

Countryside Drive, Sudbury

Presented To:	Planning Committee
Meeting Date:	July 12, 2021
Type:	Public Hearing
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-6/21-08

Report Summary

This report provides a recommendation regarding an application for rezoning to “R2-2”, Low Density Residential Two, in order to permit the development of 32 semi-detached dwelling units/lots.

This report is presented by Wendy Kaufman, Senior Planner.

Resolution

THAT the City of Greater Sudbury approves the application by Hautamaki Estates Limited to amend Zoning By-law 2010-100Z by changing the zoning classification on the subject lands from “FD”, Future Development, to “R2-2”, Low Density Residential Two in order to permit the development of 32 semi-detached dwelling units/lots on those lands described as PIN 73475-1683, Lot 6, Concession 6, Parts 3 & 4, Plan 53R-19308, Township of Broder, as outlined in the report entitled “Countryside Drive, Sudbury”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on July 12, 2021 subject to the following conditions:

1. That the owner provide the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to enable the preparation of an amending by-law.
2. Conditional approval shall lapse on July 14, 2023 unless Condition #1 above has been met or an extension has been granted by Council.

Relationship to the Strategic Plan, Health Impact Assessment and Community Energy & Emissions Plan (CEEP)

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 housing by adding to the housing available in this area. The application aligns with the Community Energy and Emissions Plan (CEEP) by supporting the strategy of compact, complete communities.

Financial Implications

If the application for rezoning is approved, staff estimates approximately \$134,000 in taxation revenue in the supplemental tax year only, based on the assumption of 32 semi-detached dwelling units at an estimated assessed value of \$300,000 per dwelling unit at the 2021 property tax rates.

This 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.

In addition, this development would result in total development charges of approximately \$486,000 based on the assumption of 32 semi-detached dwelling units based on the rates in effect as of this report.

Also, this development falls within the South End Sewer Rock Tunnel project area and would be subject to Section 391 Charges relating to this growth related infrastructure in the mid-2000's. The Section 391 Charge totals approximately \$61,000 based on current rates.

Once development has occurred and the subdivision infrastructure has been transferred to the City, there will be additional on-going costs for future annual maintenance and capital replacement of the related infrastructure (ie. roads, water/wastewater linear pipes, etc).

Report Overview:

An application for rezoning has been submitted in order to permit 32 semi-detached dwelling units/lots. The subject land is designated as Living Area 1 in the Official Plan and zoned "FD", Future Development.

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 represents 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, by changing the zoning classification from “FD”, Future Development, to “R2-2”, Low Density Residential Two in order to permit the development of 32 semi-detached dwelling units/lots by plan of subdivision.

Supporting information submitted with the application includes a sewer and water capacity assessment request, as well as a conceptual plan for the remaining land holdings.

Existing Zoning: “FD”, Future Development

The only permitted uses within the currently applicable “FD” Zone is a single detached dwelling on a legal existing lot, and a park.

Requested Zoning: “R2-2”, Low Density Residential Two

The “R2-2” Zone permits a bed and breakfast establishment within a single-detached dwelling and having a maximum of two guest rooms, a group home type 1 within a single-detached dwelling and having a maximum of ten beds, a private home daycare, a single-detached dwelling, a duplex dwelling, a linked dwelling, and a semi-detached dwelling. The “R2-2” Zone may also permit the establishment of secondary dwelling unit(s) and/or a home occupation.

Location and Site Description:

The subject property is described as PIN 73475-1683, Lot 6, Concession 6, Parts 3 & 4, Plan 53R-19308, Township of Broder. The subject lands are generally bounded by Countryside Drive to the south and west, low density residential development to the south and east, and vacant land to the north and west. There is a commercial office use to the southwest of the subject lands fronting on Countryside Drive.

The subject lands have a total lot area of approximately 1.7 hectares. The lands are currently vacant, and would be accessed via a new road extending from Countryside Drive to the south of the lands. Municipal water and sanitary services are available at Countryside Drive. There are City transit stops along Countryside Drive within 160 m to the east and 250 m to the west of the subject lands.

Surrounding Land Uses:

The area surrounding the site includes:

North and West: vacant lands zoned “FD”, Future Development

South and East: low-density residential use, Rinkside Court

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

Site photos show the subject lands, as well as the adjacent residential development.

