

## Lasalle Boulevard, Sudbury

Presented To:	Planning Committee
Meeting Date:	April 12, 2021
Type:	Public Hearing
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-6/20-18

## Report Summary

This report provides a recommendation regarding an application for rezoning in order to permit the development of an automotive lube shop and restaurant with a drive-through, Lasalle Boulevard, Sudbury – Temelini Family.

This report is presented by Wendy Kaufman, Senior Planner.

## Resolution

THAT the City of Greater Sudbury approves the application by the Temelini Family, to amend Zoning By-law 2010-100Z by changing the zoning classification from “FD”, Future Development and “C3”, Limited General Commercial, to “C2(S)”, General Commercial Special on those lands described as PIN 02123-0423, Parts 1-7, Plan 53R-18610, Lot 2, Concession 5, Township of McKim, as outlined in the report entitled “Lasalle Boulevard, Sudbury”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on April 12, 2021;

AND THAT the amending zoning by-law include the following site-specific provisions:

- i. That the only permitted uses shall be an automotive lube shop and restaurant;
- ii. That the minimum required front yard along Lasalle Boulevard shall be 4.5 m;
- iii. That 60% percent of the front lot line shall be occupied by a building;
- iv. That the minimum required landscaped area along Lasalle shall be 2.3 m; and
- v. That 10 queuing spaces shall be required for a restaurant.

## Relationship to the Strategic Plan / Health Impact Assessment

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding. The application contributes to the 2019-2027 City of Greater Sudbury Strategic Plan goals related to asset management and service excellence, as well as business attraction, development and retention.

## Financial Implications

This report relates to rezoning of land to permit the development of an automotive lube shop and restaurant with a drive through.

Based on the information available, staff is unable to quantify the financial implications relating to property taxes and development charges as total square footage of the buildings is not available, and the assessed value would be determined by MPAC (Municipal Property Assessment Corporation).

## Report Summary

An application for rezoning has been submitted to change the zoning classification on the subject lands from “C3”, Limited General Commercial and “FD”, Future Development, to “C2(S)”, General Commercial Special in order to permit the development of an automotive lube shop and restaurant with drive-through. The applicant has requested site-specific relief to reduce the minimum required front yard, landscape area along the right-of-way, and number of required queuing spaces for a restaurant. The subject land is designated Secondary Community Node in the Official Plan.

Staff recommends approval of the application 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 represent good planning.

## Staff Report

### Proposal:

The application proposes to amend By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, to permit the development of an automotive lube shop and restaurant with a drive through.

The applicant's site sketch shows the location of the proposed new buildings, parking and queuing areas on the site. The site is currently vacant.

The automotive lube shop building is to be located 11.63 m from the front lot line, and would be located 9.33 m from the front lot line if the City takes lands for road widening. With a lot frontage of 31 m and building length of 21.34 m the proposed building occupies 68% of the front lot line.

A Traffic Impact Study was submitted with the application.

### Existing Zoning: “C3”, Limited General Commercial, and “FD” Future Development

The current C3 zone permits a range of uses including a business office, convenience store, day care centre, financial institution, medical office, personal service shop, pharmacy, professional office, restaurant and retail store. Uses in the FD zone are restricted to a single detached dwelling and park.

### Requested Zoning:

“C2(S)”, General Commercial Special is proposed to be applied to the entirety of the site in order to permit an automotive lube shop and restaurant with a drive-through. Site-specific relief is also requested to:

- reduce the minimum required landscaped area along Lasalle to 2.3 m;
- reduce the minimum required front yard to 9 m; and,
- reduce the minimum number of queuing spaces for a restaurant to 7 spaces.

The applicant revised their original application to request 7 instead of 10 queuing spaces be provided for a restaurant, where 11 spaces would be required.

### **Location and Site Description:**

The subject property is described as PIN 02123-0423, Parts 1-7, Plan 53R-18610, Lot 2, Concession 5, Township of McKim. The subject lands are located on the southwest corner of Lasalle and Montrose in Sudbury. The subject lands, in total, are 0.531 ha in size with approximately 31m of frontage on Lasalle and a depth of 133m.

The lands are currently serviced with municipal water and sanitary sewer. Access to the site is proposed from the private road that extends from the signalized intersection of Lasalle and Montrose, and which services Princess Auto to the east. Lasalle consists of five lanes including a centre turn lane at this location. There is a transit stop on both sides of Lasalle.

