

476 Montague Avenue, Sudbury

Presented To:	Planning Committee
Meeting Date:	August 16, 2021
Type:	Public Hearing
Prepared by:	Glen Ferguson Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-6/21-11

Report Summary

This report provides a recommendation regarding an application for rezoning to “R2-2(S)”, Low Density Residential Two Special in order to permit two separate and self-contained residential dwelling units on the main floor and shared housing on the second-storey all within the existing building.

This report is presented by Glen Ferguson, Senior Planner.

Resolution

THAT the City of Greater Sudbury approves the application by Ray Goulet & Louise Buckingham to amend Zoning By-law 2010-100Z by changing the zoning classification on the subject lands from “R2-3”, Low Density Residential Two to “R2-3(S)”, Low Density Residential Two Special on those lands described as PIN 02128-0242, Parcel 5412 SES, Lot 133, Plan M-100, Lot 6, Concession 4, Township of McKim, as outlined in the report entitled “476 Montague Avenue, Sudbury”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on August 16, 2021, subject to the following conditions:

1. That prior to the enactment of an amending zoning by-law:
 - a. The owners shall apply for all required building permits to the satisfaction of the Chief Building Official;
 - b. The owners shall apply for and receive final approval for a driveway entrance permit to the satisfaction of the Director of Engineering Services;
 - c. The owners shall apply for and receive final approval for an encroachment agreement permitting the existing porch to project into the Nadia Street right-of-way to the satisfaction of the Director of Engineering Services;
 - d. That the owner submit a landscaping and parking layout plan depicting all landscaped open space, parking areas, parking spaces, parking aisles and landscaped areas associated with parking areas to the satisfaction of the Director of Planning Services prior to the passing of an amending zoning by-law; and,
 - e. The owner shall have installed a minimum of two bicycle parking spaces on the lands in a location providing convenient access to main entrances or well-used areas on the lands to the satisfaction of the Director of Planning Services.

2. That the amending zoning by-law include the following site-specific provisions:
 - a. That two apartment residential dwelling units on the ground floor and shared housing on the second-storey having a maximum of six guestrooms all within the existing residential building be the only permitted uses on the lands;
 - b. That a minimum of four parking spaces be provided within the rear yard and a portion of the corner side yard and oriented toward the laneway with each parking space having a width of not less than 2.5 metres and a length of not less than 5.5 metres;
 - c. That the encroaching covered porch that projects into the Nadia Street right-of-way be permitted to maintain a 0 metre corner side yard setback and that appropriate verbiage be included clarifying that the structure is permitted to encroach into the Nadia Street right-of-way; and,
 - d. That any necessary further site-specific relief identified in the required landscaping and parking layout plan related to minimum landscaped open space requirements, sight triangles, parking and parking-related landscaping provisions of the City's Zoning By-law be provided for accordingly.
3. That conditional approval shall lapse on August 17, 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 City's Zoning By-law is an operational matter under the Planning Act to which the City is responding.

The development proposal will further diversify the supply of new housing options in this part of the City and is therefore consistent with the goals and objectives of the Strategic Plan.

As a form of residential intensification in an existing built-up urban area in Sudbury, the development proposal aligns with the recommendations of the CEEP.

Financial Implications

Staff is unable to quantify the taxation revenue amount in the supplemental year only for this existing building, as it will be based on potential assessment changes to be determined by MPAC.

If there are changes to the assessed value of this building, 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 \$33,000 based on the assumption of 3 apartment dwelling units based on the rates in effect as of this report.

Report Overview

This report reviews a re-application for Zoning By-law Amendment that seeks to change the zoning classification of the subject lands from “R2-3”, Low Density Residential Two to “R2-3(S)”, Low Density Residential Two Special in permit two separate and self-contained residential dwelling units (ie. apartments) on the ground floor and shared housing on the second-storey having a total of six guestrooms all within the existing residential building. It is noted however that the proposed residential uses have already been established within the existing residential building situated on the lands. The proposed rezoning also proposes site-specific relief in order to provide four parking spaces on the lands and to recognize the encroachment of an existing open porch into the corner side yard along Nadia Street.

Staff is satisfied that the development proposal would generally conform with the Official Plan for the City of Greater Sudbury. The development proposal is also generally consistent with the land use planning policy directions identified in the PPS. Staff also notes that the application conforms to and does not conflict with the Growth Plan for Northern Ontario.

Staff is therefore generally supportive of the development proposal and have noted that five conditions of approval should be satisfied prior to the enactment of an amending zoning by-law. Staff has also identified site-specific relief that would be required in an amending zoning by-law in order to properly facilitate and permit the development proposal on the subject lands.

The Planning Services Division is recommending that the application for Zoning By-law Amendment be approved in accordance with the Resolution section of this report.

STAFF REPORT

PROPOSAL:

This application for Zoning By-law Amendment seeks to recognize and permit two separate and self-contained residential dwelling units (ie. apartments) on the ground floor and shared housing on the second-storey having a total of six guestrooms all within the existing residential building. Site-specific relief is also requested in order to provide four parking spaces on the lands and to recognize the encroachment of an existing open porch into the corner side yard along Nadia Street. In order to accommodate the proposed apartment residential dwelling units and shared housing on the second-storey as permitted uses on the lands, the proposed rezoning would change the zoning classification of the subject lands from "R2-3", Low Density Residential Two to "R2-3(S)", Low Density Residential Two Special.

The owner's agent submitted an application for pre-consultation that was considered by the Sudbury Planning Application Review Team (SPART) on July 22, 2020 (File # PC2020-069). The owner's agent was provided with a Pre-Consultation Understanding Agreement (PCUA) from staff via email on August 4, 2020, following the SPART Meeting and has since returned their PCUA to the Planning Services Division. The owner's agent has subsequently now submitted a Zoning By-law Amendment application to the City for consideration.

The above noted application was submitted to the City on March 26, 2021, and deemed to be complete on April 8, 2021. The application included the submission of a Concept Plan and Floor Plans in support of the request to rezone the subject lands. Details with respect to the owner's public consultation strategy ahead of a public hearing at the Planning Committee was also provided.

