

95 Estelle Street, Sudbury

Presented To:	Planning Committee
Meeting Date:	September 26, 2022
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 in order to permit a medium density residential development comprising 179 dwelling units in a range of housing types.

This report is presented by Mauro Manzon, Senior Planner.

Letter(s) of concern received from concerned citizen(s).

Resolution

THAT the City of Greater Sudbury approves the application by 2375423 Ontario Inc. & Bancroft Property Holdings Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification from “I”, Institutional and “FD”, Future Development to “R3-1.D30 Special”, Medium Density Residential Special on lands described as PINs 73575-0374, 73575-0408 & 73575-0430 , Parcels 18885 & 4435 S.E.S., Parts 2 & 3, Plan 53R-11221 in Lot 9, Concession 3, Township of Neelon, 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 September 26, 2022, subject to the following conditions:

1. That the amending by-law includes the following site-specific provisions:
 - (i) The maximum building height of any building within 50 metres of a lot line shall be 11 metres;
 - (ii) Planting strips shall be provided as follows:
 - (a) A minimum ten (10) metre-wide natural vegetative buffer shall be provided where the subject land abuts a Low Density Residential Zone excluding any clearance of land required for the servicing corridor to Bancroft Drive; and,
 - (b) Notwithstanding the above, a minimum three (3) metre-wide planting strip with a minimum 1.5 metre-high opaque fence is required where the subject land abuts the southerly limit of Part 2, Plan 53R-13471 and the northerly limit of Part 1, Plan SR-140;
 - (iii) Notwithstanding Table 5.5 of Section 5.5, the following alternative parking standards shall be permitted:
 - (a) Multiple dwelling resident parking: 0.91 space per unit;
 - (b) Multiple dwelling visitor parking: 0.15 space per unit;
 - (c) Row and semi-detached dwelling resident parking: 1 space per unit;

- (d) Row and semi-detached dwelling visitor parking: not applicable; and,
- (e) A 10% reduction under Section 5.5.1.1 shall not apply to the above noted alternative parking standards.

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

If approved, staff estimates approximately \$708,000 in taxation revenue, based on the assumption of 2 semi-detached units and mix of 177 multiple residential units based on an estimated assessed value of \$300,000 and \$275,000 per respective dwelling unit at the 2022 property tax rates.

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.

In addition, this would result in total development charges of approximately \$2.3 million based on assumption of the mixed dwelling units and based on the rates in effect as of the date of this report.

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, row dwellings and semi-detached dwellings. The applicant is requesting site-specific relief for parking on a basis of 1 parking space per unit where 1.5 spaces per unit 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 Stage 1 hearing took place on October 25, 2021, at which time public input was received following statutory notice and a courtesy mail-out following the City's standard practice.

The Stage 2 review of the application has determined that the proposal conforms to the applicable policies set out under the Official Plan, the 2020 Provincial Policy Statement and the 2011 Growth Plan for Northern Ontario related to residential intensification within the built boundary of the City and development in a vulnerable area under the Source Protection Plan (Ramsey Lake IPZ 3). In order to address compatibility with the adjacent low density neighbourhood, various site-specific provisions related to residential density, building height, setbacks and vegetative buffering are recommended to appropriately limit the intensity of use. It is further recommended that the alternative parking standards proposed by the Traffic Impact Analysis be incorporated into the special zoning following a review by Transportation & Innovation Services.

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;
- Four (4) two-storey ground-oriented multiple dwellings containing 26 units;
- Eight (8) two-storey row dwellings containing a total of 31 units; and,
- One (1) two-story semi-detached dwelling containing 2 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.

Following the Stage 1 hearing, the proponents submitted a Planning Justification Report prepared by Tulloch Engineering and dated March 2022 (attached for review).

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. The maximum building height is 19 metres and five (5) storeys. 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, 73575-0408 & 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 6.16 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.

The entire site falls within a vulnerable area under the Source Protection Plan identified as Ramsey Lake Intake Protection Zone (IPZ) 3. There are no regulated areas on the subject lands under the jurisdiction of the Nickel District Conservation Authority.