### **Surrounding Land Uses:**

The area surrounding the site includes:

North & East:	Commercial uses (e.g. Montrose Mall, Princess Auto)
South:	Vacant land (Junction Creek and the Ponderosa Provincially Significant Wetland)
West:	Residential use (single detached and multiple dwellings)

The existing zoning & location map indicate the location of the subject lands to be rezoned and the zoning in the immediate area.

Site photos show the existing commercial and residential uses along this section of Lasalle Boulevard in the community of Sudbury.

### **Related Applications:**

**Consent Application B0053/2020:** This consent application proposes to transfer the lands subject to the application, together with a right-of-way for access and municipal services over the private road that extends from Lasalle Boulevard (Parts 8 & 9 of Plan 53R-18610). The application was draft-approved subject to conditions, and the deadline to meet all conditions and receive a certificate from the City to transfer the lands together with the easement is February 27, 2022.

### **Public Consultation:**

Notice of the application was circulated to the public and surrounding property owners on January 12, 2021. Notice of Public Hearing was circulated to the public and surrounding property owners on March 25, 2021. The applicant was advised of the City's policy recommending that applicants consult with their neighbours, ward councillor and key stakeholders to inform area residents of the application prior to the public hearing. As of the date of this report, the Planning Services Department has not received any inquiries, comments or concerns.

### **Policy & Regulatory Framework:**

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

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

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official

Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

### **Provincial Policy Statement:**

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

Section 1.1.3 of the PPS directs that settlement areas shall be the focus of growth and development.

Section 1.3.1 of the PPS 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.

Section 1.6.6.2 outlines that municipal water and sanitary sewer infrastructure are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety, and further that within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

Section 1.7.1 (a) & (b) 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. Section 1.6.7 regarding transportation systems further emphasizes that efficient use shall be made of existing infrastructure.

Section 1.8.1 outlines that municipalities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions and prepare for the impacts of a changing climate through good land use and development patterns that:

- (a) Promote compact form and a structure of nodes and corridors;
- (b) Promote the use of active transportation and transit in and between residential, employment and institutional uses and other areas; and,
- (c) Encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion.

### **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.

### **Official Plan for the City of Greater Sudbury:**

Section 1.3.2 of the Official Plan 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.

Section 2.3 of the Official Plan regarding reinforcement of the urban structure states that growth must continue to be directed to capitalize on existing investments and make the most efficient use of existing infrastructure and public service facilities. Reinforcing the urban structure also creates a more energy efficient land use pattern and supports climate change mitigation. Section 2.3.2 directs that 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.

Official Plan Amendment No. 102 - LaSalle Boulevard Corridor Strategy has recently designated the lands as 'Secondary Community Node'. Secondary Community Nodes are intended to provide for a broad range and mix of uses in an area of transit-supportive densities, with policy emphasis on urban design principles that promote siting buildings close to Lasalle and creating a safe and attractive cycling and pedestrian environment, as well as convenient access to public transit and greenspace. Section 4.2.3 of the Official Plan establishes the following policies for Secondary Community Nodes:

1. Secondary Community Nodes shall be located on primary transit corridors and shall be planned to promote a local identity and a sense of place unique to that node and its surrounding community.
2. Permitted uses in Secondary Community Nodes may include residential, retail, office, service, institutional, recreational, entertainment, parks and community-oriented activities.
3. The mixing of uses should be in the form of either mixed use buildings with ground oriented commercial and institutional uses and residential uses above the second storey, or a mix of uses and buildings on the same development site.
4. Secondary Community Nodes shall be planned to:
  - a. encourage a cycling and pedestrian-friendly built form by locating commercial and other active non-residential uses at grade;
  - b. be the focal point for expression of community heritage and character;
  - c. develop at transit-supportive densities;
  - d. provide residential development primarily in the form of medium and high density buildings, and discouraging single-detached dwellings;
  - e. provide for a mix of housing types, tenures and affordability;
  - f. include, where appropriate, open spaces that are either parks and/or plazas accessible to the public;
  - g. be designed to implement appropriate transitions of density and uses to facilitate compatibility with surrounding existing lower density neighbourhoods; and,
  - h. provide mobility choices and associated facilities to encourage alternative active transportation options.
5. Reductions in parking shall be considered in order to promote a greater mix of uses and a more compact, cycling and pedestrian-friendly built form. The City may require a traffic impact study and/or a transportation demand management plan in support of the reduction in parking.

