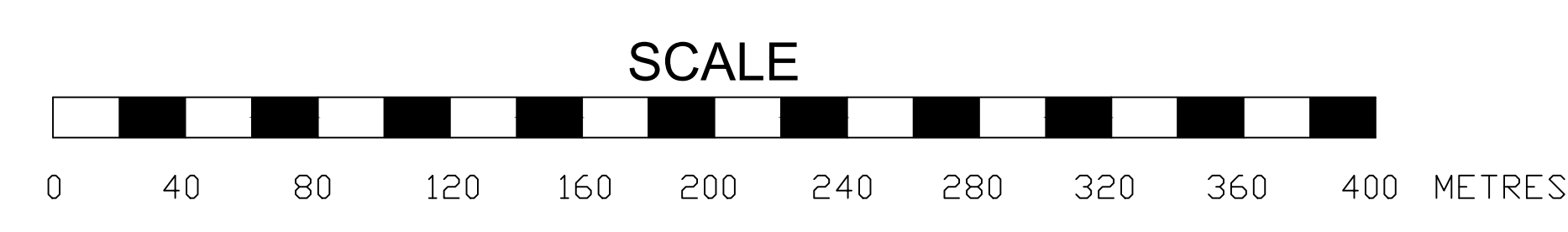
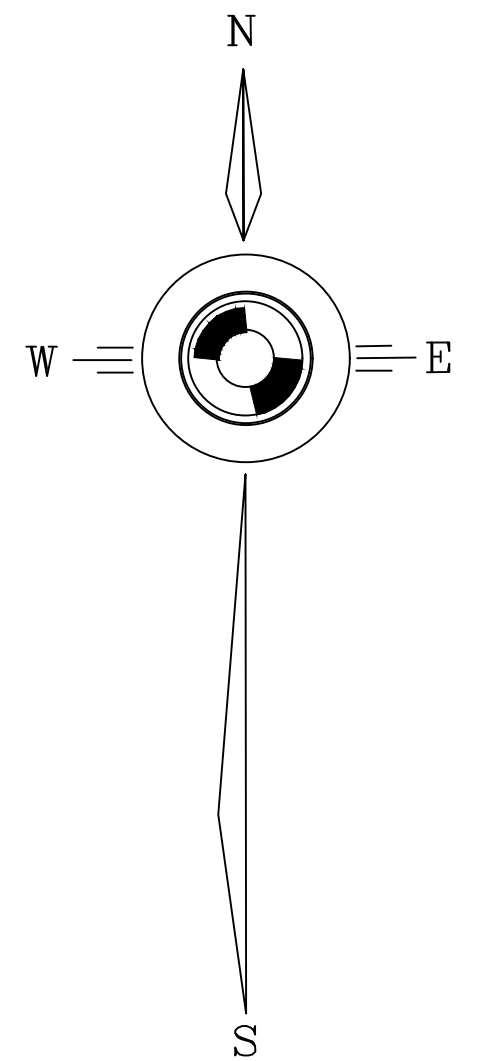
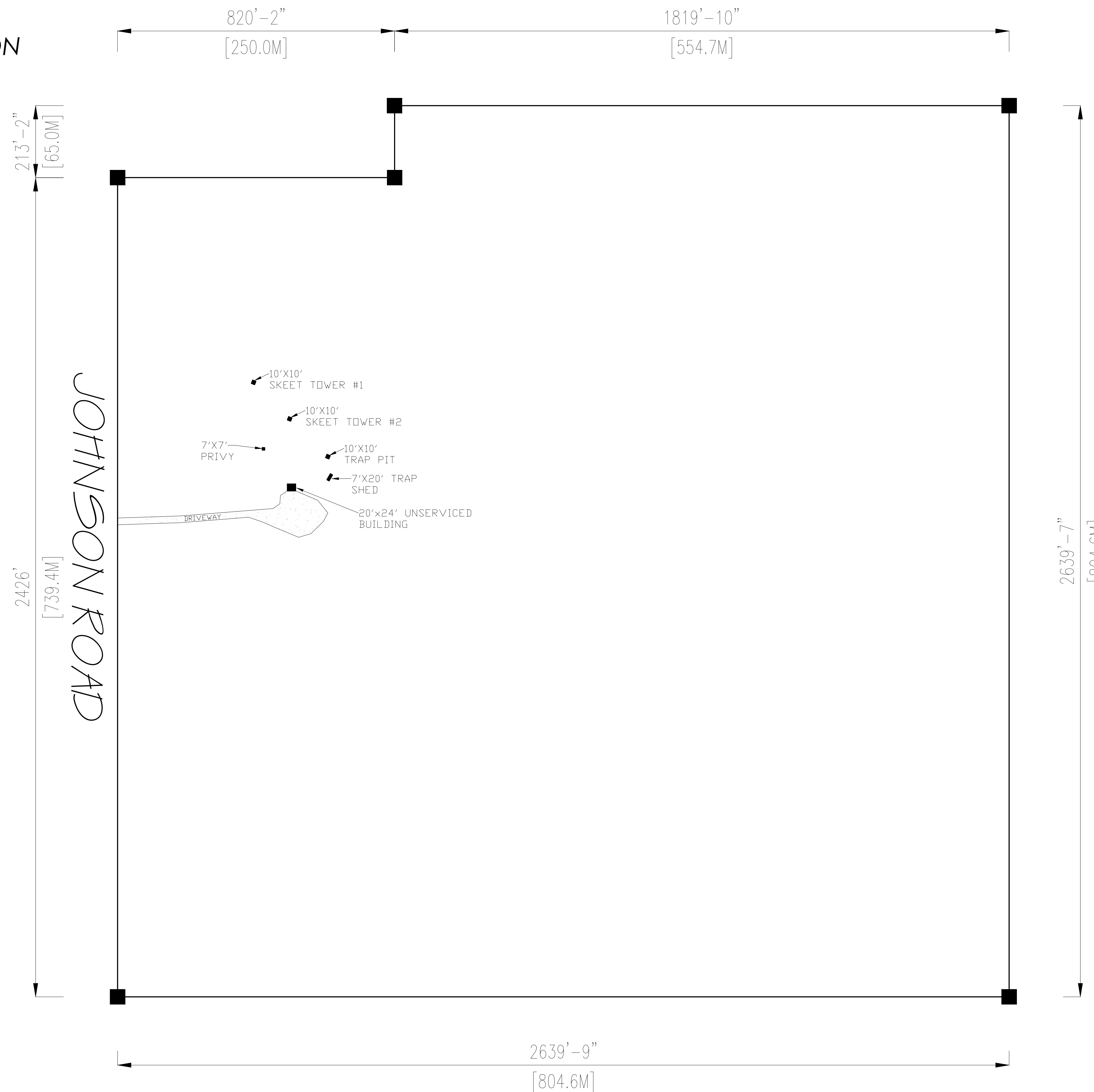
Growth and Infrastructure Department 

