

1310 Sparks Street, Sudbury

Presented To:	Planning Committee
Meeting Date:	November 22, 2021
Type:	Public Hearing
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-6/21-020

Report Summary

This report provides a recommendation regarding an application for rezoning to “R3”, Medium Density Residential, in order to permit the development of a 14-unit affordable housing project.

This report is presented by Wendy Kaufman, Senior Planner.

Resolution

THAT the City of Greater Sudbury approves the application by Greater Sudbury Housing Corporation to amend Zoning By-law 2010-100Z by changing the zoning classification on the subject lands from “R1-5”, Low Density Residential One to “R3(S)”, Medium Density Residential Special on those lands described as PIN 02120-0158, Lot 25 and Part of Lot 24, Plan M-300, Lot 1, Concession 6, Township of McKim, as outlined in the report entitled “1310 Sparks 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 the amending zoning by-law for the R3 Special zone include the following site-specific provisions:
 - i. The only permitted use shall be a multiple dwelling containing not more than fourteen dwelling units;
 - ii. The maximum height of the main building shall be 13 m;
 - iii. The minimum corner side yard shall be 2.6 m;
 - iv. A minimum 0.5 m landscape area shall be required adjacent to the southerly lot line;
 - v. Parking shall be permitted within 3.0 m of the easterly lot line and within 0.5 m of the southerly lot line;
 - vi. The minimum width of a barrier free space shall be 4.15 m where two barrier free spaces are adjacent to each other and a shared aisle is provided; and
 - vii. The minimum width of a drive aisle adjacent to parallel parking shall be 3 m.

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

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding. The application contributes to the 2019-2027 City of Greater Sudbury Strategic Plan goal of revitalizing and improving the existing housing stock. This housing goal reflects Council's desire for all citizens, especially vulnerable populations, to have access to safe, affordable, attainable and suitable housing options in the City of Greater Sudbury. The application aligns with the Community Energy and Emissions Plan by supporting the strategy of creating compact and complete communities.

Financial Implications

This report has no financial implications as the Greater Sudbury Housing Corporation is exempt from property taxes, as well as development charges.

Report Overview

An application for rezoning has been submitted in order to permit the development of a 14-unit affordable housing project. The subject land is designated as Living Area 1 in the Official Plan and zoned "R1-5", Low Density Residential One.

Staff recommends approval of the application on the basis that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury, has regard for matters of provincial interest and represents good planning.

Staff Report

Proposal:

The application proposes to amend By-law 2010-100Z being the Zoning By law for the City of Greater Sudbury to permit the development of a 14-unit affordable housing project. The applicant has requested site-specific relief to enable flexibility in design of the building and site layout.

This project was initiated as a result of the City's Housing and Homelessness Plan, as well as the Social Housing Portfolio and Capital Financing Plan (Revitalization Plan). This project aligns with the City's goal to increase the number of rent-geared-to-income units in the City. New Sudbury is identified in the Revitalization Plan as one of the geographic areas that lacks subsidized housing and the largest waitlist demand is for one bedroom units.

On January 21, 2020 (CC2020-02), Council approved the purchase of surplus federal lands at 1310 Sparks Street (former RCMP detachment) through the CMHC Federal Lands Initiative program, through which surplus lands are offered for sale at a discount for use as affordable housing. In order to meet program criteria related to affordability, accessibility and energy efficiency, the units will be rent-geared-to-income, all units will be developed with a barrier free design with at least 20% fully accessible, and the building will be built with a heating/cooling energy efficient 'passive house' design standard.

The building includes 14 one-bedroom units including three that are barrier-free. The ground floor includes space for laundry facilities, common area, community services area, and a shared washroom. Access to the site is via a one-way driveway extending from Holland Avenue and a two-way driveway extending from Sparks Street. A total of 20 parking spaces are provided including 3 barrier free spaces. Landscaped areas and pedestrian walkways are provided in the required front and corner side yards along Holland and Sparks, and further landscaping is provided on the north side of the building and along the north and west property lines. Outdoor garbage and recycling storage are proposed in the northerly interior side yard on the south side of the one-way drive aisle. Elevation plans and 3D Perspectives submitted with the application illustrate

the proposed building form and exterior building materials (precast concrete panels) in context with the surrounding development. A Sun/Shadow Study was submitted which illustrates the effects of the development on sunlight reaching the surrounding properties by calculating the shadow that will be cast by the development at different times of the day in different seasons, specifically March 20, June 20, September 22 and December 21 between the hours of 9:00 a.m. and 6:00 p.m.

