

95 Estelle Street, Sudbury

Presented To:	Planning Committee
Meeting Date:	October 25, 2021
Type:	Public Hearing
Prepared by:	Mauro Manzon Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-6/21-009

Report Summary

This report provides a recommendation regarding an application for rezoning to “R3-1 Special”, Medium Density Residential Special in order to permit a medium density residential development containing a total of 179 dwelling units.

Resolution

THAT the City of Greater Sudbury receive the comments and submissions made at the public hearing on File 751-6/21-009, as outlined in the report entitled “95 Estelle Street, Sudbury”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on October 25, 2021;

AND THAT staff complete their review of File 751-6/21-009 by 2375423 Ontario Inc. & Bancroft Property Holdings Inc. and schedule a second public hearing on this matter before the Planning Committee, when complete.

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 proposal demonstrates conformity with both the Strategic Plan and the Community Energy & Emissions Plan as a form of residential intensification within a designated growth area that aims to diversify the supply of new housing, which in turn will contribute towards the CEEP goal of complete, compact communities.

Financial Implications

There are no financial implications associated with this report at this time.

Report Overview

An application for rezoning has been submitted for the former St. Remi School site and abutting undeveloped lands located at 95 Estelle Street, Sudbury. A total of 179 dwelling units are proposed in a mix of housing types, to include five-storey multiple dwellings, ground-oriented multiple dwellings, and row dwellings. The applicant is requesting site-specific relief for parking on a basis of 1 parking space per unit where 1.5 spaces are required. A Traffic Impact Study was submitted as part of a complete application.

The application is subject to a two-stage public hearing process. The attached report is a Preliminary Planning Report intended to introduce the application, provide departmental and agency comments received to date, and obtain additional public input on the proposal. Following the Stage 1 hearing, Staff will complete the review of the file and schedule a second public hearing before the Planning Committee, at which time a Planning recommendation will be presented for consideration. Additional public notice will be provided at that time.

Staff Report

Proposal:

An application for rezoning has been submitted in order to redevelop the former St. Remi School site and abutting vacant lands for the following uses:

- Three (3) five-storey multiple dwellings with a total of 120 units;
- Seven (7) row dwellings with a total of 31 units; and,
- Six (6) ground-oriented multiple dwellings containing 28 units.

Total number of units is 179 dwelling units. The resultant density is calculated at 30 dwelling units per hectare (du/ha). The applicant is also requesting site-specific relief for required parking being one (1) parking space per unit where 1.5 parking spaces per unit are required for medium density residential uses.

As part of a complete application, the applicant submitted a Traffic Impact Study prepared by JD Northcote Engineering Inc. and dated March 5, 2021. Following an initial review by Transportation & Innovation Section, an addendum dated June 9, 2021 was submitted.

The Traffic Impact Study (TIS) indicates that the proposed development is expected to generate a total of 73 AM and 90 PM peak hour trips. The TIS determined that the proposed development will not cause any operational issues and will not add significant delay or congestion to the local roadway network. Construction of a sidewalk is recommended on the west side of Estelle Street extending from Bancroft Drive to Rheal Street in order to improve pedestrian connectivity.

The TIS further asserts that the proposed parking supply (187 spaces where 269 are required) is sufficient to address peak parking demand for the development based on the analysis of a proxy site.

Existing Zoning: “I”, Institutional and “FD”, Future Development

The subject lands encompass two (2) zoning classifications. The former school site is zoned “I”, Institutional. The abutting undeveloped land is zoned “FD” Future Development.

“I”, Institutional zoning permits the following uses: children’s home, a day care centre, a place of worship, a hospital, a private club, a non-profit or charitable institution, a group home type 1, a group home type 2, a special needs facility, a recreation and community centre, an arena, a public museum, a public library, a public business, a public fire hall, a public or private school other than a trade school, or any public use other than a public utility.

“FD”, Future Development zoning is typically applied to lands within settlement areas that are earmarked for future development in conformity with the underlying land use designation in the Official Plan. A single detached dwelling is permitted as an interim use on a legal existing lot zoned FD.