Public Consultation:

The notice of complete application was circulated to the public and surrounding property owners on March 29, 2021. The Stage 1 public hearing took place on October 25, 2021 subject to the statutory notice requirements and the courtesy mail-out.

The statutory notice of the Stage 2 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 June 9, 2022.

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.

A number of phone calls seeking clarification and/or objecting to the proposal have been received. Written submissions are attached for review. The majority of these submissions were received as part of 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.

F. Transit-supportive development

Section 11.3.2 outlines policies intended to encourage proposals that are transit-supportive, whereby the viability of public transit is enhanced by the proposed development.

- 1. Urban design and community development that facilitate the provision of public transit will be promoted.

2. Development proposals will be reviewed to ensure efficient transit routing so that all dwellings in the development are ideally within 500 metres walking distance of a bus stop.
3. Mixed uses and higher density housing along Arterial Roads and at other strategic locations are encouraged as a means of enhancing the feasibility of transit services, increasing ridership, alleviating traffic congestion and reducing reliance on the automobile.
4. Buildings should be sited as close to the street as possible to reduce walking distances for transit users.
5. Wherever possible, a well-placed and continuous road grid with relatively close spacing will be provided in order to facilitate the provision of public transit.
6. Pedestrian walkways, intersections of major roads, and pedestrian access systems are to be integrated with transit stops, and wherever possible, connected to trail systems.
7. The provision of public transit will be integrated into the long-term planning of future Employment Areas, including facilities for the convenience and comfort of transit users.

G. Parking

The proponents are requesting parking relief as part of this proposal. The policies of Section 14.4 are therefore relevant as part of the review of this file:

1. New developments generally must provide an adequate supply of parking to meet anticipated demands.
2. Based on a review of parking standards for various land uses in the City, parking requirements may be reduced in those areas that have sufficient capacity, such as the Downtown and other major Employment Areas.
3. Parking requirements may be reduced where feasible through implementation of the following tools:
 - a. Establishment of minimum and maximum parking standards within the Regional Centre, Secondary Community Nodes and Regional Centres:
 - b. Reducing parking requirements in the Regional Centre, Secondary Community Nodes and Regional Corridors where transit, cycling and pedestrian alternatives exist:
 - c. Provision of shared parking facilities for uses with alternating high peak demand either by virtue of the uses or the time of day, time of week or seasonal demand; and,
 - d. Provision of central, shared parking facilities that may result in greater parking and land use efficiencies.
4. Opportunities to reduce parking standards for development and intensification supported by a transportation demand management strategy will be reviewed and implemented if feasible.
5. Payment-in-lieu of providing parking spaces may be maintained provided that any revenue will be used for the construction of consolidated parking facilities in the general area of the development.
6. Standards for the provision of accessible parking will be reviewed to ensure an adequate supply of parking spaces for persons with disabilities, including additional on-street barrier-free parking in the Downtown.
7. Parking areas are subject to site plan control and Chapter 14.0, Urban Design.

H. Site and building design

In addition to the criteria set out under Section 2.3.3, residential intensification projects are also subject to the urban design guidelines set out under Section 14.4.

