

252 Dell Street, Sudbury

Presented To:	Planning Committee
Meeting Date:	November 22, 2021
Type:	Public Hearing
Prepared by:	Glen Ferguson Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-6/21-21

Report Summary

This report provides a recommendation regarding an application for rezoning to “R2-3(S)”, Low Density Residential Two Special in order to recognize an existing multiple dwelling having a maximum of six residential dwelling units.

This report is presented by Glen Ferguson, Senior Planner.

Resolution

THAT the City of Greater Sudbury approves the application by Robert & Monique Taylor 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 02131-0053, Lot 328, Registered Plan 18-S, Lot 5, Concession 4, Township of McKim, as outlined in the report entitled “252 Dell Street, Sudbury”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on November 22, 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) That the owners submit a parking layout plan depicting all parking areas, parking aisle widths and parking spaces associated with the parking area in the rear yard to the satisfaction of the Director of Planning Services prior to the passing of an amending zoning by-law; and
 - c) The owners shall have installed a minimum of three 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 a multiple dwelling containing a maximum of six residential dwelling units be the only permitted use on the lands;

- b) That a minimum lot area of 70 square metres per residential dwelling unit be permitted;
 - c) That a minimum of four parking spaces be provided within the rear yard with each being oriented toward the laneway;
 - d) That any necessary further site-specific relief identified in the required parking layout plan related to those applicable parking provisions of the City's Zoning By-law be provided for accordingly; and
 - e) That the subject lands are deemed to not be an area of "Site Plan Control" pursuant to Section 41 of the Planning Act, R.S.O. 1990, c. P.13.
3. That conditional approval shall lapse on November 23, 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 and expand upon the availability of affordable and attainable housing options in this part of the City and is therefore consistent with Goal #5 - Housing in the City's Strategic Plan.

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

Financial Implications

If the zoning by-law amendment application is approved, staff is unable to estimate the taxation revenue as changes in assessed value for this existing building would be determined by Municipal Property Assessment Corporation (MPAC).

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

Report Overview

This report reviews an 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 order to recognize an existing multiple dwelling having a maximum of six residential dwelling units. Site-specific relief is also requested with respect to providing four parking spaces in the rear yard whereas eight parking spaces are required. It is noted however that the proposed residential use has already been established within the existing residential building situated on the lands.

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 three 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 an existing multiple dwelling having a maximum of six residential dwelling units. Site-specific relief is also requested with respect to providing four parking spaces whereas eight parking spaces are required. In order to accommodate the proposed multiple dwelling containing six residential dwelling units 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 owners submitted an application for pre-consultation that was considered by the Sudbury Planning Application Review Team (SPART) on February 24, 2021 (File # PC2021-015). The owners were provided with a Pre-Consultation Understanding Agreement (PCUA) from staff via email on February 25, 2021, following the SPART Meeting and have since returned their PCUA to the Planning Services Division. The owners have subsequently now submitted a Zoning By-law Amendment application to the City for consideration by the City’s Planning Committee.

The rezoning application was submitted to the City on August 12, 2021, and deemed to be complete on August 25, 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.

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 recognize and permit an existing multiple dwelling having a maximum of six residential dwelling units within the existing residential building situated on the lands. Site-specific relief is also requested with respect to providing four parking spaces whereas eight parking spaces are required.

Location and Site Description:

The subject lands are located on the north side of Dell Street between Notre Dame Avenue to the east and Laforest Avenue to the west in the community of Sudbury. The lands have a total lot area of approximately 427.35 m² (4,600.00 ft²) with approximately 12.19 m (40.00 ft) of lot frontage on Dell Street. The lands presently contain a multiple dwelling having a total of six residential dwelling units. There is a parking area in the rear of the lands. The parking area in the rear yard is accessed via a laneway (ie. Un-Named Laneway

#121) that is municipally maintained. The proposed rezoning would recognize and permit a residential land use that has already been established on the lands within the existing residential building.

