

Presented To: Planning Committee
Presented: Monday, Nov 02, 2015
Report Date: Thursday, Oct 08, 2015
Type: Public Hearings
File Number: 751-6/15-21

Request for Decision

Sitiri Investments Ltd. - Application for rezoning in order to facilitate a lot boundary adjustment on a local commercial lot, Louisa Drive, Sudbury

Recommendation

THAT the City of Greater Sudbury approves the application by Sitiri Investments Ltd. to amend Zoning By-law 2010-100Z to change the zoning classification from "R1-5", Low Density Residential One to "C1", Local Commercial Special in order to expand the existing "C1" Zone presently fronting Celine Street onto a westerly portion of those lands described as PIN 73478-0139, Part of Parcel 50613 S.E.S., Part of Lot 54, Plan M-403, Lot 4, Concession 6, Township of Broder subject to the following conditions:

1. That prior to the enactment of the amending by law:
 - a) The owner shall submit to the Planning Services Division a registered survey of the lands to be rezoned in order to allow for the preparation of the by-law, and;
 - b) The owner shall submit to the Consent Official an application for consent to consolidate the lands to be rezoned to "C1" with those lands to west described as Parcels 50607 & 50608, Lots 28 & 29, Plan M403, Lot 4, Concession 6, Township of Broder to the satisfaction of the Director of Planning Services.

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed Oct 8, 15

Recommended by the Division

Eric Taylor
Acting Director of Planning Services
Digitally Signed Oct 8, 15

Recommended by the Department

Paul Baskcomb
General Manager of Growth & Development
Digitally Signed Oct 14, 15

Recommended by the C.A.O.

Kevin Fowke
Acting Chief Administrative Officer
Digitally Signed Oct 21, 15

STAFF REPORT

Applicant:

Sitiri Investments Ltd.

Location:

PIN 73478-0139, Part of Parcel 50613 S.E.S., Part of Lot 54, Plan M-403, Lot 4, Concession 6, Township of Broder (Louisa Drive, Sudbury)

Application:

To amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury by changing the

zoning classification of the subject lands from "R1-5", Low Density Residential One to "C1", Local Commercial.

Proposal:

The application is intended to expand the existing "C1" Zone presently fronting Celine Street onto a westerly portion of the subject lands. It is the intent of the owner to consolidate the lands to be rezoned with those lands to the west described legally as Parcels 50607 & 50608, Lots 28 & 29, Plan M403, Lot 4, Concession 6, Township of Broder. At this time, the owner has not applied for consent to consolidate the subject lands with the abutting lots.

Official Plan Conformity:

The subject lands are located at the boundary of a Living Area 1 and Mixed Use Commercial designation in the Official Plan for the City of Greater Sudbury. Section 20.9 of the Official Plan provides that boundary designations on the map are considered to be general guidelines only, except where such areas or boundaries coincide with existing roads, railways, rivers, waterbodies and other defined features. The Official Plan permits minor adjustments without a formal amendment through the passing of by-laws provided the general purpose and intent of the Official Plan is maintained. Planning staff is satisfied that the portion of the lands subject to this rezoning application can be considered to be within the Mixed Use Commercial designation.

The Mixed Use Commercial designation is typically located along arterial road corridors and it is the intent of the Official Plan to recognize the development potential of these lands by permitting a balance of mixed uses including commercial, institutional, residential, and parks and open space through the rezoning process. General industrial uses may also be permitted subject to their compatibility with surrounding uses and their overall visual impact on mixed use corridors. 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; and,
- f) Landscaping along the entire length of road frontages and buffering between non-residential and residential uses will be provided.

The application conforms to the Official Plan for the City of Greater Sudbury subject to a review of the above noted land use planning considerations.

Site Description & Surrounding Land Uses:

The subject lands are located on the south side of Louisa Drive and to the east of Regent Street and Celine Street in the community of Sudbury. The portion of the lands that are to be rezoned are in the rear of the lands and have an area of approximately 440 m² (4,736 ft²). The lands are presently vacant.

Surrounding uses to the east are urban residential in nature with the predominant use being that of single-detached dwellings. There is an existing light industrial use containing an automobile-related and storage container and equipment use located to the immediate south-west of the lands to be rezoned.

Commercial development also exists to the west along the Regent Street corridor.

Departmental & Agency Comments:

Building Services

No concerns. It is noted that a three (3) metre wide planting strip, the full length of the lot line is required where abutting a residential lot of zone, or in the alternative, where a planting strip contains an opaque wall or opaque fence having a height of 1.5 metres or more, the width of the required planting strip may be reduced to 1.8 metres in width.

Development Engineering

No concerns. This property is currently serviced with municipal water and sanitary sewer.

Drainage

No concerns.