Requested Zoning: “R3-1 Special”, Medium Density Residential Special

“R3-1”, Medium Density Residential zoning permits low and medium density residential uses up to a maximum density of 90 dwelling units per hectare. Permitted dwelling types include singles, semis, duplexes, row dwellings and multiple dwellings. A special zoning is required in order to provide site-specific relief for parking.

Location and Site Description:

PINs 73575-0374 & 73575-0430, Parcels 18885 & 4435 S.E.S., Parts 2 & 3, Plan 53R-11221 in Lot 9, Concession 3, Township of Neelon (95 Estelle Street, Sudbury)

The subject lands comprise two (2) parcels on the west side of Estelle Street in the east end of Sudbury. The area is fully serviced by municipal sewer and water. Estelle Street is designated as a Local Road and is not constructed to an urban standard. Bancroft Drive is designated as a Secondary Arterial Road and has been fully urbanized with a sidewalk on the north side of the road and bicycle lanes. The closest public transit stop is located at the intersection of Estelle Street and Bancroft Drive, approximately 160 metres from the south limit of the property.

Total area is 6.0 ha, with 180 metres of frontage on Estelle Street based on the submitted sketch. The site also has 20 metres of frontage on Bancroft Drive along the southerly limit of the lands.

Existing site conditions fall into two broad categories: developed and undeveloped. The former St. Remi School occupies the easterly 1.6 ha portion of the development site. The school was declared surplus in 2012 by the Sudbury Catholic District School Board. The developed portion of the site is relatively flat with parking and play areas surrounding the former school building.

The undeveloped 4.4 ha parcel zoned FD abuts the school property to the north, south and west. The topography is varied with a significant rise in elevations. The site presents typical local conditions including rock outcrops and treed areas. The highest elevation on this portion of the site provides a view corridor south towards Ramsey Lake.

The surrounding residential area is essentially low density residential in character, with single detached dwellings as the predominant housing type. All properties directly abutting the site comprise single detached dwellings. The adjacent Moonlight Ridge subdivision to the east contains a mix of singles and semis. There are no multiple dwellings or row dwellings in the immediate vicinity.

Public Consultation:

The notice of complete application was circulated to the public and surrounding property owners on March 29, 2021. The statutory notice of the Stage 1 public hearing was provided by newspaper along with a courtesy mail-out circulated to the public and surrounding property owners within 120 metres of the property on October 7, 2021.

The applicant was advised of the City’s policy recommending that applicants consult with their neighbours, ward councillor and key stakeholders to inform area residents on the application prior to the public hearing.

The agent’s attached cover letter indicates that the proponents intend to conduct a public information session.

A number of phone calls seeking clarification and/or objecting to the proposal have been received. Written submissions received to date are attached for review. Written submissions will continue to be accepted following the Stage 1 hearing.

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 (PPS):

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.

The applicable PPS policies can be grouped into five categories: housing, settlement areas, residential intensification, stormwater management and protection of drinking water resources.

A. Housing

Under Section 1.1.1, municipalities shall accommodate an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons) to meet long-term needs. Section 1.4 provides further detailed policies supporting the diversification of the housing supply by promoting a mix of market-based and affordable housing, residential intensification, transit-supportive development, and the utilization of existing and planned infrastructure.

B. Settlement areas

Section 1.1.3 of the PPS states that fully serviced settlement areas shall be the focus of development and growth. Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) 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;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the impacts of a changing climate;
- e) support active transportation;
- f) are transit-supportive, where transit is planned, exists or may be developed; and,
- g) are freight-supportive.

New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

C. Residential intensification

Residential intensification is promoted as an important component of land use planning, including a requirement to establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. The criteria are set out in Section 1.1.3.3 as follows:

Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

D. Stormwater management

Under Section 1.6.6.7, planning for stormwater management shall:

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;
- b) minimize, or, where possible, prevent increases in contaminant loads;
- c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;
- d) mitigate risks to human health, safety, property and the environment;
- e) maximize the extent and function of vegetative and pervious surfaces; and
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

E. Source protection

Section 2.2.1 addresses water resources. Planning authorities shall protect, improve or restore the quality and quantity of water by implementing necessary restrictions on development and site alteration to:

1. protect all municipal drinking water supplies and designated vulnerable areas; and,
2. protect, improve or restore vulnerable surface and groundwater, sensitive surface water features and sensitive groundwater features, and their hydrologic functions.