Surrounding Land Uses:

- North: Flour Mill Museum, and a general mix of low density urban residential land uses including single-detached dwellings and duplex dwellings, and a number of converted single-detached dwellings or duplex dwellings containing more than two residential dwelling units.
- East: Residential dwelling (ie. 256 Dell Street), business industrial and commercial uses (eg. Notre Dame Boys) including some mixed use buildings (ie. residential and commercial) along the Notre Dame Avenue corridor, and Flour Mill Silos Park.
- South: General mix of low density urban residential land uses including single-detached dwellings and duplex dwellings, multiple dwellings, and a number of converted single-detached dwellings or duplex dwellings containing more than two residential dwelling units.
- West: General mix of low density urban residential land uses including single-detached dwellings and duplex dwellings, multiple dwellings, and a number of converted single-detached dwellings or duplex dwellings containing more than two residential dwelling units, a local commercial use (ie. barber shop) and O'Connor Playground.

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 Dell Street along with an existing parking area in the rear that is accessed via a laneway that is maintained by the municipality. Photos of the immediately surrounding pre-dominantly residential area also illustrates a variety of lower density urban residential built-forms having frontage on Dell Street. There are also a number of converted single-detached dwellings and/or duplex dwellings containing more than two residential dwelling units, 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 August 25, 2021. Staff would note however that the initial application indicated that the proposed multiple dwelling would contain five residential dwelling units whereas the owners later clarified that the multiple dwelling was intended to contain six residential dwelling units. As a result of this change, an updated Notice of Application was provided to the public by newspaper and to nearby landowners and tenants within 120 m (400 ft) of the subject lands on September 8, 2021. The statutory Notice of Public Hearing dated November 4, 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 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. The owners indicated on their application form that they would not be conducting any public consultation beyond speaking with directly abutting landowners ahead of a statutory public meeting before the City's Planning Committee.

At the time of writing this report, one phone call seeking clarification on the development proposal, and no 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 that are 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 owners are requesting that the subject lands be rezoned to “R2-3(S)”, Low Density Residential Two Special in order to recognize an existing multiple dwelling having a maximum of six residential dwelling units. As noted previously in this report, the rezoning application also proposes site-specific relief with respect to providing four parking spaces in the rear yard whereas eight parking spaces are required.

This application is also subject to the recent changes made to the City’s Zoning By-law as it pertains to residential parking standards when Council enacted [By-law 2021-171Z](#) (refer to Pages 10-12) on October 12, 2021. It is anticipated that the amendments to residential parking standards will be in full force and effect when Planning Committee holds a public hearing on this rezoning application on November 22, 2021. In particular, staff would note that the conversion of a building or part thereof that occurs within the “R2-3” Zone to dwelling units is required under new Section 5.5.3 a) to provide only one parking space per residential dwelling unit. Further to this and under new Section 5.5.3 b) in the “R2-3” Zone, outdoor parking areas are now permitted in the required front yard to the lesser of a maximum of 50% of the width of the minimum lot frontage or the maximum driveway width that is permitted.

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 a building permit application must be submitted to the satisfaction of the Chief Building Official and prior to the enactment of an amending zoning by-law. It is also noted that the proposed multiple dwelling having six residential dwelling units is required to provide a total of six bicycle parking spaces on the lands. Further to this, site-specific relief also appears to be required in order to recognize a reduced minimum lot area per residential dwelling unit.

Conservation Sudbury has noted that the subject lands are entirely situated within a floodplain and are therefore regulated by [Ontario Regulation 156/06](#). The owners have demonstrated that the multiple dwelling meets flood-proofing requirements and that the lands have sufficient ingress and egress to the satisfaction of Conservation Sudbury. However, the owners are advised that further intensification of these lands, including increasing the number of bedrooms within a residential dwelling unit is unlikely to be supported by Conservation Sudbury. The owners are advised that any future development within an area regulated by Ontario Regulation 156/06 may require a permit pursuant to Section 28 of the Conservation Authorities Act. “Development” is defined by the Conservation Authorities Act and includes, but is not limited to, the alteration of a watercourse, grading, placement or removal of fill even if it originated from the same site, site preparation for construction, and the erection of a building or structure. Scientific studies and/or technical reports may be required to support the permit application, the cost of which will be borne by the owners. Any permit issued may include conditions of development and permits are not guaranteed.

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

Transportation and Innovation has concerns with respect to the proposed reduction in the number of parking spaces that would be provided on the subject lands. In particular, Transportation and Innovation has noted that on-street parking is not permitted on the south side of Dell Street and that only short term, on-street parking for up to a maximum of four hours is permitted on the north side of Dell Street. As a result, overflow

parking may occur nearby which may have negative impacts on abutting landowners and/or nearby local streets.