Previous Rezoning Approval:

As background, it should be noted that the current application for rezoning is seeking the same planning approval that was formerly approved by the City's Planning Committee on July 7, 2014 (PL2014-145), which was then ratified by Council on August 12, 2014 (File # 751-6/14-2). There were two conditions of approval on the above noted first rezoning application were not satisfied and said previous rezoning approval has since lapsed. The first condition required the submission of a satisfactory building permit application to the satisfaction of the Chief Building Official. The second condition required that the owners apply for and receive final approval for a driveway entrance permit. It was on this basis that no amending zoning by-law was therefore enacted by Council. Staff did not support the previous rezoning application and had recommended that it be denied. A copy of the resolution that conditionally approved the former rezoning application is attached to this report for reference purposes.

Staff notes however that the City's Official Plan has been since been amended to broaden and strengthen intensification policies through the now complete first phase of the City's Official Plan Review. In particular, the strengthened intensification policies revolve around a general theme that facilitating intensification is essential to completing communities, making the most efficient use of land, resources, infrastructure and public service facilities, minimizing negative impacts on air quality and climate change, promoting energy efficiency and supporting public transit, active transportation and ensuring the efficient movement of goods.

The City's Zoning By-law has also since been amended to be more flexible with respect to broadening housing options and to encourage affordable housing across the housing continuum that broadly ranges from emergency shelters to market-home ownership. In particular, the introduction of a definition for "shared housing" was added to the City's Zoning By-law when By-law 2018-180Z was enacted by Council. and reads as follows:

"A building or part thereof which contains one or more guest rooms as the main use thereof which may include a shared kitchen and where accommodation, with or without meals, is provided for gain or profit, but does not include a hotel, motel, group home type 1, group home type 2, retirement home or any dwelling or institutional use."

Shared housing also has a parking space rate and bicycle parking rate that differs from other types of residential land uses. Shared housing is also presently limited to certain zones (ie. "R3", "R3-1", "C2", "C3", "C4" and "C6").

Staff would therefore emphasize that the current rezoning application before the Planning Committee has been reviewed against the currently applicable policy and regulatory framework that is in place today and not against the formerly applicable policy and regulatory environment that existed at the time of the first and now lapsed rezoning application.

Existing Zoning: "R2-3", Low Density Residential Two

The "R2-3" Zone permits a bed and breakfast establishment having a maximum of two guestrooms within a single-detached dwelling, duplex dwelling, group home type 1 having a maximum of ten beds within a single-detached dwelling, linked dwelling, multiple dwelling containing a maximum of four residential dwelling units, private home daycare, row dwelling having a maximum of four residential dwelling units, semi-detached dwelling and a single-detached dwelling. Those development standards associated with the "R2-3" Zone are outlined under Section 6.3, Table 6.4 – Standards for Low Density Residential Two Zone: R2-3.

Requested Zoning: "R2-3(S)", Low Density Residential Two Special

The proposed rezoning to "R2-3(S)" is intended to permit two separate and self-contained residential dwelling units (ie. apartments) on the ground floor and shared housing on the second-storey having a total of six guestrooms all within the existing residential building. The rezoning of the lands is also proposed to include site-specific relief in order to provide four parking spaces on the lands and to recognize the encroachment of an existing open porch into the corner side yard along Nadia Street.

Location and Site Description:

The subject lands are located at the south-east corner of Montague Avenue and Nadia Street in the community of Sudbury. The lands have a total lot area of approximately 367.89 m² (3,960 ft²) with approximately 10.06 m (33 ft) of lot frontage on Montague Avenue. The lands also form a corner lot and have an exterior side lot line of approximately 36.58 m (120 ft) along Nadia Street.

The lands presently contain an existing two-storey, residential building which contains two separate and self-contained residential dwelling units (ie. apartments) on the ground floor and shared housing on the second-storey having a total of six guestrooms. The proposed rezoning would recognize and permit uses that have already been established on the lands within the existing residential building.

Surrounding Land Uses:

North: Low density urban residential land uses with the pre-dominant built-form being single-detached dwellings, semi-detached dwellings and duplex dwellings, and Victory Park/Playground.

East: Low density urban residential land uses with the pre-dominant built-form being single-detached dwellings, semi-detached dwellings, and duplex dwellings along Nadia Street and Bessie Avenue, and four properties zoned to permit rooming houses (ie. shared housing) on the west side of Bessie Avenue between Nadia Street and Jean Street.

South: Low density urban residential land uses with the pre-dominant built-form being single-detached dwellings, semi-detached dwellings, and duplex dwellings, convenience store, automotive use and barber shop at Jean Street.

West: Low density urban residential land uses with the pre-dominant built-form being single-detached dwellings, semi-detached dwellings and duplex dwellings along Montague Avenue and Froot Road, telecommunications business fronting Froot Road, and a large tract of open space.

The existing zoning and location map are attached to this report and together indicate the location of the lands subject to the Zoning By-law Amendment request, as well as the applicable zoning on other parcels of land in the immediate area.

Site photos depict the existing building having frontage on Montague Avenue along with an existing parking area in the rear and corner side yards that is accessed via a laneway that is maintained by the municipality. Photos of the immediately surrounding pre-dominantly residential area also illustrate a variety of lower density urban residential built-forms having frontage on Montague Avenue and Nadia Street. There are also a number of “rooming house” and “boarding house” dwellings situated to the east of the subject lands on Bessie Avenue, which are zoned “R2-3(3)”, Low Density Residential Two Special.

Public Consultation:

The statutory Notice of Application was provided to the public by newspaper and to nearby landowners and tenants located within 120 m (400 ft) of the subject lands on April 8, 2021. The statutory Notice of Public Hearing dated July 29, 2021, was provided to the public by newspaper and to nearby landowners and tenants located within 120 m (400 ft) of the subject lands.