1. Development and intensification will be located and organized to fit with its existing or planned context. It will frame and support adjacent streets, parks and open spaces to improve activity, comfort and safety by:
 - a. generally locating buildings parallel to the street or along the edge of a park or open space with a consistent front yard setback. On a corner site, development and intensification should be located along both street frontages and give prominence to the corner. On a site that terminates a street corridor, the development should acknowledge the prominence of that site;
 - b. massing buildings to define the edges of streets, parks and open spaces in good proportion;
 - c. creating appropriate transitions in scale to neighbouring existing or planned buildings;
 - d. locating main building entrances so that they are clearly visible and easily accessible from the public sidewalk;
 - e. providing ground floor uses that have views into surrounding streets, parks and open spaces; and,
 - f. minimizing shadowing and uncomfortable wind conditions on surrounding streets, parks and open spaces to preserve their utility.
2. Development and intensification will locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and the public realm by:
 - a. minimizing the number of curb cuts and driveways that cross the public sidewalk;
 - b. limiting surface parking between the front face of the building and the public street and sidewalk;
 - c. locating servicing and utilities towards the sides or rear of the building and screening the servicing from views from adjacent streets;
 - d. integrating servicing and utility functions within the building, where possible; and,
 - e. providing adequate landscaping and buffering between adjacent properties.
3. Development and intensification will provide amenity for adjacent streets, parks and open spaces by making these areas attractive, interesting, safe, comfortable and functional by:
 - a. improving adjacent boulevards and sidewalks through sustainable design elements including without limitation trees, shrubs, plantings or other ground cover, permeable paving materials, street furniture and bicycle parking facilities.
 - b. coordinating landscape improvements in setbacks to create attractive transitions from the private to public realm;
 - c. providing, where appropriate, weather protection such as canopies and awnings;
 - d. providing landscaped open space within the development site;
 - e. landscaping the edges of surface parking lots along streets, parks and open spaces to define edge condition and provide screening;
 - f. providing safe pedestrian routes and landscaped areas within surface parking lots; and,
 - g. providing bicycle parking facilities and, where appropriate, public transit infrastructure, within the development site.

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). The concept plan is based on the minimum amount of on-site parking recommended by the Traffic Impact Study.

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.

Roads Section advised that a cash contribution towards the urbanization of the west side of Estelle Street will be required at site plan stage. Transportation and Innovation Services indicated that they have no concerns related to the Traffic Impact Study (TIS) and the alternative parking standards proposed by the traffic consultant.

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.

Planning Analysis:

Stage 1 review

Following the Stage 1 hearing, no major changes to the proposal have been made by the proponents. Clarification as to the dwelling types and the number of units was provided. A Planning Justification Report prepared by Tulloch Engineering dated March 2022 was also submitted in support of the application (attached for review).

Three (3) key issues were identified by Planning Committee at the Stage 1 hearing as requiring further analysis. The issues list is summarized below including a response from the proponents and/or Staff as applicable.

1. *Review the need to revise the Traffic Impact Study (TIS) based on the use of 2020 data at the intersection of Bancroft Drive and Estelle Street due to the pandemic and the associated reduction in traffic.*

Transportation & Innovation Services Section advised that a revised TIS is not required. Staff are satisfied that the TIS makes adequate adjustments for the impact on traffic counts during the pandemic. The consultant has compared the pre- and post-traffic counts at nearby similar intersections and adjusted the volumes to account for the reduction in traffic caused by the pandemic (page 16 of the Final TIS document). Transportation & Innovation Services Section has no concerns with this method.

2. *Examine the potential to provide more on-site parking.*

Concerning the provision of parking, the physical constraints of the site were identified at the Stage 1 hearing, as well as the location in a vulnerable area and the desire to maintain enhanced setbacks. However, the Committee questioned whether it is possible to provide some additional on-site parking given the concerns raised by residents related to the proposed parking relief and the potential for off-site parking impacts.

The owner's agent advised that the parking analysis contained in the Traffic Impact Study determined that a parking supply of 187 parking spaces was sufficient to accommodate the typical peak parking demand and that no adjustments are required. It was further indicated that a smaller parking area will have associated benefits including reduced stormwater runoff, increased landscaped open space, and the reduced need for road salt. The Planning Justification Report submitted by the agent further expands on the rationale for a reduced parking standard.

3. *Evaluate the impact of the proposed development on abutting low density housing, based on an analysis of the scale, massing and height of the proposed buildings.*

The appropriateness of the built form and the impact on abutting single detached dwellings is a key consideration related to this file, as it speaks directly to the criteria applied to residential intensification under Section 2.3.3 of the Official Plan. Although enhanced setbacks are proposed, the site is situated at a higher elevation compared to existing housing surrounding the perimeter. Following the Stage 1 hearing, Staff recommended that the proponents prepare a design analysis that addresses the interface between the proposed dwellings and abutting low density housing, including the visual impact on sight lines based on finished grades, with a particular emphasis on the five-storey multiple dwellings.