Subject Property being PINs 73383-0107 & 73383-0081, Parcels 4892 & 5940, Lot 1, Concession 1, Township of Drury, 101 C Johnson Road, City of Greater Sudbury

NTS 751-8/24-01
 Sketch 1 Date: 2024 04 15

101C JOHNSON ROAD
 GEOGRAPHIC TOWNSHIP OF WORTHINGTON
 CITY OF GREATER SUDBURY
 2023

STRUCTURE SETBACKS				
STRUCTURE	NORTH	EAST	SOUTH	WEST
PRIVY	245M	674M	495M	131M
SKEET TOWER #1	185M	680M	555M	124M
SKEET TOWER #2	216M	650M	524M	154M
TRAP PIT	249M	614M	491M	190M
TRAP SHED	250M	612M	490M	192M
20'X24' STORAGE	265M	654M	475M	150M



PROJECT REZONING	DRAWN	SHEET
ADDRESS 101C JOHNSON ROAD, WORTHINGTON	CHECKED	PROJECT #
TITLE SITE PLAN	DATE 2024-04-09	DRAWING SP
	SCALE N/A	

239 Struthers Street, Sudbury

Presented To:	Planning Committee
Meeting Date:	July 8, 2024
Type:	Routine Management Reports
Prepared by:	Stephanie Poirier Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	N/A

Report Summary

This report provides a recommendation regarding a request to deem certain lots not to be part of a registered plan of subdivision, 239 Struthers Street, Sudbury.