Staff will be bringing forward the implementing zoning by-law amendments for Planning Committee's consideration, and further information on the proposed zoning provisions are available here:

<https://agendasonline.greatersudbury.ca/index.cfm?pg=feed&action=file&agenda=report&itemid=8&id=1455>

. To summarize, most properties are proposed to be zoned C2 combined with an overlay for development standards including a new build-to line; a percentage of the front lot line to be occupied by a building; and a prohibition of uses including commercial parking lots, duplex, and single or semi-detached dwellings.

### **Zoning By-law 2010-100Z:**

Development standards for the requested 'C2' zone include a maximum height of 15 m, maximum lot coverage of 50%, and minimum landscaped open space of 5%. The minimum required front yard along Lasalle is 15 metres given it is a primary arterial road. The minimum required easterly interior side yard is 0 m given the adjacent non-residential uses, and the minimum required westerly interior side yard is 3m, given the adjacent Residential Zone. Parking for an automotive lube shop with office is required to be provided at the rate of 1/30 square metres net floor area, and a restaurant is 1/12.5 square metres net floor area, so the total required parking is 22 spaces including 1 accessible space.

When comparing the C2 and the C3 zone, the C2 zone requires a larger minimum lot area than the current

C3 zone (1350 and 900 square metres, respectively), and permits a higher maximum height (15 m and 8 m, respectively). A maximum gross floor area of 2 times the lot area applies in the C2 zone.

### **Site Plan Control:**

A site plan agreement will be required prior to development of the site.

### **Department/Agency Review:**

Planning staff circulated the development application to all appropriate internal departments and external agencies. Responses received have been used to assist in evaluating the application. Building Services has not identified any concerns with the application.

Comments from Infrastructure Capital Planning Services indicate that staff has reviewed the Traffic Impact Study submitted with the application and has no concerns; however, staff does not support the proposed reduction to 7 queuing spaces where 11 is required considering that the restaurant occupant could change in the future. They also raised concern that a 1.5 metre fence in the front yard may negatively impact the sight lines for vehicles exiting the neighboring entrance to the west.

Development Engineering has confirmed that water and sanitary sewer are available to service the property within Lasalle Boulevard. In addition, a watermain is available within the private driveway lands to the east of the development. A storm main is available on private lands west of this development. Connections to City infrastructure as well as stormwater management, snow storage, site access, etc. will be reviewed and approved through the site plan control process.

Transit Services has commented that this section of Lasalle has high frequency service with our Main Line Route (every 15 minutes). GOVA Plus vehicles may be required to service this location, so a turning radius must be available to service the front door entrance in a forward motion as per the specifications in the Site Plan Guide.

Conservation Sudbury does not oppose the application. The proponent is advised that as part of the site plan control process Conservation Sudbury may have additional comments and technical requirements.

### **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 conforms with the Growth Plan for Northern Ontario in that it aligns with the general economic policies. The application is consistent with PPS policies and conforms 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.

The subject lands are within a fully-serviced settlement area. The application aligns with the PPS as well as Official Plan section 1.3.2 regarding directing development to settlement areas to maximize the use of existing infrastructure. The application also aligns with the PPS section 1.8.1 as well as Official Plan section 2.3.2 which emphasizes that creating a more energy efficient land use pattern will support climate change mitigation. Development of this vacant and underutilized site will capitalize on the surrounding investment in existing and private infrastructure including transportation and transit services, as well as municipal water and sanitary services. Infill development also supports goals related to emissions reduction, which can be achieved by promoting communities that are more compact. This is articulated further in the City's Community Energy and Emissions Plan.

The subject lands are designated Secondary Community Node and the newly introduced policies for this designation (section 4.2.3) identifies that these lands are intended to provide for a broad range and mix of

uses. The requested C2 zone to permit an automotive lube shop and a restaurant would align with the proposed C2 zoning (while excluding certain low-density uses) that staff are working to implement for Lasalle in this location to implement the Lasalle Boulevard Corridor Strategy.

The C2 zone permits the requested automotive lube shop and restaurant. These commercial uses will contribute to the mix of uses in this area, and are considered to be compatible with the surrounding commercial uses to the north and east, and the site can be designed to achieve on-site setbacks with a planting strip that will serve to mitigate potential impacts on the adjacent residential zone to the west. Staff have no concerns with the requested C2 zone.