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 applicable land use policies are outlined under Chapter 4 of the GPNO, which speaks broadly to the provision of housing and the need to intensify in appropriate locations in designated economic and service hubs such as Greater Sudbury.

Under Section 4.3.3, economic and service hubs shall maintain updated official plans and develop other supporting documents which include strategies for:

- developing a diverse mix of land uses, an appropriate range of housing types, and high quality public spaces; and providing easy access to stores, services and recreational opportunities; and,
- encouraging a significant portion of future residential and employment development to locate in existing downtown areas, intensification corridors, brownfield sites, and strategic core areas.

Intensification corridors are defined as areas along major roads, arterials or transit corridors that have the potential to provide a focus for higher density mixed-use development.

Official Plan for the City of Greater Sudbury:

The subject lands have split land use designations. The former school site is designated as Institutional in keeping with its previous function as a neighbourhood-based institutional use. The remainder of the site, which aligns with the FD zoning, is designated as Living Area 1.

A. Living Area 1

3.2: General policies applied to Living Areas

Medium density housing is permitted in all Living Area I designations where full municipal services are available. High density housing is permitted only in the community of Sudbury.

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 Bylaw.

3.2.1: Policies applied to Living Area 1 – Medium density development

In medium density developments, all low density housing forms are permitted, including small apartment buildings no more than five storeys in height to a maximum net density of 90 units per hectare.

Medium and high density housing 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.

Medium and high density housing are to be located in areas with adequate servicing capacity and a road system that can accommodate growth. Sites should be of a suitable size to provide adequate landscaping and amenity features.

In considering applications to rezone land in Living Area I, Council will ensure amongst other matters that:

- 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.

B. Surplus institutional building and lands

Under Section 4.4, rezoning applications related to the conversion of surplus institutional buildings and the rezoning of vacant lands held by institutions shall be considered based on the following criteria:

- a. the need for such lands or buildings for other public uses, and their long-term value to the community;
- b. the compatibility of the proposed uses with surrounding land uses and the intent of the policies in this Official Plan with respect to the proposed uses;
- c. for conversion to residential uses, the appropriateness of the proposed density; and,
- d. the policies of Sections 2.3.2 (Settlement Areas), 11.3.2 (Land use policies to support transit needs) and 11.8 (Accessibility), and Chapters 13.0 Heritage Resources and 14.0 Urban Design.

C. Residential intensification

The application is a form of residential intensification given the increased density that is proposed based on existing zoning as well as the surrounding neighbourhood context. Section 2.3.3 of the Plan addresses residential intensification in settlement areas. The following criteria, amongst other matters, may be used to evaluate applications for intensification:

- a. the suitability of the site in terms of the size and shape of the lot, soil conditions, topography and drainage;
- b. compatibility with 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 on surrounding natural features and areas and cultural heritage resources;
- j. the relationship between the proposed development and any natural or man-made hazards; and,
- k. the provision of any facilities, services and matters if the application is made pursuant to Section 37 of the Planning Act.

D. Built boundary

Schedule 3 of the Official Plan identifies the limits of the settlement area and the built boundaries of the City. Under Section 2.3.2 of the Official Plan, intensification and development within the built boundary is encouraged. Notwithstanding the above, development outside of the built boundary may be considered in accordance with the policies of this Plan.