The owners and agent were also advised of the City’s policy recommending that applicants consult with their neighbours, ward councilor and key stakeholders to inform area residents of the application prior to the public hearing. Staff understands that the owner’s agent has circulated a letter notice describing the development proposal to nearby residents living in close proximity to the subject lands. There was no formal in-person public information session held by the owner’s agent in regards to the proposed rezoning of the lands due to the ongoing Covid-19 global pandemic.

At the time of writing this report, no phone calls, emails or letter submissions 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. The following PPS policies are pertinent to the application for Zoning By-law Amendment:

1. With respect to Settlement Area policies, Section 1.1.3.1 outlines that settlement areas shall be the focus of growth and development;
2. Section 1.1.3.2 outlines that land use patterns within settlement areas shall have a mix of densities and land uses that efficiently uses land and resources, 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, minimize negative impacts to air quality and climate change and promote energy efficiency, prepare for the impacts of a changing climate, are supportive of active transportation, are transit-supportive where transit is planned, exists or may be developed, and are freight-supportive;
3. Section 1.1.3.2 further outlines that land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment;
4. Section 1.1.3.3 outlines that intensification is to be promoted and opportunities for transit-supportive development, accommodating for a supply and range of housing options through intensification while taking into account existing building stock or areas, and the availability of suitable existing or planned infrastructure and public service facilities to accommodate needs are encouraged;
5. Section 1.1.3.4 outlines that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety;
6. Section 1.1.3.5 outlines that municipalities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions; and,
7. With respect to Housing Policies, Section 1.4.3 outlines that municipalities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:
 - a) Permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities, as well as all types of residential intensification, including additional residential units, and redevelopment;
 - b) Directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
 - c) Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of active transportation and transit in areas where it exists or is to be developed;
 - d) Requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and,
 - e) Establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

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 are satisfied that the application for Zoning By-law Amendment conforms to and does not conflict with the Growth Plan for Northern Ontario.

Official Plan for the City of Greater Sudbury:

The subject lands are designated Living Area 1 in the Official Plan for the City of Greater Sudbury.

The Living Area 1 land use designation includes residential areas that are fully serviced by municipal water and sewer and are to be the primary focus of residential development. Living Area 1 is seen as areas of primary focus for residential development given the desire to utilize existing sewer and water capacity and reduce the impacts of un-serviced rural development. New residential development must be compatible with the existing physical character of established neighborhoods, with consideration given to the size and configuration of lots, predominant built form, building setbacks, building heights and other provisions applied to nearby properties in the City's Zoning By-law.

Section 3.2.1 of the Official Plan outlines that the Living Area 1 designation permits low density residential uses up to a maximum density of 36 units per hectare, medium density residential uses up to a maximum density of 90 units per hectare and high density residential uses up to a maximum density of 150 units per hectare. Medium density housing should be located in close proximity to Arterial Roads, public transit, main employment and commercial areas, open space areas and community/recreational services. Medium density development is to be located where adequate servicing capacities exist along with a road system that can accommodate the growth. High density residential development is only permitted in the community of Sudbury.

Section 2.3.2 notes that the subject lands are within both a Settlement Area and the City's Built Boundary as delineated in Schedule 3 – Settlement Area and Built Boundary. Settlement Area land use patterns are to 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. Intensification and development within the Built Boundary is to be encouraged, while development outside of the Built Boundary may be considered in accordance with the policies of the Official Plan.

Section 2.3.3 of the Official Plan generally acknowledges that intensification of a property at a higher density than what currently exists through the development of vacant or underutilized lots is encouraged throughout the City. Intensification is considered to be essential to completing communities, making the most efficient use of land, resources, infrastructure and public service facilities, minimizing negative impacts on air quality and climate change, promoting energy efficiency and supporting public transit, active transportation and the efficient movement of goods. The key to intensification is to ensure that it occurs in a context sensitive manner. Intensification must be compatible with and reinforced the existing and planned character of an area.

Specifically, Section 2.3.3 includes the following applicable intensification policies:

1. All forms of intensification are encouraged in accordance with the policies of the Official Plan;
2. The City will aim to accommodate 20% of future residential growth and development through intensification within the Built Boundary;
3. Large scale intensification and development is permitted in strategic core areas such as the Downtown, Regional Centres and major public institutions, in accordance with the policies of the Official Plan;

4. Medium scale intensification and development is permitted in Town Centres and Mixed Use Commercial corridors, in accordance with the policies of the Official Plan;
5. Intensification and development is permitted in established Living Area 1 lands, in accordance with the policies of the Official Plan;
6. Intensification will be encouraged on sites that are no longer viable for the purpose for which they were intended such as former commercial, industrial and institutional sites. It will also be encouraged where the present use is maintained but the addition of residential uses can be added in a complementary manner;
7. Intensification will be encouraged on sites with suitable existing or planned infrastructure and public service facilities;
8. Intensification will be compatible with the existing and planned character of an area in terms of the size and shape of the lot, as well as the siting, coverage, massing, height, traffic, parking, servicing, landscaping and amenity areas of the proposal;
9. The following criteria, amongst other matters, may be used to evaluate applications for intensification:
 - a. The suitability of the site in terms of size and shape of the lot, soil conditions, topography and drainage;
 - b. The compatibility proposed development on the existing and planned character of the area;
 - c. The provision of on-site landscaping, fencing, planting and other measures to lessen any impact the proposed development may have on the character of the area;
 - d. The availability of existing and planned infrastructure and public service facilities;
 - e. The provision of adequate ingress/egress, off street parking and loading facilities, and safe and convenient vehicular circulation;
 - f. The impact of traffic generated by the proposed development on the road network and surrounding land uses;
 - g. The availability of existing or planned, or potential to enhance, public transit and active transportation infrastructure;
 - h. The level of sun -shadowing and wind impact on the surrounding public realm;
 - i. Impacts of the proposed development of surrounding natural features and areas and cultural heritage resources;
 - j. The relationship between the proposed development and any natural or man-made hazards;
 - k. The provision of any facilities, services and matters if the application is made pursuant to Section 37 of the Planning Act. Where applicable, applications for intensification of difficult sites may be subject to Section 19.7; and,
 - l. Residential intensification proposals will be assessed so that the concerns of the community and the need to provide opportunities for residential intensification are balanced.