Roads, Traffic & Transportation

No concerns.

Public Consultation:

The statutory notice of the public hearing was provided by newspaper along with a courtesy mail out to property owners and tenants within a minimum of 120 metres of the property. The owner was advised of the City's policy recommending that applicants consult with their neighbours, ward councillor and key stakeholders to inform area residents on the application prior to the public hearing. At the time of writing this report, no phone calls and no written submissions with respect to this application have been received by the Planning Services Division.

Planning Considerations:

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 2014 (PPS). Staff has reviewed the PPS 2014 and is satisfied that no matters of provincial interest are impacted should the rezoning be approved.

Official Plan

Section 4.3 of the Official Plan outlines those matters to be reviewed when considering applications to rezone lands within the Mixed Use Commercial land use designation. Staff has reviewed those matters described in Section 4.3 and has the following comments:

- a) Development Engineering has reviewed the rezoning application and advises that the site is presently serviced with municipal sewer and water infrastructure;
- b) Staff has reviewed the resulting lot fabric and is satisfied that the resulting local commercial lot will be capable of providing adequate parking in the future once a local use for the lands is ready to proceed;
- c) The lands do not immediately abut Regent Street and no new access onto Regent Street would be possible when the lands proceed with a local commercial development;
- d) It is not anticipated that a local commercial use in this location would negatively impact the traffic carrying capacity of Regent Street;

e) Once development proceeds, any required traffic or road improvements, as well as ensuring appropriate landscaping and buffering is provided would be appropriately addressed through the site planning process.

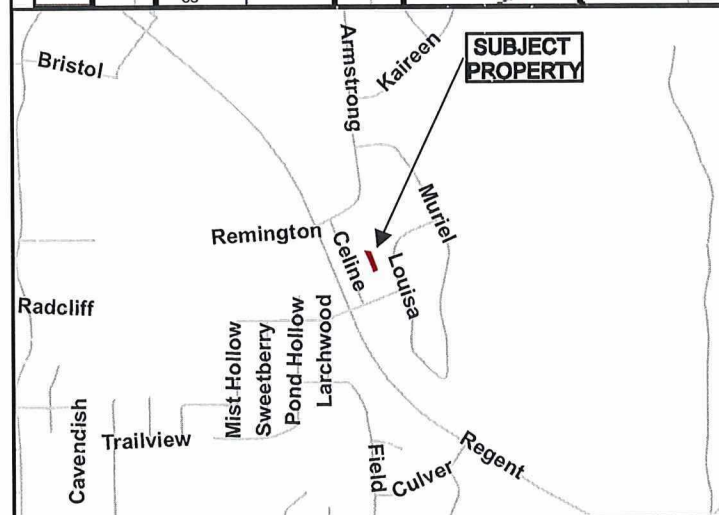
Based on a review of the above matters, staff has no objections to the application to rezone the lands from "R1-5", Low Density Residential One to "C1", Local Commercial in order to facilitate a lot boundary adjustment that would expand the size of the local commercial lands along Celine Street.

Zoning By-law

The applicant is requesting that the subject lands be rezoned from "R1-5", Low Density Residential One to "C1", Local Commercial. Staff has reviewed the development proposal in light of this request and confirm that the requested "C1", Local Commercial Zone would be appropriate. Staff has reviewed the submitted sketch and have no concerns with respect to the resulting lot fabric and compliance with the "R1-5" Zone on the residential lot fronting Louisa Drive or the "C1" Zone on the local commercial lot fronting Celine Street. Staff will however require a registered survey of the portion of the subject lands that is to be rezoned to "C1" in order to prepare an amending zoning by-law.

Summary

Staff has reviewed the development proposal and is satisfied that it conforms to the Official Plan for the City of Greater Sudbury and no matters of provincial interest are impacted with respect to the Provincial Policy Statement. Staff advises that prior to the enactment of the amending by-law a registered survey of the lands to be rezoned is to be submitted to the Planning Services Division in order to allow for the preparation of the by-law and that the owner apply for consent to consolidate the subject lands with the abutting lots to the west. The Planning Services Division therefore recommends that the application to amend By-law 2010-100Z being the City of Greater Sudbury Zoning By-law in order to expand the existing "C1" Zone presently fronting Celine Street onto a westerly portion of the subject lands be approved subject to the condition outlined in the recommendation section of this report.



Growth and Development Department



Subject Property being part of PIN 73478-0139,
part of Pcl. 50613 SES, part of Lot 54, Plan
M-403, Lot 4, Con. 6, Twp. of Broder, Louisa
Drive, Sudbury, City of Greater Sudbury

NTS
Sketch 1

751-6/15-21
Date: 2015 08 12

ARMSTRONG

C3

NON-CONFORMING

NON-CONFORMING

LOUISIANA DR.