E. Sensitive surface water features (Source Protection Plan)

The Official Plan contains various policies related to municipal drinking water sources, which are applicable to the subject lands given the location in a vulnerable area (Ramsey Lake Intake Protection Zone 3). The applicable policies are outlined under Section 8.3 of the Official Plan:

1. Development, certain land use activities and public works within the vulnerable areas will conform with the policies on List A of the Greater Sudbury Source Protection Plan.
2. Severances of lots that would require the construction of new septic systems within the WHPA A and B or the IPZ 1 areas are prohibited. Existing registered lots may be developed with an on-site individual septic system and the expansion, maintenance or replacement of existing on-site individual septic systems is allowed.
3. In the vulnerable areas, the City will reduce stormwater runoff volume and pollutant loadings from developments where stormwater management facilities could be a significant threat by:
 - a. encouraging the implementation of a hierarchy of source, lot-level, conveyance and end of pipe controls;
 - b. encouraging the implementation of innovative stormwater management measures;

- c. considering flexibility in development standards to incorporate alternative community design and stormwater techniques, such as those related to site plan design, lot grading, ditches and curbing, driveway surfaces, and the use of open spaces as temporary detention ponds; and,
- d. supporting the continued implementation of source control programs, which are targeted to existing areas that lack adequate stormwater controls.

Zoning By-law 2010-100Z:

The proposal complies with the zone standards applied to R3-1 zoning. The applicant is requesting that an exception be granted for one (1) parking space per unit where 1.5 spaces per unit are required. The minimum parking requirement would therefore be 179 parking spaces where 269 spaces are required. The concept plan illustrates 187 parking spaces (166 spaces for resident parking and 21 spaces for visitor parking).

Site Plan Control:

If approved by Council, the proposed residential complex will be subject to Site Plan Control.

Department/Agency Review:

Development Engineering indicated that water services will have to be connected to existing services on Bancroft Drive due to infrastructure constraints on Estelle Street. An enhanced level of on-site stormwater control is also required.

Transportation & Innovation Section are continuing their review of the Traffic Impact Study and the subsequent addendum and do not have comments at this time. Comments will be brought forward as part of the Stage 2 report.

Building Services have provided detailed comments seeking clarification on a number of matters related to zoning compliance.

Water/Wastewater Services (Source Protection Plan) advised that a risk management plan will be required if the parking lot and roadways within the property are greater than or equal to 1 ha. For the information of the Committee, the applicant advised that the total area of paved surfaces based on the current concept plan is 1.2 ha.

Conservation Sudbury (Nickel District Conservation Authority) confirmed that there are no regulated areas present on the property.

Greater Sudbury Transit advised that public transit service is available on Bancroft Drive.

Preliminary Planning Review and Considerations:

The preliminary review has identified various land use considerations that will be examined as part of the full review of the application. These matters include but are not limited to the following:

- Evaluation of the proposed dwelling types;
- Appropriateness of proposed density, built form and setbacks;

- Consideration of the physical characteristics of the site, most notably the higher elevations on the undeveloped portion of the property and the impact on abutting properties;
- Adequacy of screening and buffering given the proximity to low density residential housing;
- Final comments from Transportation & Innovation Section concerning the findings and recommendations of the Traffic Impact Study including the parking analysis;
- Driveway access and associated sight lines;
- Proposed reduction in parking standards and the potential for off-site parking impacts;
- Servicing requirements including identified infrastructure constraints;
- Enhanced stormwater management controls given the location in Ramsey Lake Intake Protection Zone (IPZ) 3;
- Environmental considerations related to the Source Protection Plan, in particular, the need for a risk management plan;
- Conformity with Official Plan policies;
- Consistency with the 2020 Provincial Policy Statement; and,
- Conformity with the 2011 Growth Plan for Northern Ontario.

Further to the above, the following matters require further clarification from the proponents:

- Confirmation as to which buildings are row dwellings or ground-oriented multiple dwellings, and whether semi-detached dwellings are also included; and,
- Clarification as to the proposed use of PIN 73575-0408, which was not included in the application and would form a remnant portion zoned "I", Institutional.

Conclusion:

It is recommended that Staff complete the review of File 751-6/21-009 and schedule a second public hearing on this matter before the Planning Committee, at which time a Planning recommendation will be presented for consideration by the Committee. Additional public notice will be provided at that time.