Resolution

THAT the City of Greater Sudbury approves designating Lots 133 & 134, Plan M-163 as being deemed not to be part of a registered plan for the purposes of Section 50(3) of the Planning Act, as outlined in the report entitled “239 Struthers Street, Sudbury”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on July 8, 2024;

AND THAT staff be directed to prepare a by-law for Council to enact deeming Lots 133 & 134, Plan M-163 not to be part of a plan of subdivision for the purposes of Subsection 50(3) of the Planning Act.

Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

The designation of part of a Registered Plan to be deemed not to be a registered plan for the purposes of Section 50(3) of the Planning Act is an operational matter under the Planning Act.

Financial Implications

There are no financial implications associated with this report.

Report Overview:

Staff is recommending that Lots 133 & 134, Plan M-163 be deemed to not be part of a registered plan of subdivision as a means of consolidating the lots by way of common ownership and preventing the transfer of the individual lots without lifting of the deeming by-law.

STAFF REPORT

Location:

PIN 73590-0423, Parcel 19042, Plan M-163 Lots 133 and 134, Concession 2, Lot 6, Township of McKim

Background:

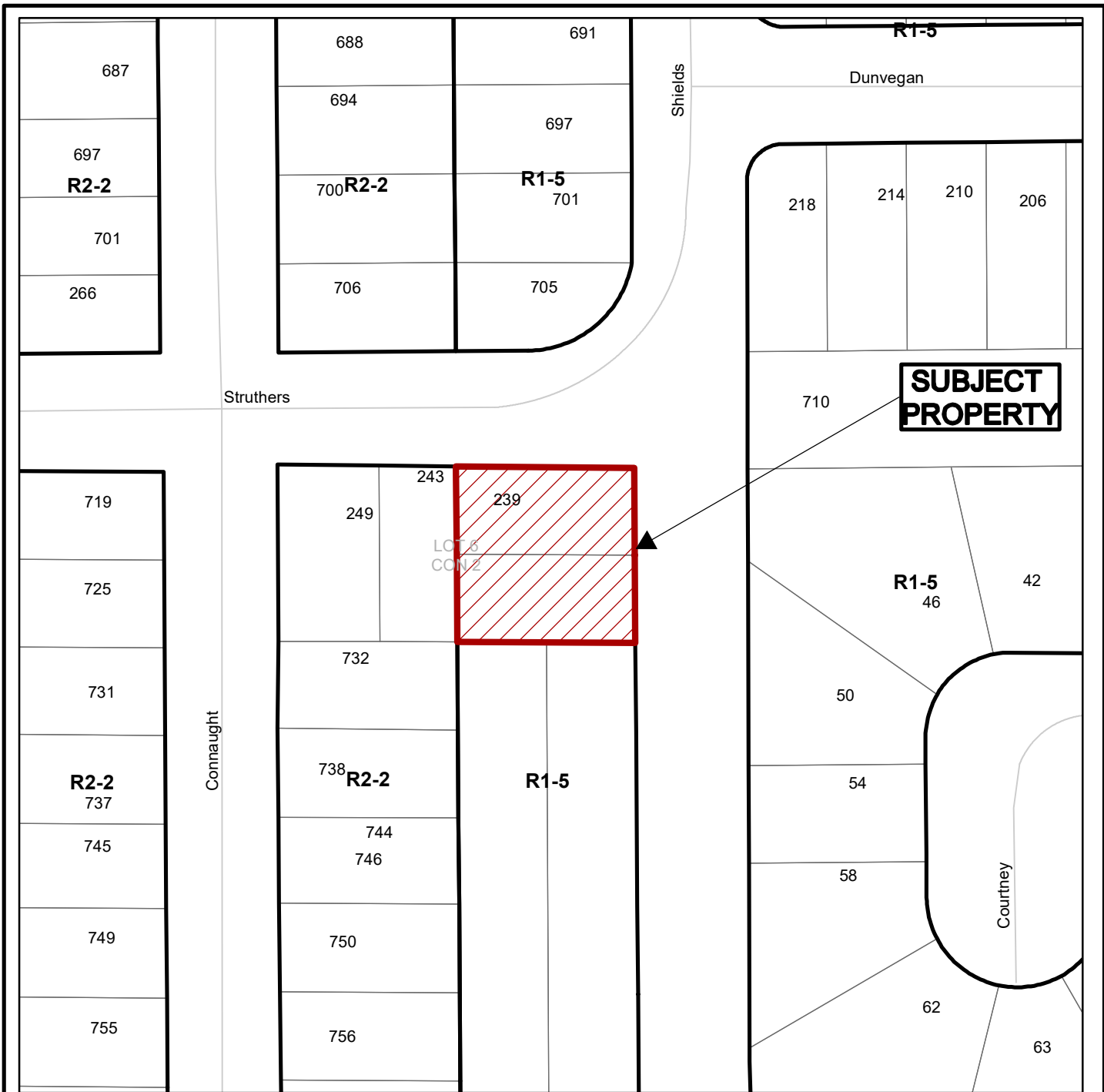
Section 50(4) of the Planning Act provides that the council of a local municipality may, by by-law, designate any plan of subdivision that has been registered for 8 years or more not to be a registered plan for the purposes of Section 50(3) of the Planning Act. Plan M-163 was registered in October of 1943. Subsection 50(3) of the Planning Act contains the subdivision control provisions preventing the transfer of land unless the land is within a plan of subdivision along with other restrictions and requirements.