Public Consultation:

Notice of the application was circulated to the public and surrounding property owners on April 6, 2021. Notice of Public Hearing was circulated to the public and surrounding property owners on June 24, 2021, and was published in the newspaper on July 26, 2021. As of the date of this report, two inquiries with respect to

the application were received, inquiring as to what would be located adjacent to their property, and general questions about building design, lot layout and drainage. 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 owner advised they would host an electronic public information session the evening of Tuesday June 29, 2021.

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 1.4.1 requires municipalities to provide an appropriate range and mix of housing types and densities to meet the needs of current and future residents.

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. There are no policies that are relevant to this application, therefore the application is considered to conform to the Growth Plan.

Official Plan for the City of Greater Sudbury:

The subject property is designated as Living Area 1 in the City of Greater Sudbury Official Plan.

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, make the most efficient use of existing infrastructure and public service facilities, protect our rural and agricultural assets and preserve our natural features and areas. 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.

Section 3.2.1 outlines that low-density development is permitted in the Living Area 1 designation, which means a maximum net density of 36 units per hectare. Policy 3.2(3) states that new residential development must be compatible with the existing physical character of established neighbourhoods, with consideration given to the size and configuration of lots, predominant built form, building setbacks, building heights and other provisions applied to nearby properties under the Zoning By-law. Policy 3.2.1(6) of the Official Plan establishes the following criteria to be considered when rezoning lands within the Living Area 1 designation:

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

Section 3.2.2 of the Official Plan outlines phasing policies to promote the efficient use of land and achieve desirable land use patterns. Specifically, new development is to occur adjacent to existing built-up urban areas with emphasis being placed on densities that facilitate efficient use of land, infrastructure and public service facilities.

Section 17 identifies a key housing goal is to maintain a balanced mix of ownership and rental housing, and to encourage a greater mix of housing types and tenure, including encouraging the production of smaller (one and two bedroom) units to accommodate the growing number of smaller households. The Official Plan is intended to provide direction as to how housing needs and issues can be addressed in concert with the CGS Housing and Homelessness Plan.

Policy 20.4.3 of the Official Plan provides specific policies for the South End, and requires that where a proposal is brought forward to develop only part of a land holding, a Concept Plan for the entire land holding shall be submitted with the development proposal. It should show how development is to be generally distributed, the location and character of open space, phasing, and how linkages to adjacent developments will be enhanced or created, entrance locations, and any road network being proposed. In considering a concept for the entire land holding, Official Plan section 20.4.7 requires a connected street pattern or other such design alternatives to reduce the need for cul-de-sacs. The policy also directs that developers shall be required to provide vehicle, pedestrian and bicycle linkages to future developments on abutting lands.

Zoning By-law 2010-100Z:

The proposal appears to be able to comply with the lot area, lot frontage and lot depth requirements for the requested "R2-2", Low Density Residential Two zone. Development standards for the R2-2 zone require a minimum lot area of 275 square metres and 9.0 m frontage for semi-detached dwellings. The minimum required front yard is 6.0 m, and the minimum required rear yard is 7.5 m. The minimum required interior side yard is 1.2 m. The maximum lot coverage is 40%, and the maximum height is 11 m.

Parking is required to be provided at the rate of 1 space per dwelling unit. Development of the lots shall comply with the general landscaping requirements for residential lots, including maintaining 50% of the front yard as landscaped open space.

Site Plan Control:

A Site Plan Control Agreement will not be required prior to development of the lands.

Application for Plan of Subdivision:

City approval of an application for plan of subdivision will be required prior to creation of lots and the subsequent development of the lands. This process requires the applicant to provide detailed design plans and reports prior to development, and which demonstrate the development complies with City and agency standards and requirements.

Department/Agency Review:

The application has been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application. Comments have been addressed to the satisfaction of reviewing department and agencies.

Transportation & Innovation staff note that the north/south road extending from Countryside Drive ends at a cul-de-sac. The future build out drawing shows a private roadway connecting into this cul-de-sac from the north. It is also noted that a proposed public roadway is shown from Algonquin Road and extending west towards the subject lands, though terminates at another private roadway. A public through connection will be required between Countryside and Algonquin Road. The applicant is advised that the north/south public roadway terminating at a temporary cul-de-sac must allow for a future public through connection to Algonquin Road.