Section 17.2 of the City's Official Plan generally encourages diversity in housing types and forms, including the provision of affordable housing. Specifically, Section 17.2.1 encourages a greater mix of housing types and tenure through applicable housing policies. Specifically, it is the policy of the City's Official Plan:

- a. To encourage a wide range of housing types and forms suitable to meet the housing needs of all current and future residents;
- b. To encourage production of smaller (ie. one and two bedroom) units to accommodate the growing number of smaller households;
- c. To promote a range of housing types suitable to the needs of senior citizens;
- d. To discourage downzoning to support increased diversity of housing options; and,

- e. To support new development that is planned, designated, zoned and designed in a manner that contributes to creating complete communities designed to have a mix of land uses, supportive of transit development, the provision of a full range of housing including affordable housing, inclusive of all ages and abilities, and meet the daily and lifetime needs of all residents.

Section 17.2.4 of the City's Official Plan is supportive of innovation in housing design and development that minimizes costs in the production of affordable housing.

- a. To permit alternative development standards where appropriate;
- b. To encourage innovative forms of multiple housing and converted dwellings in order to achieve cost efficiencies in the provision of housing; and,
- c. To encourage innovation in housing tenure and financing.

Section 17.2.7 c) of the City's Official Plan outlines that in order to address homelessness in the City, it is the policy of the City's Official Plan to support the expansion of the supply of permanent affordable housing that ultimately provides a suitable and affordable living environment for individuals experiencing homelessness or at risk of homelessness.

Zoning By-law 2010-100Z:

The owner is requesting that the subject lands be rezoned to "R2-3(S)", Low Density Residential Two Special in order to permit two separate and self-contained residential dwelling units (ie. apartments) on the ground floor and shared housing on the second-storey having a total of six guestrooms all within the existing residential building. As noted previously in this report, the rezoning application also proposes site-specific relief in order to provide four parking spaces on the lands and to recognize the encroachment of an existing open porch into the corner side yard along Nadia Street.

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.

During the review of the proposal, comments provided by circulated agencies and departments included the following:

Active Transportation, the City's Drainage Section, Fire Services, Operations, Roads and Transit Services have each advised that they have no concerns from their respective areas of interest.

Building Services notes that building permit drawings (eg. site plan, floor plans, etc.) must be submitted, which are to include all parking requirements complete with two required bicycle parking space, all floor layouts, exits, fire separations and all life safety requirements to the satisfaction of the Chief Building Official. Building Services also noted that the porch on the north side of the existing building encroaches onto the City's right-of-way along Nadia Street and that an encroachment agreement is required.

Conservation Sudbury advises that it would appear that a permit pursuant to Section 28 of the [Conservation Authorities Act](#) will not be required as the subject lands do not contain any obvious floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features.

Development Engineering advises that the lands are serviced with municipal water and sanitary sewer infrastructure.

Transportation and Innovation notes that concrete has been placed in the gutter along Nadia Street to widen the driveway entrance in this location. The concrete impedes drainage and must be removed. It is recommended that any potential approval be conditional on the owner applying for and receiving a driveway entrance permit to the satisfaction of the General Manager of Growth and Infrastructure. As a condition of approval, the owner should also be required to enter into an encroachment agreement with the City for the porch fronting Nadia Street as it is within the City's right-of-way.

PLANNING ANALYSIS:

The 2020 PPS, the 2011 Growth Plan, and 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 application with respect to the applicable policies, including issues raised through agency and department circulation.

The proposed rezoning is consistent with the PPS for the following reasons:

1. The community of Sudbury is an identified settlement area in the City's Official Plan. The development proposal involving the recognition of an existing residential building containing two separate and self-contained residential dwelling units (ie. apartments) on the ground floor and shared housing on the second-storey having a total of six guestrooms all within the existing residential building should be generally promoted and is considered to be good land use planning;
2. Staff is of the opinion that the proposed development contributes positively to improving the mix of residential densities and land uses that would be permitted in this particular area along Montague Avenue and to the east of a collector road (ie. Frood Road) in the community of Sudbury. Staff notes that the lands are serviced with municipal water and sanitary sewer from Montague Avenue. Access to the GOVA public transportation network is available to the east along Burton Avenue (ie. Route 11 – Donovan – College Boreal) giving direct routing access to College Boreal, the New Sudbury Centre Transit Hub and the Downtown Transit Hub. Active transportation is also an option as there is an existing sidewalk along both sides of Montague Avenue providing a pedestrian connection to the larger surrounding area. There are also a number of public open spaces (eg. Victory Park/Playground) and community facilities (eg. College Boreal, Cambrian Arena, and Terry Fox Sports Complex) that can be accessed through the active transportation infrastructure (eg. trails) that exists in the general area. Staff is of the opinion that the proposed rezoning will result in a good intensified use of the subject lands from a good land use planning perspective;
3. Staff is of the opinion that the application to rezone the lands will improve the possible mix of land use patterns in the general area and will serve to encourage and provide for increased and available housing opportunities on the housing continuum (ie. affordable rental housing) via the promotion of the intensification of an existing residential building that is located within the Sudbury settlement area and built boundary;
4. Staff is generally supportive of this opportunity for residential intensification and notes that public transportation is located in close proximity to the east of the subject lands. The proposed residential intensification in this instance would facilitate the addition of two separate and self-contained residential dwelling units (ie. apartments) on the ground floor and shared housing on the second-storey having a total of six guestrooms all within the existing residential building. The proposed rezoning would then act to explicitly permit the above mix of residential land uses whereas the currently applicable zoning permits at most a multiple dwelling having up to four residential dwelling units. The addition of two apartment residential dwelling units and shared housing having a six guestrooms as permitted uses on the lands would therefore contribute positively toward improving the supply and range of housing options made available through intensification and redevelopment in the area. Staff is further satisfied that the two apartment residential dwelling units on the ground floor and shared housing on the second-storey having a total of six guestrooms within the existing residential building can be reasonably accommodated on the lands with minimal disruption to abutting residential land uses provided certain development standards are utilized in an amending zoning by-law. Suitable infrastructure is also generally available within the Montague Avenue road allowance and staff would therefore encourage intensification in this location;