The subject lands are designated 'Living Area I' in the Official Plan and are zoned "R1-5", Low Density Residential One in the Zoning By-law. The lands are known as 239 Struthers Street and contain an existing residential dwelling and accessory building. The current owner advised that they would like to be able to construct future accessory structures on Lot 133. The owner would be unable to build accessory buildings on Lot 133 as a separate lot distinct lot on a plan of subdivision, as accessory structures cannot be constructed on a lot without a main use. A request for a deeming by-law is required to enable the project.

In order to consolidate the land ownership as per the owner's request, it is recommended that a by-law be enacted by Council deeming Lots 133 & 134, Plan M-163 not to be a registered plan for the purposes of Section 50(3) of the Planning Act. The deeming by-law would be forwarded to the Registry Office and would appear on title to the property and would prevent the transfer of the lots individually. The lots could only be transferred together as long as the deeming by-law remains in place.

Staff has received an acknowledgement from the owner that they understand the implications of the deeming by-law and agree with the lots being deemed for the purposes of Section 50(3) of the Planning Act.

Passage of a deeming by-law does not affect the applicable zoning, and the owner is advised to ensure their project complies with the applicable zoning by-law standards (e.g. setbacks, maximum height and lot coverage).



SUBJECT PROPERTY

LOT 6
CON 2

R1-5
46

R1-5

R2-2

R2-2
737

R2-2

58

50

54

58

62

63

710

218

214

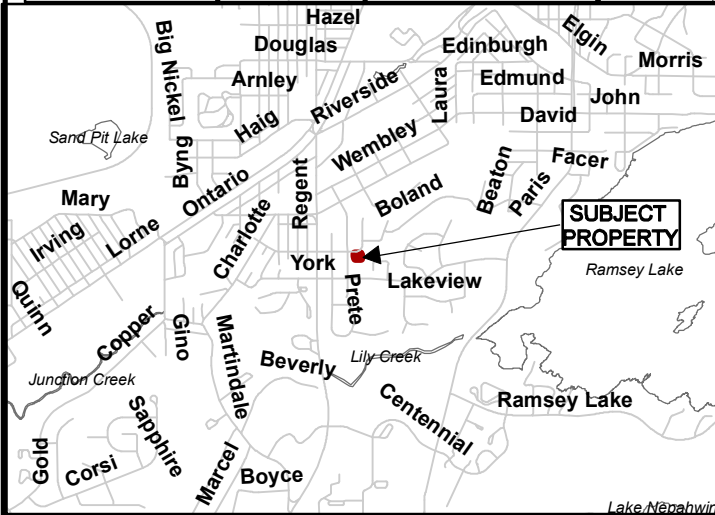
210

206

R1-5

Dunvegan

Courtney



**Growth and Infrastructure
Department**



Subject Property being PIN 73590-0423,
Parcel 19042, Plan M163 Lots 133 and 134,
Lot 6, Concession 2, Township of McKim
239 Struthers Street, Sudbury,
City of Greater Sudbury