Existing Zoning: R1-5, Low Density Residential One

The R1-5 zone permits a single detached dwelling, a bed and breakfast, a home daycare, and a group home (type 1).

Requested Zoning: R3(S), Medium Density Residential Special

The proposed R3(S) zone would permit a 14-unit multiple dwelling. The application does not propose to restrict the people who can live in the building based on age. This approach is consistent with the principle of ensuring that land use planning decisions do not violate the Human Rights Code, by zoning for land use and not for people. The applicant has requested site-specific relief to permit:

- a maximum height of 13 m where a maximum of 11 m is permitted;
- a corner side yard of 2.6 m where a minimum of 4.5 m is required;
- a 0.5 m landscape area adjacent to the southerly lot line where a 3.0 m landscape area is required;
- parking in the required front and corner side yard set back 3.0 m and 0.5 m respectively, where no part of any parking area is permitted;
- the width of two adjacent barrier free spaces of 4.15 m with a shared aisle, where 4.4 m is required; and
- a drive aisle of 3 m adjacent to parallel parking, where 4 m is required.

Location and Site Description:

The subject property is described as PIN 02120-0158, Lot 25 and Part of Lot 24, Plan M-300, Lot 1, Concession 6, Township of McKim. The subject lands are located at the northwest corner of Sparks Street and Holland Road, and identified municipally as 1310 Sparks Street. The lands are 1726 square metres in size with approximately 33 m of frontage on Holland Road and 53 m of flankage on Sparks Street. The property is currently serviced with municipal water and sanitary sewer. There are City transit stops to the south on Lasalle Boulevard approximately 90 m from the subject lands.

The applicant's concept plan shows the location of the proposed multiple dwelling, parking areas and driveways, landscaping and screening, and the location of refuse storage.

Surrounding Land Uses:

The area surrounding the site includes:

North, East and West:	single-detached dwellings
South:	mixed commercial use area (restaurants, offices, fitness centre, New Sudbury Mall)
Southeast:	New Sudbury Public Library

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

Site photos show the residential uses surrounding the subject lands, as well as commercial uses and the New Sudbury Public Library.

Public Consultation:

Notice of Complete Application was circulated to the public and surrounding property owners on September 16, 2021. Notice of Public Hearing was circulated to the public and surrounding property owners on November 4, 2021.

The applicant has completed a community consultation process consisting of three virtual public consultation sessions and use of the City's Over to You website to receive comments.

At the time of writing this report, the Planning Services Division had received one comment from the public raising concerns that the notice did not refer to this being a building for seniors.

Policy & Regulatory Framework:

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

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

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

Provincial Policy Statement:

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

Several sections of the PPS are relevant to the application. Policy 1.1.3.1 identifies that settlement areas are to be the focus of growth and their vitality and regeneration is to be promoted, and policy 1.1.3.2 requires densities which efficiently use land, resources and infrastructure and avoid the need for their unjustified and/or uneconomical expansion. Development in this manner is intended to minimize impacts to air quality and climate change and promote energy efficiency, while supporting the use of active transportation and public transit. These policies, as well as policy 1.1.3.1 reinforce that intensification and redevelopment opportunities should be promoted. Policy 1.1.3.5 requires the implementation of minimum targets for intensification and redevelopment, and policy 1.1.3.4 states that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Section 1.4.3 requires municipalities to provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs by establishing minimum targets for affordable housing that align with applicable housing and homelessness plans, permitting and facilitating all housing options (e.g. housing which meet social, health, well-being needs, and special needs) and intensification, and, similar to section 1.1.3. of the PPS, directing new housing to locations where infrastructure and public service facilities are (or will be) available, at densities that efficiently use resources and support the use of active transportation and transit, and establishing development standards for residential intensification and redevelopment which minimizes the costs of housing and facilities compact form while maintaining appropriate levels of public health and safety.