The proponents responded that the enhanced setbacks are sufficient to address concerns related to the interface with existing residential uses and that a sight line analysis is not required. It was also noted that the Official Plan does not speak to new development not being visible to adjacent or surrounding areas. It is the opinion of the proponents that the site design and building layout adequately address policy issues related to compatibility.

Stage 2 analysis

The proposal presents an opportunity to introduce a broader mix of residential uses on an underutilized site within the built boundary of the City. Although the policy framework is geared to residential intensification and increased diversity in the supply of new housing, the proposed development must be evaluated based on the locational context, which is a low density residential area where singles, duplexes and semi-detached dwellings are the predominant dwelling types. The site technically abuts a fully urbanized Secondary Arterial Road serviced by public transit, where medium density residential uses are encouraged. However, it is also some distance from community services, employment areas and retail uses including a grocery store. Furthermore, there are no mid-rise multiple dwellings in the area, which speaks to the existing physical character of the neighbourhood.

The land use merits of the proposal are reviewed based on the following considerations:

- Suitability of the site to accommodate the use, including the availability of parking, adequacy of servicing, and any physical constraints to development;
- Land use compatibility with existing adjacent uses, including residential density, proposed built form, minimum setbacks and the provision of buffering and screening;
- Traffic impacts on the local road network and active transportation components; and,
- Environmental considerations including the location in a vulnerable area under the Source Protection Plan.

Suitability of site

a) Parking

The subject lands are eligible for a 10% reduction in the total parking requirement under Section 5.5.1.1 of the Zoning By-law, as the site technically abuts a GOVA route. The reduction applies only to the multiple dwellings. The parking requirement based on current standards is calculated as follows:

	<u>Number of Spaces</u>
Multiple dwelling units: 146 units x 1.5	219
Row dwelling units: 31 units x 1.5	47
Semi-detached dwelling units: 2 units x 1	2
Parking requirement based on current standards:	268
<u>minus eligible 10% reduction for multiple dwellings:</u>	<u>(22)</u>
TOTAL	246

The proponents are requesting significant parking relief for the proposed development, being a standard of one (1) parking space per unit for all dwelling types. Based on this standard, a minimum of 179 parking spaces would be provided where 246 are required with the applicable 10% reduction. The concept plan includes some additional visitor parking for a total of **187** spaces, which is the minimum amount of on-site parking recommended by the Traffic Impact Study (TIS).

The TIS calculates a total parking requirement of 251 spaces based on current by-law standards. Note, however, that the incorrect standard is used for row dwellings and the 10% reduction for multiple dwelling units is not applied, hence the discrepancy.

The TIS asserts that the proposed parking supply of 187 spaces is sufficient to address peak parking demand based on the analysis of a proxy site, being the Greenbriar Apartments at 568 Greenbriar Drive in New Sudbury (multiple dwelling with 122 units). The proxy analysis determined parking utilization rates for both residential and visitor parking based on counts conducted in November 2020 (see Section 6 of the TIS). The alternative parking standards proposed by the traffic consultant are summarized as follows:

Multiple dwelling resident parking: 0.91 space per unit
Multiple dwelling visitor parking: 0.15 space per unit
Row and semi-detached dwelling resident parking: 1 space per unit
Row and semi-detached dwelling visitor parking: not applicable

Transportation & Innovation Services Section advised that they have no concerns related to the alternative parking standards.

b) Servicing

Development Engineering has conducted a sewer and water analysis to determine the adequacy of servicing for the development. The modeling determined that there are servicing constraints in the area, but that the proposed development could be adequately serviced based on the following requirements:

- A connection to the watermain on Bancroft Drive is necessary in order to provide the required domestic pressures and fire flow capabilities. As a result, the 20 metre-wide corridor that abuts Bancroft Drive will need to be utilized as a servicing corridor for the development.
- Although there are downstream constraints, there is sufficient capacity in the existing sanitary sewer system to support development of the site based on the proposed 179 units.

- A contribution to the Levesque Lift Station under the Section 391 charges for the Kingsway Sewer and Water Project will be required at the development stage.
- Enhanced quality and quantity control is required for on-site stormwater management.