NTS
Sketch 1

239 Struthers Street, Sudbury
Date: 2024 05 31

Vacant Land South of Kingsway – Declaration of Surplus Land

Presented To: Planning Committee

Meeting Date: July 8, 2024

Type: Routine Management Reports

Prepared by: Malinda Lische-Horner
Real Estate

Recommended by: General Manager of Corporate Services

File Number: N/A

Report Summary

This report provides a recommendation to declare surplus vacant land lying south of Kingsway, Sudbury.

Resolution

THAT the City of Greater Sudbury declares surplus to the City’s needs vacant lying south of Kingsway, Sudbury, legally described as part of PIN 73573-0340(LT), Part of Lot 12, Concession 4, being Parts 33 and 34 on Plan 53R-16789, Township of Neelon;

AND THAT the land be offered for sale to the abutting landowner to the east pursuant to the procedures governing the sale of limited marketability surplus land in accordance with Property By-law 2008-174, as amended, as outlined in the report entitled “Vacant Land South of Kingsway – Declaration of Surplus Land”, from the General Manager of Corporate Services, presented at the Planning Committee meeting on July 8, 2024.

Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

This report refers to an operational matter and has no connection to the Climate Action Plans.

Financial Implications

There are no financial implications associated with this report.

Background

The subject land measures approximately 820 square metres in size and is zoned ‘M1’ – Business Industrial. The location of the subject land is identified on the attached Schedule ‘A’.

In 1967, the former Corporation of the City of Sudbury (now the City of Greater Sudbury) became the registered owner of the subject land.

In January 2024, the City received a request from Cambrian Ford, an abutting landowner to the southeast, to purchase the subject land in order to include the land in its upcoming expansion project.

The proposal to declare the subject land surplus to the City's needs was circulated to all City departments and outside agencies and no objections were received. A single requirement was received from Greater Sudbury Hydro to secure a frontage easement along the Kingsway measuring four metres in width to protect existing infrastructure. The easement requirement will form a condition in the agreement of purchase and sale.

No further requirements were received.