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 multiple dwelling having a total of six residential dwelling units on the lands 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 Dell Street and to the east of a primary arterial road (ie. Notre Dame Avenue) in the community of Sudbury. Staff notes that the lands are presently serviced with municipal water and sanitary sewer from Dell Street. Access to the GOVA public transportation network is available to the east along Notre Dame Avenue (ie. Route #1 – Main Line) giving direct routing access to the New Sudbury Transit Hub, Downtown Transit Hub and South End Transit Hub. Active transportation is also an option as there is an existing sidewalk along both sides of Dell Street providing a pedestrian connection to the larger surrounding area. There are also a number of public open spaces (eg. O'Connor Playground) and community facilities (eg. Cambrian Arena, O'Connor Park – After School Program, Flour Mill Museum, etc.) that can be accessed through the active transportation infrastructure (eg. sidewalks and 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. The development proposal will also serve to encourage and provide for increased and available housing opportunities on the housing continuum (ie. affordable rental housing) via 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 permit the existing multiple dwelling to have a maximum of six residential dwelling units all within the existing residential building. The proposed rezoning would then act to explicitly permit the above noted residential land use whereas the currently applicable zoning (ie. "R2-3" Zone) permits a multiple dwelling having up to four residential dwelling units. Staff is also of the opinion that the development proposal would contribute positively toward improving the supply and range of housing options made available through intensification and redevelopment in the area. Staff is further satisfied upon review of the development proposal that a multiple dwelling having a maximum of six residential dwelling units 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 Dell Street 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 a multiple dwelling containing six residential dwelling units within the existing building on the lands 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 provision of additional residential development in this area that has a more compact built-form by permitting a multiple dwelling having a maximum of six residential dwelling units. The proposed multiple dwelling would also provide for 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 residential uses within the existing building (ie. multiple dwelling having six residential dwelling units) would in general provide for an expanded range and 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 Sudbury community;
 - b) Staff is satisfied through their review and circulation of the rezoning application that the proposed new housing option being that of a multiple dwelling containing six residential dwelling units 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 Dell Street;
 - 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 a multiple dwelling having a maximum of six residential dwelling units 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. Staff notes that overall development proposal being a multiple dwelling having a maximum of six residential dwelling units 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 a multiple dwelling having a maximum of six residential dwelling units 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 being that of a multiple dwelling containing six residential dwelling units would yield an overall site density of approximately 141 dwelling units per hectare, which is permitted in the community of Sudbury and within the threshold of those high 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 Dell Street and to the west of Notre Dame Avenue in Sudbury. The subject lands are situated on a Local Road (ie. Dell Street) and located approximately 50 m (164.04 ft) to the east of a Primary Arterial Road (ie. Notre Dame Avenue) where public transportation options are available (ie. GOVA's Route #1 – Main Line). It is also noted that there is a general mix of land uses (ie. residential, commercial, business industrial, etc.) situated along the Notre Dame Avenue corridor within walking distance of the subject lands. 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 Dell Street 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 high 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 on Schedule 3 – Settlement Area and Built Boundary to the City's Official Plan. Staff advises that the proposed rezoning that would recognize an existing multiple dwelling having six residential dwelling units 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 be utilized here to 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 further 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 recognition of the existing multiple dwelling containing six residential dwelling units in this location 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 advises 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 high density residential development, but said high density residential intensification would be occurring within an existing building having a more traditional medium density built-form (ie. two-storey multiple dwelling having six residential dwelling units) and no major changes to the existing building would be required in order to accommodate such;
4. As was previously noted, the subject lands are designated Living Area 1 and it is therefore 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 involve 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 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 Dell Street road allowance; 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 notes that outdoor amenity areas on the lands is limited, however, this appears to be typical along Dell Street where medium density built-forms have been established on lots having lot frontages that do not meet the current minimum lot frontage requirement of 18 m (59.06 ft) for a multiple dwelling. The parking area in the rear yard that is currently accessed via Un-Named Laneway #121 is also proposed to remain unchanged. Roads was also circulated the rezoning application and no traffic concerns were identified in their review. Staff is satisfied that appropriate development standards can be utilized that will balance the proposed intensification against the site and neighbourhood context that exists along this portion of Dell Street. 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 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 a multiple dwelling having a maximum of six residential dwelling units all 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 drainage, soil conditions and topography were identified;
 - 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. There is also a general mix of land uses situated to the east along Notre Dame Avenue. 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 original construction over five decades ago (ie. 1965) and the proposed residential uses would be contained entirely within the existing building and without any additions being necessary;
 - 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 Dell Street. It is noted that no planting strip is required as the lands are proposed to be rezoned to "R2-3(S)" and immediately abutting lands remain situated within the standard "R2-3" Zone. Staff also notes that existing landscaping that is provided on the lands is proposed to remain unchanged;
 - d) Development Engineering was circulated the rezoning application and have noted that the lands are presently serviced with municipal water and sanitary sewer infrastructure from Dell Street;
 - 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 #121) that is confirmed through Operations to be maintained by the City. The submitted Concept Plan also depicts a total of four parking spaces in the rear yard that are presently