5. Staff is of the opinion that appropriate development standards can be achieved through the rezoning process that facilitates good intensification and compact built-form in this particular location, while avoiding or mitigating risks to public health and safety. Those development standards that would be appropriate in order to properly accommodate the two separate and self-contained residential dwelling units (ie. apartments) on the ground floor and shared housing on the second-storey having a total of six guestrooms, are discussed in more detail later in this report;
6. Staff notes that the subject lands are within an existing and identified settlement area being that of the Sudbury community. It is further noted that the lands are also within the City's existing built-boundary. Staff is therefore of the opinion that the proposed rezoning would facilitate and encourage the possibility of additional residential development proceeding in this area that has a more compact built-form by permitting two apartment residential dwelling units on the ground floor and shared housing on the second-storey within the existing building and at an overall site density that will utilize the subject lands efficiently from a land, infrastructure and public service facilities perspective. Staff would also generally note that the development proposal will contribute positively toward minimum targets for intensification and redevelopment within built-up areas that are identified in the City's Official Plan;
7. With respect to housing policies in the PPS, staff would highlight and note the following:
 - a) The proposed mix of residential uses within the existing building (ie. apartment residential dwelling units and shared housing) would in general provide for an expanded range and potentially mix of housing options and densities in the community of Sudbury. With the proper use of development standards as noted later in this report, staff is satisfied that no negative impacts would be generated should the rezoning to permit residential intensification in this location be approved from a social, health, economic and well-being perspective in terms of those current and future residents living in the local community;
 - b) Staff is satisfied through their review and circulation of the rezoning application that the proposed new housing option being that of two apartment residential dwelling units on the ground floor and shared housing on the second-storey having a total of six guestrooms within the existing residential building can and should be appropriately directed to the subject lands as appropriate levels of infrastructure (eg. active transportation, municipal sanitary sewer and water infrastructure, public transportation, etc.) are presently available in this particular location along Montague Avenue;
 - c) Staff is of the opinion that the development proposal would generally result in the more efficient use of the subject lands, the existing building, and available municipal infrastructure in this location. It is further noted that the resulting improved housing options in this area would also positively contribute to and encourage the use of public transportation in the immediate area;
 - d) Staff notes that there are at present no identified issues with respect to prioritization of intensification in the immediate area. The development proposal in general being that of two apartment residential dwelling units on the ground floor and shared housing on the second-storey having a total of six guestrooms all within the existing residential building would not negatively impact other intensification opportunities that may exist in the area; and,
 - e) Staff is satisfied that appropriate development standards can be utilized in an amending zoning by-law to accommodate the proposed development and residential intensification of the subject lands without negatively impacting the cost of housing and the existing character of the area. In particular, the proposed rezoning would facilitate the creation of a shared housing opportunity in this location that is not excessive or unreasonable in nature. Staff notes that overall the apartment residential dwelling units on the ground floor and shared housing on the second-storey can be reasonably expected to provide additional affordable rental dwelling units in the area. No negative impacts on public health and safety were identified through the review and circulation of the rezoning application.

Staff in general has no concerns with respect to the proposed rezoning conforming to the applicable policies in the Official Plan for the City of Greater Sudbury. Those policies relevant to the development proposal that would recognize and permit two separate and self-contained residential dwelling units (ie. apartments) on the ground floor and shared housing on the second-storey having a total of six guestrooms all within the existing residential building are discussed below.

With respect to general Living Area 1 policies in the Official Plan that are applicable to the subject lands, staff notes that development proposal can be considered to be three residential dwelling units (ie. two apartment dwelling units and a shared housing dwelling unit) and as such would yield an overall site density of approximately 81 dwelling units per hectare, which is permitted in the community of Sudbury and within the threshold of those medium density residential policies set out in the City's Official Plan.

Staff is of the opinion that the proposed residential density is not excessive and that the development proposal can be reasonably accommodated in this setting along Montague Avenue and to the west of Frood Street and to the north of Kathleen Street in Sudbury. The subject lands are situated on a Local

Road (ie. Montague Avenue) and located approximately 100 m (328.08 ft) to the east of a Collector Road (ie. Frood Road) with public transportation options being available to the east along Burton Avenue. There is also an existing commercial area situated to the south of the subject lands along both Jean Street and Kathleen Street. Staff is of the opinion that sufficient open space areas and community/recreational activities are also available in the general area of the subject lands. It should also be noted that no concerns with respect to the servicing capacity of Montague Avenue from a road network perspective were identified through the circulation of the rezoning application. Staff would also again note that the lands are within the community of Sudbury as identified in the City's Official Plan and medium density residential uses are permitted in this location.

With respect to Section 2.3.2 of the Official Plan, staff notes that the subject lands are identified as being located within the Settlement Area and Built Boundary as delineated in Schedule 3 – Settlement Area and Built Boundary to the City's Official Plan. Staff advises that the proposed rezoning that would recognize two separate and self-contained residential dwelling units (ie. apartments) on the ground floor and shared housing on the second-storey having a total of six guestrooms all within the existing residential building on the lands represents an opportunity to make efficient use of the existing urban land supply, municipal infrastructure and other services that are already provided for within the City's Settlement Area and Built Boundary. Staff is also satisfied that a site-specific amending zoning by-law can include development standards that would be appropriate for the subject lands. Those development standards that would be appropriate in this setting are discussed in detail later in this report and are included in the Resolution section of this report.