Affordable is defined, in the case of rental housing, as the least expensive of:

- a) a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
- b) a unit for which the rent is at or below the average market rent of a unit in the regional market area.

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. The application is considered to conform to the Growth Plan, which encourages municipalities to support and promote healthy living by providing for communities with a diverse mix of land uses, a range and mix of employment and housing types, high-quality public open spaces, and easy access to local stores and services.

Official Plan for the City of Greater Sudbury:

Section 2.3 of the Official Plan regarding reinforcement of the urban structure states that growth must continue to be directed to capitalize on existing investments, make the most efficient use of existing infrastructure and public service facilities, protect our rural and agricultural assets and preserve our natural features and areas. Reinforcing the urban structure also creates a more energy efficient land use pattern and supports climate change mitigation. Section 2.3.2 directs that settlement area land use patterns will be based on densities and land uses that make the most efficient use of land, resources, infrastructure and public service facilities, minimize negative impacts on air quality and climate change, promote energy efficiency and support public transit, active transportation and the efficient movement of goods. Section 2.3.3 encourages all forms of intensification and establishes a 20% residential intensification target. Intensification applications are to be evaluated with respect to criteria including site suitability as well as site topography and drainage, compatibility with neighbourhood character and proposed mitigation measures, availability of infrastructure and public service facilities, and traffic impacts.

The subject property is designated as Living Area 1 in the City of Greater Sudbury Official Plan. Section 3.2.1 outlines that the Living Area 1 designation permits medium density residential uses up to a maximum density of 90 units per hectare. Policy 3.2(3) states that new residential development must be compatible with the existing physical character of established neighbourhoods, with consideration given to the size and configuration of lots, predominant built form, building setbacks, building heights and other provisions applied to nearby properties under the Zoning By-law.

Policies 3.2(2), 3.2.1(4) and 3.2.1(5) provide direction regarding the location of medium density housing. Medium density housing is permitted where full municipal services with adequate capacity are available, and should be located on sites in close proximity to Arterial Roads, public transit, main employment and commercial areas, open space areas, and community/recreational services.

Policy 3.2.1(6) establishes the following criteria to for consideration when rezoning lands in the Living Area 1 designation:

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

Section 17 of the Official Plan establishes policies regarding the provision of adequate and affordable housing and relationship to the City of Greater Sudbury Housing and Homelessness Plan. Section 17.1 lists the objectives of the housing policies including:

- a) support the goals and objectives of the City of Greater Sudbury Housing and Homelessness Plan;
- b) encourage diversity in the supply of housing by promoting a full range of housing types, including housing that is affordable and appropriate to low income groups and people with special needs;
- c) maintain a balanced mix of ownership and rental housing;
- d) allow increased residential intensification in urban areas;
- e) promote housing as an important component of the economic development strategy;

- f) support innovation in housing design and development;
- g) support and promote accessibility within the housing market for persons with disabilities;
- h) ensure that the City's housing stock provides acceptable levels of health and safety;
- i) address issues surrounding homelessness; and,
- j) participate in programs that could potentially address housing needs.

Section 17.2 encourages diversity in housing type and tenure by encouraging a wide range of housing types and forms suitable to meet the housing needs of all current and future residents including the production of smaller (one and two bedroom) units to accommodate the growing number of smaller households, as well as housing types suitable to the needs of senior citizens. This section also makes the link between housing opportunities and the economic development strategic plan mission of creating an environment for citizens to prosper by providing a range of housing types and promoting intensified residential development at main commercial nodes. In terms of accessibility, this section recommends that new housing construction throughout Greater Sudbury should strongly focus on providing accessible units for the frail, elderly and persons with mobility impairments as recommended by the City of Greater Sudbury Accessibility Plan. Innovation in housing design is supported, including permitting alternative development standards to minimize the cost of producing affordable housing, and encouraging innovative forms of multiple housing to achieve cost efficiencies. To achieve maintenance of the housing stock it is a policy of the Official Plan to maximize the use of federal and provincial improvement, rehabilitation and housing assistance programs to maintain and upgrade existing housing stock throughout the City.