being accessed via Un-Named Laneway #121. Staff are generally supportive of the existing parking layout and are recommending that appropriate relief be incorporated into an amending zoning by-law that would recognize said existing parking layout. Aerial photography has also confirmed that the existing parking layout has existed since 1965 when the building was originally constructed. The existing parking layout also appears to provide for a parking aisle width between the rear lot line and the parking spaces that is less than the minimum required 6 m (19.69 ft). Staff is supportive of recognizing the existing reduced parking aisle width given the site and neighbourhood context in which this situation exists. 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 confident that a functional parking area is possible having a minimum of four parking spaces to the rear of the existing building that can be accessed via Un-Named Laneway #121. 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 a multiple dwelling having a maximum of six residential dwelling units. With respect to off-street parking, Transportation and Innovation have acknowledged in their review of the rezoning application that off-street and short-term parking is available on the north side of Dell Street;

- 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. Staff acknowledges that visitor parking and shorter term on-street parking is limited, however, the lands have good access to active transportation options and the presence of existing public transportation along Notre Dame Avenue which are both anticipated to mitigate this issue. The residential building on the subject lands was originally constructed in 1965 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 Notre Dame Avenue (ie. Route #1 – Main Line), which provides direct routing access to the New Sudbury Transit Hub, Downtown Transit Hub and South End Transit Hub. Active transportation is also an option as there is an existing sidewalk along both sides of Notre Dame 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 multiple dwelling containing six residential dwelling units on the subject lands. Staff also notes that the medium density residential built-form (ie. two-storey multiple dwelling having six residential dwelling units) 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 the residential dwelling units on the ground floor and second-storey will continue to be utilized as two-bedroom dwelling units, while the basement floor will provide for a two-bedroom dwelling unit and a one-bedroom (or bachelor-style) dwelling unit. As a result, staff would note that all six residential dwelling units that would be permitted are two-bedroom or less dwelling units which serves as an attractive housing option for the growing number of smaller households. Staff would further acknowledge that the 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 parking space requirements can be utilized in this instance to help minimize the costs in the production of affordable housing in this part of Sudbury. It is also noted that the development proposal would not involve any physical additions to the existing building in order to accommodate six residential dwelling units within the existing multiple dwelling, which may lead to the achievement of cost-efficiencies in terms of providing new housing opportunities in this part of Sudbury.

With respect to homelessness policies under Section 17.2.7 c) of the City's Official Plan, the proposed rezoning would establish a permanent and affordable housing-friendly residential land use 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 an existing multiple dwelling containing a total of six residential dwelling units 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 multiple dwelling containing a maximum of six residential dwelling units 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 a multiple dwelling within the "R2-3" Zone is required to provide for a minimum lot area of 140 m² (1,506.95 ft²) per residential dwelling unit. If approved, the resulting multiple dwelling would provide a minimum lot area of 71.23 m² (766.67 ft²) per residential dwelling unit. Staff have outlined in this report that the proposed residential intensification can be reasonably accommodated on the lands and therefore it is recommended for clarification purposes that a minimum lot area of 70 m² (753.47 ft²) per residential dwelling unit be provided for as a site-specific development standard;
3. Staff notes that the residential parking standard applicable to this conversion within a "R2-3" Zone and under Section 5.5.3 a) of the City's Zoning By-law is to be calculated at one parking space per residential dwelling unit. It is noted then that the proposed multiple dwelling having six residential dwelling units would be required to provide six parking spaces whereas the Concept Plan depicts four parking spaces in the rear yard. 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 residential use that is being proposed. Staff would also note each parking space in the rear yard is required to provide for a width of not less than 2.75 m (9.02 ft) and a length of not less than 6 m (19.69 ft). Staff notes in this regard that there appears to be sufficient area in the rear yard, if required, to enlarge the parking spaces that are depicted so that each would have a minimum width of 2.75 m (9.02 ft). Further to the above, staff does not recommend the removal of any outdoor amenity areas in the front yard in favour of any additional parking spaces. It is noted that front yard parking is not prevalent along this portion of Dell Street and requiring the installation of additional parking spaces in this context is not preferred from a good land use planning perspective;