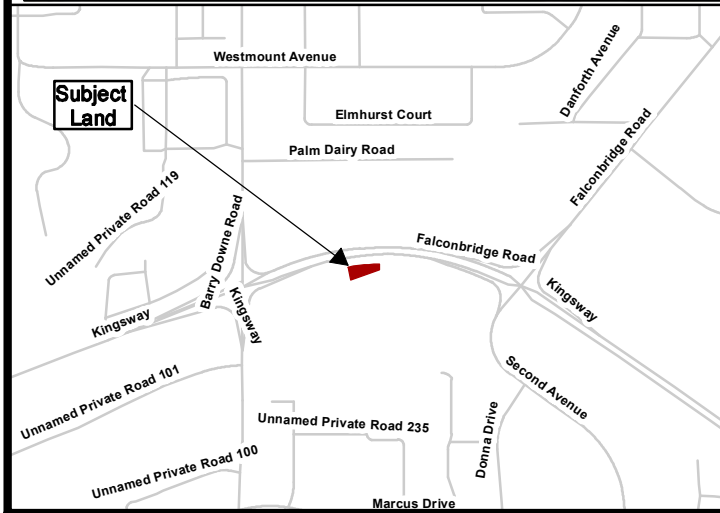
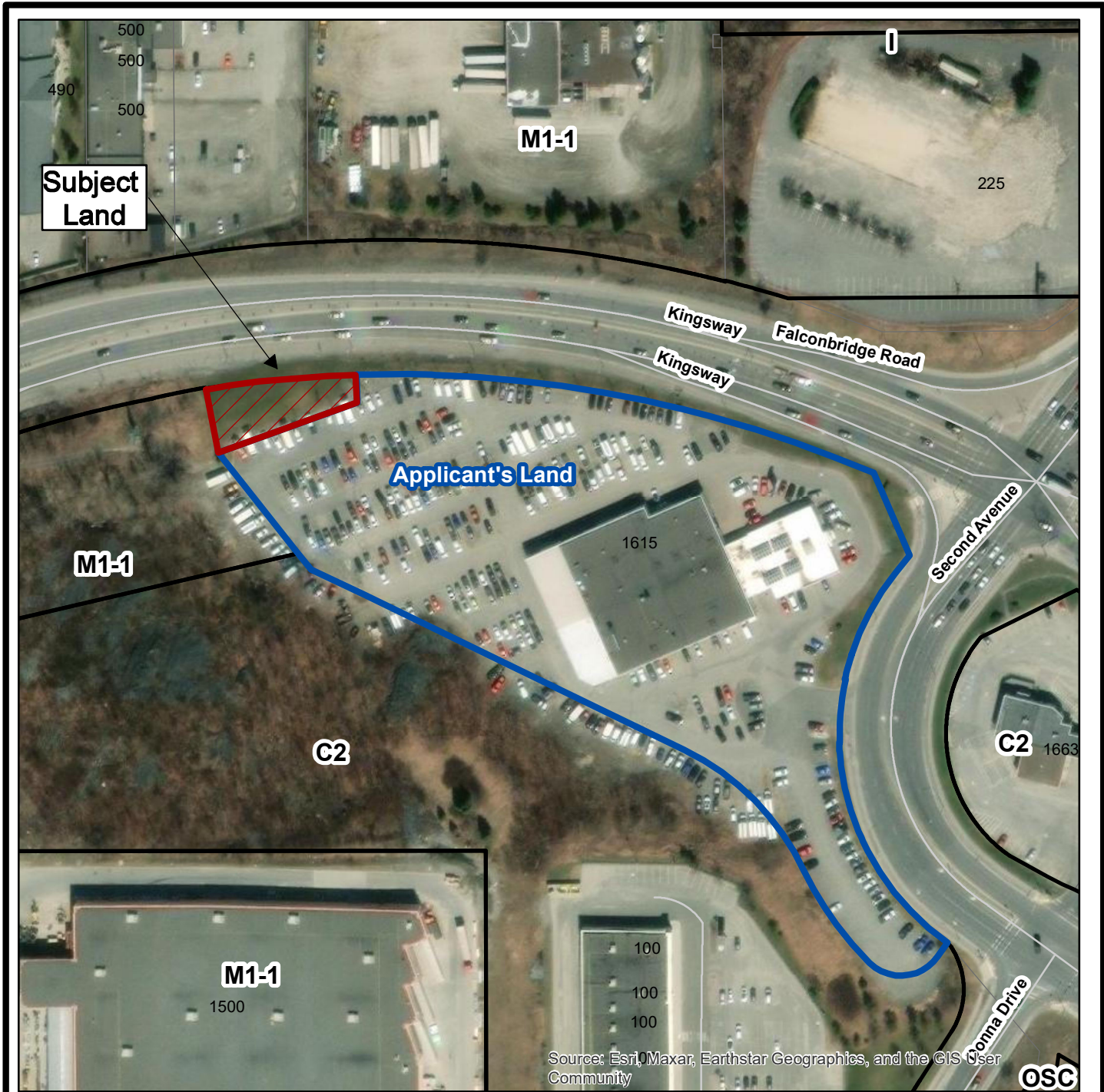
If approved, a further report will follow with respect to the sale transaction.

Resources Cited

Property By-law 2008-174, as amended

<https://www.greatersudbury.ca/do-business/available-lands-and-buildings/general-procedures/bylaw-2008-174/>

SCHEDULE 'A'



Vacant Land South of Kingsway, Sudbury



Part of PIN 73573-0340 (LT),
Concession 4, Lot 12, Township of Neelon,
City of Greater Sudbury

NTS

Date: 2024 01 31