Section 17.3 identifies housing form and tenure targets, and that 25% of all new dwellings should meet the definition of affordable housing.

Zoning By-law 2010-100Z:

The development standards for the requested zone require a maximum height of 11 m. The minimum required front yard is 6 m, rear yard is 7.5 m, interior side yard is 5 m, and corner side yard is 4.5 m. The maximum lot coverage is 40%. The general provisions of the zoning by-law require a 3.0 m landscaped area to be provided adjacent to Holland and Sparks, and a planting strip to be provided along the north and west property lines.

The parking rate for a multiple dwelling is 1.5 spaces per unit, with a 25% parking reduction as an affordable housing project (e.g. units are subject to an affordable housing agreement), resulting in a total of 16 spaces including 1 barrier free space being required. Seven (7) bicycle parking spaces are also required.

Site Plan Control:

A Site Plan Control Application will be required for this development, and the pre-consultation process with Development Approvals has been completed. The site planning process will provide an opportunity to further assess and refine the site design with respect to pedestrian connections, site lighting, landscaping and application of the principles of Crime Prevention Through Environmental Design (CPTED).

Department/Agency Review:

The application has been circulated to all appropriate agencies and City divisions. Responses received are included in Appendix 1 and have been used to assist in evaluating the application and to formulate appropriate zoning by-law standards. Comments have been addressed to the satisfaction of reviewing department and agencies. No concerns were raised by Development Engineering, Infrastructure Capital Planning Services, Transit, or Leisure Services.

Building Services concurs with the list of required relief and advises that 7 bicycle parking spaces are required.

Conservation Sudbury advises that a permit pursuant to Section 28 of the Conservation Authorities Act is not required as the subject property does not appear to contain any obvious floodplains, watercourses,

shorelines, wetlands, valley slopes or other environmental features.

Planning Analysis:

Planning staff circulated the development application to internal departments and external agencies. The PPS (2020), the Growth Plan (2011), and Greater Sudbury Official Plan, and other relevant policies and supporting guidelines were reviewed in their entirety. The following section provides a planning analysis of the application in respect of the applicable policies, including issues raised through agency circulation.

The application to permit a multiple dwelling on the subject lands is consistent with the PPS and Official Plan direction to direct development to fully serviced settlement areas and at densities 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 and active transportation. The PPS as well as the Official Plan encourage all forms of intensification. Intensification and infill development also support goals related to emissions reduction, which can be achieved by promoting more dense or compact communities as articulated in the City's Community Energy and Emissions Plan. This application will also contribute to the City's 20% residential intensification target.

The subject property is an appropriate location for intensification to medium density. There are full municipal services with adequate capacity available. While Sparks Street and Holland Road are not arterial roads, the subject lands are located in close proximity to Lasalle Boulevard which is an arterial road that is served by public transit. The subject lands are immediately adjacent to a main commercial node being one of three Regional Centres identified in the Official Plan. Regional Centres are intended to provide a range of amenities to residents and where intensified residential development is to be promoted. Employment opportunities, commercial areas, and community services are all available within close proximity to the subject lands.

This application aligns with several Provincial and Official Plan policies pertaining to housing affordability. The Growth Plan for Northern Ontario, the PPS and the City's Official Plan encourage the provision of a range and mix of housing types and densities as well as affordable housing in alignment with the City's Housing and Homelessness Plan. Affordable means that rent must not exceed 30% of gross annual household income, which will be met by the units being rent-geared to income. This project will contribute to affordable housing objectives including the need for diversity in housing, innovation in housing design, promoting accessibility in accordance with the City's Accessibility Plan, and maximizing the use of federal programs that address housing needs. The development will contribute to the City's 25% affordable housing target. The development will also contribute to the Official Plan goal of providing a mix of ownership and rental housing, and to encourage a greater mix of housing types and tenure, including the production of smaller (one and two bedroom) units to accommodate smaller households.