R15

CAM ST.

(REGIONAL) HIGHWAY 66
CELINE ST.

PORTION TO BE
REZONED TO C1

REQUIRED SKETCH

SCALE 1" = 100'

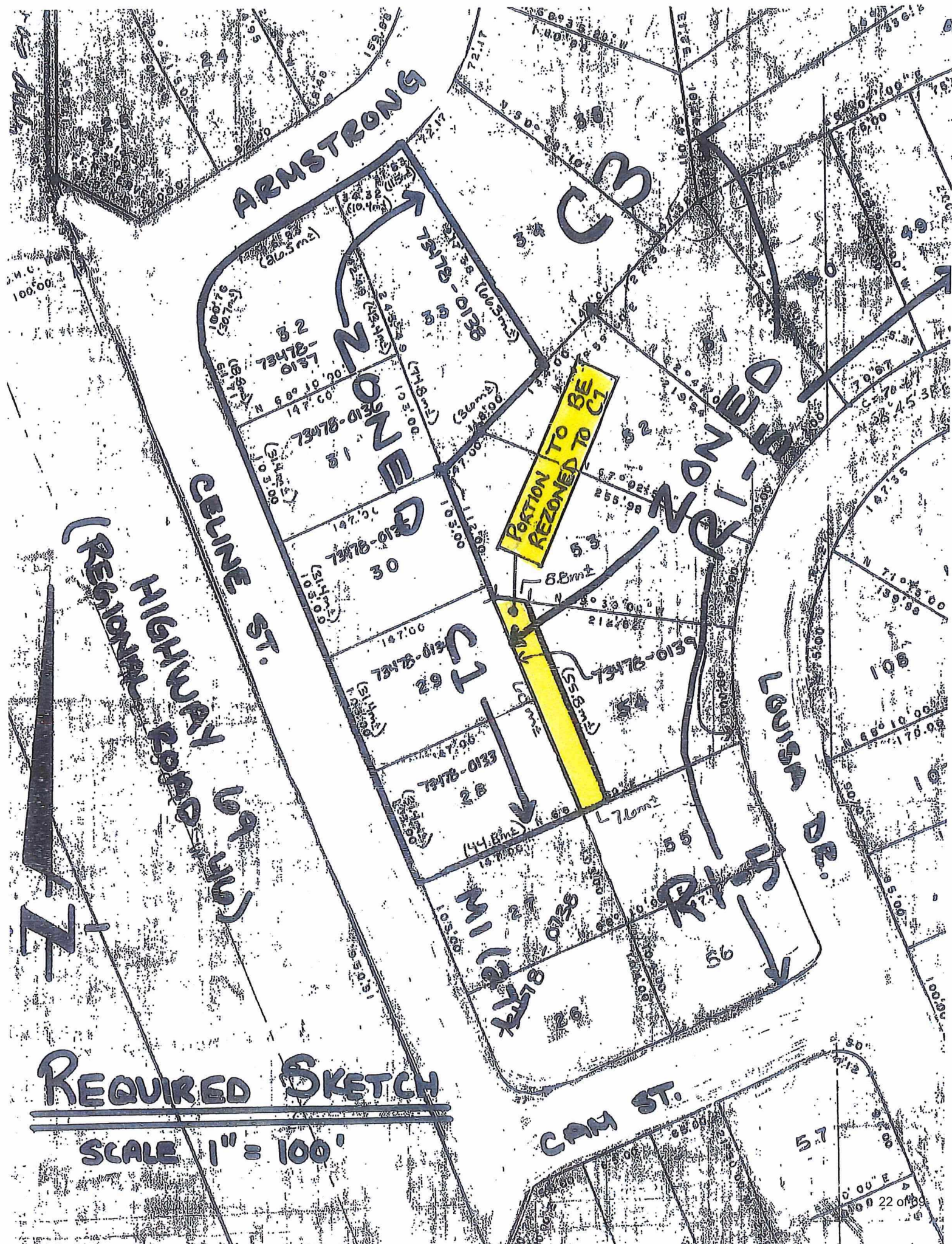




PHOTO 1 EXISTING LOCAL COMMERCIAL LOT FRONTING CELINE STREET LOOKING NORTH EAST



PHOTO 2 EXISTING URBAN RESIDENTIAL LOT AS SEEN FROM LOUISA DRIVE LOOKING NORTH WEST

751-6/15-21 PHOTOGRAPHY OCTOBER 6, 2015



PHOTO 3 EXISTING LIGHT INDUSTRIAL USE FRONTING CELINE STREET LOOKING SOUTH EAST

751-6/15-21 PHOTOGRAPHY OCTOBER 6, 2015