With respect to applicable intensification policies set out under Section 2.3.3 of the Official Plan, staff has the following comments:

1. Staff notes that in general all forms of residential intensification are encouraged in the City's Official Plan. Staff further notes in this instance that the subject lands contain an existing residential building that is situated in an older part of the City, which represents an opportunity to increase the mix and range of available housing options in a residential neighbourhood that already contains a variety of residential densities and built-forms. Provided that appropriate development standards are applied to the lands, staff is of the opinion that this form of residential intensification can be reasonably accommodated on the subject lands without negatively impacting the existing and planned character of the general area;
2. Staff advises that the portion of the development proposal involving the recognition of two apartment residential dwelling units on the ground floor and shared housing on the second-storey having a total of six guestrooms all within the existing residential building would contribute positively to the City's aim of accommodating 20% of all future residential growth and development through intensification within the Built Boundary;

3. Staff advise that the development proposal does not amount to large or medium scale intensification that would be otherwise directed to strategic core areas, such as the Downtown or Town Centre land use designations. The residential intensification that would result is what the Living Area 1 land use designation considers to be medium density residential development, but said medium density residential intensification would be occurring within an existing building having a more traditional low density built-form and no major changes to the existing building would be required in order to accommodate such;
4. The lands are however designated Living Area 1 and it is noted that intensification is permitted within this land use designation in accordance with the policies of the City's Official Plan. Staff notes that this section of the report provides a land use planning analysis that includes a review of the applicable residential intensification policies set against the Living Area 1 land use designation policies. Staff can advise that from a Living Area 1 land use designation perspective, no concerns with respect to conformity in relation to the overall development proposal were identified during the review of the rezoning application;
5. Staff notes that the proposed intensification does not involved the redevelopment of a commercial, industrial or institutional site that is no longer viable for said purposes. This form of residential intensification does however represent a good opportunity to maintain the existing footprint of the residential building on the lands, while at the same time facilitating additional residential use permissions (ie. shared housing) and without negatively impacting the overall use of the lands or abutting residential properties. Staff are satisfied that the proposed residential intensification is therefore being added in a manner that is complimentary to both the existing building as well as the surrounding residential area;
6. Staff notes that the rezoning application was circulated to Development Engineering and in their review there were no issues identified with respect to utilizing existing municipal water and sanitary sewer infrastructure that exists within the Montague Avenue road allowance. It was noted in their comments however that the general area has historically low fire-flow capabilities due to the size and material of the existing water-main dating back to its original construction; and,
7. Staff notes that the existing residential building and how it is situated on the lands in terms of size and shape of the lot, as well as the siting, coverage, massing, height, servicing, and available outdoor amenity areas would remain largely unchanged. Staff does note however that there would appear to be an opportunity to improve upon the outdoor amenity space that is presently available on the lands. In this regard, it is recommended that the amending zoning by-law establish a minimum landscaped open space requirement that we reinstitute an appropriate level of landscaped open space on the lands. Staff also note that the existing parking area in the rear of the lands would be proposed to continue to be utilized and would provide four parking spaces oriented toward Nadia Street. Staff would further advise that the four parking spaces oriented toward Nadia Street would no longer be functional should the curbing be reinstated as per Transportation and Innovation comments. Staff would advise that this parking area should be therefore be redesigned to both incorporate additional landscaped space on the lands and to address the reinstated curbing that is required. Roads was also circulated the rezoning application and no traffic concerns were identified in their review. It is on the above basis that staff is satisfied that the proposed residential intensification will be generally compatible with the existing and planned character of the general area;
8. In particular, with respect to applicable criteria set out in Section 2.3.3 of the City's Official Plan that are to be considered when evaluating applications that propose intensification, staff has the following comments:
 - a) Staff are of the general opinion that the subject lands are of sufficient size and shape to accommodate two apartment residential dwelling units on the ground floor and shared housing containing six guestrooms on the second-storey and within the existing building. Staff notes that the rezoning application was circulated to appropriate agencies and departments and can advise that no concerns with respect to soil conditions and topography were identified. With respect to drainage, Transportation and Innovation has reviewed the application and have advised that concrete has been placed in the gutter along Nadia Street to widen the driveway entrance onto the subject lands. The placement of concrete in this manner is impeding drainage and that the

concrete should be properly removed. It is therefore being recommended that any potential rezoning approval be conditional on the owner applying for and receiving a driveway entrance;

- b) Staff have noted in this report that the subject lands are generally surrounded by a mix of urban residential built forms and densities of varying construction ages in this particular area of Sudbury. Staff have no concerns with respect to the compatibility of the development proposal given that the existing residential building has existed in this location since construction approximately nine decades ago (ie. 1929) and the proposed residential uses would be contained entirely within the existing building and would therefore not involve any building additions;
- c) Staff is satisfied that the lands are generally capable of providing adequate on-site landscaping, fencing, planting and other measures as these will have the effect of lessening any impacts that the development proposal would have on abutting residential properties or the existing urban residential character that exists along Montague Avenue and Nadia Street. Staff are satisfied that site plan control would not be necessary as there are no additions proposed to the existing building or any major changes to the usability of the existing residential building. It is recommended however that a development standard be included in the amending zoning by-law that establishes a minimum amount of landscaped open space on the lands. Staff have asked the agent to provide a calculation in terms of landscaped open space that exists today on the lands and it is anticipated that additional landscaped open space could be added once a final parking layout on the lands is determined;
- d) Development Engineering was circulated the rezoning application and have noted that the lands are serviced with municipal water and sanitary sewer infrastructure from Montague Avenue;
- e) Staff notes that no new driveway entrances are necessary in order to facilitate access to the lands as the site contains an existing rear yard parking area that can be readily accessed via a laneway (ie. Un-Named Laneway 101) that is confirmed through Operations to be maintained by the City. The submitted Concept Plan depicts a total of four parking spaces, however, these parking spaces are oriented toward Nadia Street and would need to be accessed via a curb that has had concrete poured illegally in order to create a ramp onto the lands. Staff are not supportive of the current parking layout and are recommending that a parking layout plan be submitted prior to the enactment of an amending zoning by-law that demonstrates a functional parking area being provided to the rear of the existing building. Staff acknowledges in this regard that some degree of relief from parking space provisions would be appropriate given the site context referenced throughout this report. Staff is however confident that a functional parking area is possible having a minimum of three or four parking spaces to the rear of the existing building that could be accessed via Un-Named Laneway #101. Other alternatives could also be explored by the owner through the driveway entrance permitting process. There is also no requirement for a loading space as the resulting built-form does not amount to a multiple dwelling containing 50 or more residential dwelling units. Staff also have no concerns at this time with respect to safe and convenient vehicular circulation on the lands provided that the residential use of the lands is limited to that of two apartment residential dwelling units on the ground floor and shared housing having a total of six guestrooms on the second-storey;
- f) Roads, Transportation and Innovation reviewed the rezoning application and did not express any concerns with respect to any negative impacts related to the traffic that would be generated by the proposed development on the local road network and surrounding land uses. While visitor parking would be limited, staff is satisfied that shorter term on-street parking options, as well as the lands having good access to active transportation options and the presence of existing public transportation along Burton Avenue, will act to mitigate this issue. The residential building on the subject lands was originally constructed in 1929 and staff notes that there is a broad range of original construction dates that exist in the immediately surrounding area. This range of construction dates that exist in the area is evident when the various arrangements and methods of providing sufficient parking areas are looked at in closer detail. Staff would advise that some degree of flexibility and relief from parking standards would be prudent in this context. The parking relief required in order to accommodate the proposed residential intensification is discussed in more detail later in this report;