4. Staff notes that a minimum parking aisle width of 6 m (19.69 ft) is required under Section 5.2.9.2 of the City's Zoning By-law whereas the submitted sketch would appear to depict a parking aisle that does not meet this requirement. Staff acknowledges however that the development proposal does not involve any alteration to this existing parking aisle width and said situation is likely legal non-complying in nature given the construction date of the existing building. It is on this basis that staff have no concerns with a site-specific development standard being included in an amending zoning by-law that recognizes a reduced parking aisle width. Staff notes however that the parking aisle width is not dimensioned on the submitted sketch and the owners should be required to confirm the aisle width that exists via the submission of a parking layout plan prior to the passing of an amending zoning by-law;
5. Staff notes that a multiple dwelling having six or more residential dwelling units is required to provide 0.5 bicycle parking spaces per residential dwelling unit. It is further noted in this regard that the lands do appear capable of providing for a minimum of three bicycle parking spaces based on the proposed multiple dwelling having a total of six residential dwelling units. Staff do not recommend any site-specific relief in this regard given the location of the lands in close proximity to Notre Dame Avenue 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. The installation of bicycle parking spaces prior to the passage of an amending zoning by-law is recommended as staff is not recommending that site plan control be made applicable to the lands;
6. Staff would also note that typically a medium density residential built-form would be required to provide planting strips and/or fencing where it abuts a low density residential lot. Staff would note though that the lands are not proposed to be rezoned to a medium density zone (ie "R3" or "R3-1") but rather site-specific development standards are proposed that would result in the lands being rezoned to a "R2-3(S)" Zone. Staff also notes that the residential lots to the immediate east and west are both zoned "R2-3" and appear to maintain legal non-complying interior side yard setbacks. Staff would advise that the institution of planting strips and fencing in this particular site and neighbourhood context is not recommended;
7. There are also no additions proposed to the existing building and therefore existing yard setbacks and landscaped open spaces 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,
8. 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 02131-0053, Lot 328, Registered Plan 18-S, Lot 5, Concession 4, Township of McKim.

With respect to site plan control, it is noted that multiple dwellings containing more than four residential dwelling units are subject to site plan control under [By-law 2010-220](#), as amended, being the Site Plan Control Area By-law for the City of Greater Sudbury. Staff are of the opinion however that site plan control would not be necessary as there are no additions proposed to the existing building and the existing parking areas and outdoor amenity areas are to remain unchanged. Staff would note however that appropriate development standards are recommended in order to properly accommodate the proposed multiple dwelling having six residential dwelling units on the lands. It is also recommended that in the absence of site plan

control that the installation of bicycle parking spaces be required prior to the passing of an amending zoning by-law. The above noted exemption from site plan control is referenced accordingly in the Resolution section of this report.

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 a multiple dwelling having a maximum of six residential dwelling units be the only permitted uses on the lands;
2. That a minimum lot area of 70 m² (753.47 ft²) per residential dwelling unit be permitted;
3. That a minimum of four parking spaces be provided within the rear yard and oriented toward the laneway with each parking space having a width of not less than 2.75 m (9.02 ft) and a length of not less than 6 m (19.69 ft);
4. That any necessary further site-specific relief (eg. parking aisle width) identified in the required parking layout plan related to those applicable parking provisions of the City's Zoning By-law be provided for accordingly; and,
5. That the subject lands are deemed to not be an area of "Site Plan Control" pursuant to Section 41 of the Planning Act, R.S.O. 1990, c. P.13.

Staff is however recommending three 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 submit a parking layout plan depicting all parking areas, parking aisle widths and parking spaces associated with the parking area in the rear yard to the satisfaction of the Director of Planning Services prior to the passing of an amending zoning by-law; and,
3. That the owners shall have installed a minimum of three 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.