The Secondary Community Nodes policies also include specific direction regarding building form. Buildings are to be sited close to Lasalle, ideally in the form of mixed use buildings or a mix of uses and buildings on the same site with commercial uses at grade, and at transit-supportive density. Design should reflect community heritage and character. To implement these policies, staff are proposing that buildings to be sited between 0 to 4.5 m from Lasalle with 60% percent of the front lot line to be occupied by a building.

The current setback required from Lasalle Boulevard is 15 m. The applicant's proposed setback reduction to 9 m will enable the building to be closer to Lasalle as envisioned by the Lasalle Boulevard Corridor Strategy. The applicant has indicated that the anchor automotive lube shop has been located as close as possible to the front lot line, to be as consistent as possible with the Official Plan and yet permit a substantial development investment on the site as a whole. It is acknowledged that the applicant has not achieved a building being within 0 to 4.5 m of Lasalle. Staff would recommend permitting a further-reduced minimum setback of 4.5 m rather than the 9 m requested by the applicant. Given the work currently underway to review the concept of a build-to line for the entirety of the Lasalle corridor, staff recommend that it would be premature to require the building to be located closer to Lasalle at this time.

The applicant's site sketch shows the building closest to Lasalle for the automotive lube shop as being oriented to the roadway and occupying greater than 60% of the frontage. It is recommended that this requirement be included in the site specific provisions to ensure that the building is oriented to the Lasalle, and prevent a situation where the building could ultimately be oriented to the private driveway instead.

The applicant's request to reduce the required landscape width along Lasalle to 2.3 m where 3 m is required is recommended to be appropriate given it will enable the building to be located closer to Lasalle. The site is designed to comply with or exceed the other landscaping provisions that apply to the site, including the 5% minimum landscape area and planting strip adjacent to the westerly Residential Zone.

The applicant's request to reduce the number of queuing spaces to 7 where 11 are required is not supported considering that the restaurant occupant could change in the future requiring increased queuing and could result in congestion on the site. Staff would support a reduction to 10 spaces (as proposed in the original application) which would be considered relatively minor and would enable some flexibility in site design.

Matters related to site design will be addressed through the site plan control agreement process. The site can be designed to reflect community heritage and character, such as by selecting trees and other plant material that is native to the Greater Sudbury area. In terms of a pedestrian-friendly environment, the applicant's sketch indicates pedestrian connections throughout the site, which will serve to separate pedestrian and vehicular traffic. While the pedestrian doors to the automotive lube shop are proposed to be located on the rear side of the building, the bay doors will create a sense of openness, which will serve to activate the Lasalle side of the building. Access route for GOVA plus vehicles will be confirmed.

The applicant will be encouraged to reduce the parking provided on-site, which is well above the required amount given the City's recent zoning amendment to reduce the requirements for certain commercial uses including restaurants (29 spaces were required for the restaurant, and 15 are now required). The applicant will also be directed to reduce the fence height to 1.0 m in the front yard; given the 1.5 m fence height shown on the sketch does not comply with the zoning and would detract from a feeling of openness when walking on the sidewalk along Lasalle (and may impact vehicle sight lines to the west). Access to the site is proposed from the private road that extends from the signalized intersection of Lasalle

and Montrose, and which services Princess Auto to the east. Staff has reviewed the Traffic Impact Study submitted with the application and has no concerns. Traffic improvements are not required to support this development.

## **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 rezone the lands to C2 to permit an automotive lube shop and restaurant.
- To include site-specific provisions to reduce the minimum required front yard to 4.5 m, require that 60% of the front lot line be occupied by a building, reduce the minimum required landscape area along the right-of-way, and reduce the minimum number of required queuing spaces for a restaurant to 10.

The development of the subject lands 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 have considered, amongst other matters, a full range of factors through a detailed review when forming the recommendation of approval for this application.

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

- The proposal aligns with policies that acknowledge the link between land use planning and economic prosperity, and the need to maintain a range of sites to provide employment opportunities.
- Development of this vacant site within the settlement area will utilize the existing and private infrastructure including transportation and transit services, water, and sanitary sewer. Efficient land use patterns can support climate change mitigation.
- The proposed uses will contribute to the range of uses available in this Secondary Community Node, have been evaluated in the context of the surrounding land uses, and are considered appropriate.
- The recommended site-specific zoning provisions will promote a building form oriented to Lasalle Boulevard. Site plan control will apply to the site and will address matters related to site design.

Staff recommends approval of the application, subject to the conditions identified in the resolution, on the basis that they are consistent with the Provincial Policy Statement, conform to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury, have regard for matters of provincial interest, and represent good planning.