Development Engineering has advised that a Sewer and Water Capacity Analysis was completed and has confirmed that sufficient municipal sanitary sewer and water are available for this development. A geotechnical report will be required with any application for subdivision. The report should confirm whether pre-loading of the lands will be required prior to development. Further comments will be provided at the time of the subdivision application.

Conservation Sudbury has advised that they do not oppose the current rezoning application. The lands are south of a wetland that has been filled. The proponent is advised that as development continues north, a soils report will be required to demonstrate that the soils underlying the filled wetland are stable and can support the proposed development. Should a regulated natural hazard be discovered as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury.

Planning Analysis:

Planning staff circulated the development application to internal departments and external agencies. The PPS (2020), the Growth Plan (2011), and 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 subject property is designated as Living Area 1 in the City of Greater Sudbury Official Plan. The applicant has requested that the lands be rezoned to "R2-2", Low Density Residential Development Two, and it is recommended this would be appropriate zoning for the proposed development.

The application is consistent with both the PPS and Official Plan direction to direct development to fully serviced settlement areas to 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. There are full municipal services with adequate capacity available at Countryside Drive, and public transit stops are available along Countryside Drive. Employment opportunities, commercial areas, and community services are all available within relatively close proximity.

The proposal is consistent with Section 3.2.1 and 3.2.2 of the Official Plan, which requires phasing and densities to promote the efficient use of land. This development is adjacent to the existing built-up urban area, and sufficient municipal sanitary sewer and water are available for this development. The proposal would result in a density of approximately 18.8 units/ha, which is below the low density development maximum of 36 units/ha, and which would align with the requested R2-2 zoning.

In terms of the general criteria for rezoning lands within the Living Area 1 designation, the property is suitable in terms of size and shape to accommodate the proposed density and building form, being semi-detached dwellings. The development is compatible with the existing neighbourhood to the south in terms of scale, massing, height, siting and setbacks, and represents a logical extension to the built up area. Staff is satisfied that appropriate on-site parking, lighting, landscaping and amenity areas can be provided on each lot. The impact on traffic on local streets is expected to be minimal. At the time of application for plan of subdivision, the proponent will be required to provide detailed design plans and reports to demonstrate the development complies with City and agency standards and requirements.

Both the PPS and the Official Plan encourage municipalities to provide a range and mix of housing types and densities. The Official Plan identifies a key housing goal is to encourage a greater mix of housing types and

tenure. The proposal to construct semi-detached dwellings in this location represents an opportunity to provide an alternative to the mainly single-detached dwellings in this area, which is potentially a more affordable form of housing.

The applicant has provided a concept plan for their entire land holding in this area, while recognizing that future development applications (e.g. rezoning, land division) would be required to implement this concept plan. The concept plan demonstrates how the currently-proposed development could align with future uses. Further to comments received from Transportation & Innovation staff, a public through connection will be required between Countryside and Algonquin Road. The applicant is advised that the currently proposed north/south public roadway terminating at a temporary cul-de-sac must allow for a future public through connection to Algonquin Road. Roads will be further assessed through the review and decision on the future application for plan of subdivision that would be required to implement the currently-proposed development. Conservation Sudbury has also advised that as development continues north, a soils report will be required to demonstrate that the soils underlying a filled wetland to the north of the subject lands are stable and can support proposed development.

It is recommended that the owner provide a registered survey plan outlining the lands to be rezoned to enable the preparation of an amending by-law.

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 R2-2, Low Density Residential Two, in order to permit the development of 32 semi-detached dwelling units/lots.

The development of the subject lands achieves a number of policy directives related to directing development to fully serviced settlement areas, phasing development to promote the efficient use of land, and the provision of housing. 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 are of the opinion that the proposed Zoning By-law Amendment is appropriate based on the following:

- The site is suitable for the proposed density and building form.
- The proposal has been evaluated in the context of the surrounding and future land uses and is considered appropriate.
- Adequate parking, landscaping and amenity areas can be provided.
- The impact on local streets will be minimal.

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 represents good planning.