- g) As was noted previously in this report, the lands are well accessed by public transportation to the east on Burton Avenue (ie. Route 11 – Donovan – College Boreal), which provides direct routing access to College Boreal, the New Sudbury Centre Transit Hub, and the Downtown Transit Hub. Active transportation is also an option as there is an existing sidewalk along both sides of Montague Avenue providing a pedestrian connection to the larger surrounding area;
- h) Staff notes that no additions to the existing building are proposed and therefore no negative sun-shadowing and/or wind impacts would be introduced or generated by recognizing the existing two separate and self-contained residential dwelling units (ie. apartments) on the ground floor and shared housing on the second-storey having a total of six guestrooms on the subject lands. Staff also notes that the low density residential built-form itself in this case did not generate the need for any sun-shadowing and/or wind impact studies as part of a complete rezoning application;
- i) Staff in their review of the application did not identify any areas of concern with respect to negative impacts of the development proposal on surrounding natural features and areas and cultural heritage resources;
- j) Staff have no concerns with respect to the relationship between the proposed development and any nearby identified natural or man-made hazards;
- k) There are no facilities, services or other matters associated with the development proposal that are subject to Section 37 of the Planning Act; and,
- l) It is on the above basis that staff generally concludes and would advise that the proposed residential intensification balances the concerns of the local community with the identified need for providing opportunities for residential intensification.

With respect to housing policies established under Section 17.0 of the Official Plan, staff would note that in general the development proposal would contribute positively to the range of housing types, tenures and built-forms that would be made available to both current and future residents of Sudbury. Staff notes that Floor Plans for the building appears to confirm that one of the apartment dwelling units is a two-bedroom unit that would be an attractive housing option for smaller households. The shared housing component could also be utilized by single individuals that do not require smaller one and/or two-bedroom residential dwelling units. Staff would also note that the two ground floor apartment dwelling units may serve as an attractive housing option that meets the functional housing needs of senior citizens. It is further noted that the rezoning does not amount to a down-zoning, but rather would provide for an increased number of housing options available on the lands. To conclude, staff is generally supportive of the rezoning from a housing perspective on the basis that it would contribute positively to the notion of creating complete communities designed to have a mix of land uses that are transit-supportive and that offer the opportunity for providing affordable housing to people of all ages and abilities.

With respect to innovative housing design and development policies under Section 17.2.4 of the City's Official Plan, staff have noted in this report that alternative development standards with respect to parking areas and minimum landscaped open space requirements can be utilized in this instance to help minimize the costs in the production of affordable housing in this part of Sudbury. The existing building would also be converted into a form of affordable housing in a cost-efficient manner should the rezoning be approved.

With respect to homelessness policies under Section 17.2.7 c) of the City's Official Plan, the proposed rezoning would establish permanent and affordable housing-friendly residential land uses on the lands providing an affordable living environment for individuals experiencing homelessness or at risk of homelessness.

Staff is therefore of the opinion that the proposed rezoning to recognize and permit two separate and self-contained residential dwelling units (ie. apartments) on the ground floor and shared housing on the second-storey having a total of six guestrooms all within the existing residential building conforms to the Official Plan for the City of Greater Sudbury.

With respect to the City's Zoning By-law, staff in general have no concerns with the requested zone category and have the following comments:

1. It is recommended that the amending zoning by-law permit a residential use that is limited to that of only two separate and self-contained residential dwelling units (ie. apartments) on the ground floor and shared housing on the second-storey having a total of six guestrooms all within the existing residential building. Staff is of the opinion that the above will act to ensure that the proposed residential intensification of the lands occurs in a well-defined, clear and contextually sensitive manner;
2. Staff notes that the residential parking requirement for the shared housing component is to be calculated at one parking space plus an additional 0.5 parking spaces per guestroom, while the apartment residential dwelling units would meet the definition of duplex dwelling and would therefore each be required to provide one parking space. It is noted then that the overall development proposal would be required to provide six parking spaces based on the mix of residential uses that are proposed. Based on the submitted sketch, the amending zoning by-law should therefore provide site-specific relief requiring that a minimum of four parking spaces be provided whereas six parking spaces would normally be required. No accessible parking spaces are required based on the mix of residential uses that are being proposed;
3. With respect to the parking area to the rear of the existing residential building, staff note that if the four parking spaces depicted on the submitted sketch were rotated and reoriented toward the lane there would be appear to be sufficient width to provide for four parking spaces having a minimum width of 2.5 m (8.20 ft) whereas 2.75 m (9.02 ft) is required for a surface parking space that does not abut a wall or barrier. Staff notes there is sufficient depth behind the existing residential building to allow for some space between the back of the building and the beginning of said four parking spaces. Staff notes that this site-specific relief would amount to the four required parking spaces each having a reduced width of 0.25 m (0.82 ft). Staff would further note for information purposes that compact parking spaces when and where permitted under Section 5.2.3.4 of the City's Zoning By-law are required to have a minimum width of 2.5 m (8.20 ft). This parking area scenario would also help address those concerns raised by Transportation and Innovation with respect to the concrete that has been placed in the gutter along Nadia Street to widen the current driveway entrance. Staff are therefore supportive of the parking space reduction that is being proposed on the basis that the owner prepare and submit a parking layout in general keeping with the above comments to the satisfaction of the Director of Planning Services prior to the enactment of an amending zoning by-law;
4. With respect to the encroaching covered porch that projects into the Nadia Street right-of-way, staff would recommend that the amending zoning by-law include a development standard permitting a 0 m (0 ft) corner side yard setback for said porch and further that appropriate verbiage be included clarifying that the structure is permitted to encroach into the Nadia Street right-of-way;
5. Staff notes that the shared housing component of the overall development proposal is required to provide 0.25 bicycle parking spaces per guestroom. It is further noted in this regard that the lands do appear capable of providing for a rounded-up minimum of two bicycle parking spaces based on the shared housing component having six guestrooms. Staff do not recommend any site-specific relief in this regard given the location of the lands in close proximity to Frood Road and Kathleen Street as well as nearby active and public transportation options. Staff would recommend that as a condition of approval the bicycle parking spaces be installed in a location that complies with Section 5.8 of the City's Zoning By-law prior to the enactment of an amending zoning by-law and to the satisfaction of the Director of Planning Services;
6. Staff notes that the proposed mix of residential uses (ie. two apartment dwelling units and shared housing) is more typical of and comparable to those residential uses permitted in both the "R3", Medium Density Residential Zone and "R3-1", Medium Density Residential Zone. It is further noted that both the "R3" and "R3-1" Zones would require a minimum of 30% landscaped open space given the proposed mix of residential land uses. Staff notes that based on the submitted sketch the lands would appear to provide for less than 30% landscaped open space, which would amount to a minimum landscaped open space requirement of approximately 110 m² (1,184.03 ft²) being required on the subject lands. Staff also noted during a site visit that very little outdoor amenity space for

tenants living in the building exists presently on the lands. Staff are therefore recommending that landscaped open space be added in the rear yard between the existing building and the start of the parking area and that the resulting minimum percentage of landscaped open space that is required across the entire lot be included as a site-specific development standard in order to achieve this land use planning objective;

7. Staff would also note that typically a medium density residential development would be required to provide planting strips and/or fencing where it abuts a low density residential lot. The residential lot to the immediate south is zoned "R2-3" however staff notes that the existing buildings on both lots appear to maintain legal non-complying interior side yard setbacks and the institution of planting strips and fencing in this context is therefore not recommended;
8. There are also no additions proposed to the existing building and therefore exiting yard setbacks will remain as they are at present. The submitted sketch otherwise would appear to demonstrate general compliance with all applicable development standards within the general provisions, parking provisions and the standard "R2-3" Zone; and,
9. Staff also notes that a registered survey plan is not required in order to prepare the amending zoning by-law as lands that subject to the rezoning are already described capably and legally as being PIN 02128-0242, Parcel 5412 SES, Lot 133, Plan M-100, Lot 6, Concession 4, Township of McKim.

CONCLUSION:

Staff has reviewed the development proposal and is satisfied that it conforms with the Official Plan for the City of Greater Sudbury. The development proposal is also generally consistent with the land use planning policy directions identified in the PPS. Staff also notes that the application conforms to and does not conflict with the Growth Plan for Northern Ontario.

The following are the principles of the proposed and recommended site-specific amending zoning by-law:

1. That a residential use comprised of two separate and self-contained residential dwelling units (ie. apartments) on the ground floor and shared housing on the second-storey having a maximum of six guestrooms all within the existing residential building be the only permitted uses on the lands;
2. That a minimum of four parking spaces be provided within the rear yard and a portion of the corner side yard and oriented toward the laneway with each parking space having a width of not less than 2.5 m (8.20 ft) and a length of not less than 5.5 m (18.04 ft);
3. That the encroaching covered porch that projects into the Nadia Street right-of-way be permitted to maintain a 0 m (0 ft) corner side yard setback and further that appropriate verbiage be included clarifying that the structure is permitted to encroach into the Nadia Street right-of-way; and,
4. That any necessary further site-specific relief identified in the required landscaping and parking layout plan related to minimum landscaped open space requirements, sight triangles, parking and parking-related landscaping provisions of the City's Zoning By-law be provided for accordingly.

Staff is however recommending five conditions of approval that should be satisfied prior to the enactment of an amending zoning by-law. Specifically, the following conditions of approval are recommended:

1. That the owners be required to apply for all required building permits to the satisfaction of the Chief Building Official;
2. That the owners shall apply for and receive final approval for a driveway entrance permit to the satisfaction of the Director of Engineering Services;
3. That the owners be required to apply for and receive final approval for an encroachment agreement permitting the existing porch to project into the Nadia Street right-of-way to the satisfaction of the Director of Engineering Services;

4. That the owner submit a landscaping and parking layout plan depicting all landscaped open space, parking areas, parking spaces, parking aisles and landscaped areas associated with parking areas to the satisfaction of the Director of Planning Services prior to the passing of an amending zoning by-law; and,
5. The owner shall have installed a minimum of two bicycle parking spaces on the lands in a location providing convenient access to main entrances or well-used areas on the lands to the satisfaction of the Director of Planning Services.

The Planning Services Division therefore recommends that the application for Zoning By-law Amendment be approved in accordance with the Resolution section of this report.