In terms of site suitability, the site itself has sufficient area to accommodate a 14-unit multiple dwelling, required parking including bicycle parking, landscaping and amenity space (including indoor amenity space). The proposed 14 units would represent a net density of approximately 81 units per hectare, which is within the range for medium density development (max 90 units/hectare) permitted in the Living Area 1 designation. The proposed lot area of 123 square metres per unit exceeds the minimum of 110 square metres per unit. The proposed built form consisting of a multiple dwelling that is relatively small in scale is considered to be compatible with the surrounding neighbourhood. Height and setbacks are discussed further below, but overall the requested zoning relief will enable the building to be positioned at the southeast corner of the site, maximizing the separation distance to the adjacent single detached dwellings to the north and west and promoting compatibility. Ground-oriented parking, traffic and outdoor refuse storage will be screened from adjacent properties by an opaque fence. Local traffic is not expected to be impacted by this proposal.

Both the PPS and Official Plan identify that development standards to promote intensification and redevelopment, as well as affordability, are to be encouraged. An analysis of each specific development standard requested in the application has been provided below:

- The applicant has proposed to increase the maximum height of the main building to 13 m (which is

still below the 5 storey maximum established by the Official Plan for medium density development) and to permit a reduced corner side yard of 2.6 m. Combined, this relief would permit a building 2 m taller than the current 11 m maximum in the R1-5 zone, and located closer to the southerly property line further away from the existing residential development to the north. The elevation plans and 3D perspective provided with the application illustrate the proposed massing of the building and location on the site in context with the surrounding uses. The sun/shadow study submitted with the application shows the effects of the development on sunlight reaching the surrounding properties by calculating the shadow that will be cast by the development at different times of the day in different seasons, specifically March 20, June 20, September 22 and December 21 between the hours of 9:00 a.m. and 6:00 p.m. This study demonstrates that the building will not cause any shadowing on the adjacent residential properties on June 20. During March 20 and September (spring and fall seasons), shadowing is caused on the adjacent properties to the west prior to 10:00 am only. During December 21 (winter season), shadowing is caused on the adjacent properties to the west and north prior to 10 a.m., and the property directly to the north is additionally in shadow from noon until 4:00 p.m. The sun/shadow study demonstrates that the building design and siting have been undertaken in a manner that minimizes the shadowing impacts on adjacent properties. It is recommended that the height increase and interior side yard setback reduction are appropriate.

- The required parking for the site can be accommodated, owing in large part to the 25% parking reduction available to affordable housing projects. However, the applicant's site sketch shows four additional spaces including two additional accessible spaces beyond what is required, and has requested relief to enable portions of two parking spaces to be provided in the required front and corner side yard. It is recommended that the relief to permit these additional parking spaces is appropriate, and will enhance the functionality of the site. It is noted that on-street parking is permitted on Holland Road, but parking is prohibited on both sides of Sparks Street between Roy Avenue and the east end.
- The request to decrease the required landscaped area along the southerly lot line is also recommended to be appropriate in order to align with the proposed building location and enable parking in the required corner side yard. It is noted that the sketch demonstrates that the majority of the area along the southerly lot line will be landscaped to the fullest extent possible.
- The proposed reduction in width of two adjacent barrier free spaces to provide a shared aisle, and to provide a reduced drive aisle of 3 m adjacent to parallel parking are considered to be minor, will enable flexibility in the site design, and are considered to be appropriate.

Conclusion

The Planning Division undertook a circulation of the application to ensure that all technical and planning matters have been satisfactorily addressed.

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

- To rezone the lands from R1-5 to R3(S) to enable the development of a in order to permit the development of a 14-unit affordable housing project, and related site-specific development standards.

The development of the subject lands achieves a number of policy directives related to intensification and the provision of a range and mix of housing types including affordable housing. Staff has considered, amongst other matters, a full range of factors through a detailed review when forming the recommendation of approval for this application.

Staff is of the opinion that the proposed zoning by-law amendment would be appropriate based on the following:

- The proposed multiple dwelling will contribute to meeting the City's goals pertaining to intensification and the provision of affordable housing, as well as the range and mix of housing available in the area;

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

Staff recommends approval of the application as described in the Resolution section on the basis that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury, has regard for matters of provincial interest and represents good planning.