The above matters will be addressed in greater detail at site plan stage if this application is approved.

c) Physical constraints

Rock outcrops form the main physical constraint, as illustrated by the attached topographic map and cross-section (attachments #10 and #11). The topography varies significantly across the site, where the highest elevation is approximately 17.5 metres above the surrounding developed area. Extensive rock removal and grading will therefore be required. However, there will likely be less site alteration required with the proposed development compared to a fully built-out subdivision, where development would conceivably extend to the property limits in order to maximize the number of residential lots.

Protocols related to blasting will be implemented by Building Services at the development stage as follows:

The developer will be required to provide a geotechnical report on how the work related to blasting shall be undertaken safely to protect adjoining structures and other infrastructure. The geotechnical report shall be undertaken by a blasting consultant defined as a professional engineer licensed in the Province of Ontario with a minimum of five (5) years experience related to blasting.

The blasting consultant shall be retained by the developer and shall be independent of the contractor and any subcontractor doing the blasting work. The blasting consultant shall be required to complete specific monitoring recommended in his report of vibration levels and provide a report detailing those recorded vibration levels. Copies of the recorded ground vibration documents shall be provided to the contractor and contract administration weekly or upon request for this specific project.

The geotechnical report will provide recommendations and specifications on the following activity as a minimum but not limited to:

- Pre-blast survey of surface structures and infrastructure within affected area;
- Trial blast activities;
- Procedures during blasting;
- Procedures for addressing blasting damage complaints;
- Blast notification mechanism to adjoining residences; and,
- Structural stability of exposed rock faces.

The above report shall be submitted for review to the satisfaction of the Chief Building Official prior to commencement of any removal of rock by blasting. Should the developer's schedule require to commence blasting and rock removal prior to site plan agreement having been signed, a site alteration permit shall be required under By-law #2009-170.

Land use compatibility

a) Residential density

The residential density is calculated at 30 dwelling units per hectare (du/ha) where a maximum of 90 du/ha is permitted under the proposed R3-1 zoning. The overall density remains relatively low due to the large site, existing physical constraints, the proposed setbacks, the retention of green space, and the ground-oriented dwellings. As a result, the residential density is below the maximum density of 36 du/ha typically applied to low density development under the Official Plan (singles, semis, duplexes and street townhouses).

As one measure used to assess the intensity of use, the resultant residential density is considered appropriate based on the existing physical character of the neighbourhood. It is recommended that the maximum density be limited to 30 du/ha to address land use compatibility. This is in alignment with the technical reports related to traffic generation and servicing capacity.

b) Built form

The proposed residential complex comprises four (4) dwelling types:

- Three (3) five-storey multiple dwellings with a total of 120 units;
- Four (4) two-storey ground-oriented multiple dwellings containing 26 units;
- Eight (8) two-storey row dwellings containing a total of 31 units; and,
- One (1) two-storey semi-detached dwelling containing 2 units.

A range of setbacks from the property lines are proposed based on the dwelling type (measured at the closet points):

North: 18.5 metres (Building P - row dwelling);

East: 6.3 metres (Building E - ground-oriented multiple dwelling);

South: 20 metres (Building I - row dwelling) and 44.6 metres (Building C - multiple dwelling);

West: 13.5 metres (Building G - ground-oriented multiple dwelling) and 37.7 metres (Building C - multiple dwelling).

Row dwellings require a minimum 7.5 metre privacy yard for each unit. As a result, the privacy yard becomes the defacto setback for row dwellings including interior side yards. The concept plan demonstrates that the row dwellings meet the minimum setback and privacy yard requirements for each unit.

The ground-oriented multiple dwellings are concentrated on the easterly portion of the site in the vicinity of the former school. Each unit will have a direct access at ground-level. All buildings meet the minimum setback requirements, including the dwelling fronting onto Estelle Street (Building E). The ground-oriented multiple dwelling and the semi-detached dwelling on the westerly portion of the site (Buildings G and H) will not have backyards due to the topography.

The maximum building height for a multiple dwelling in the R3-1 zone is 19 metres to a maximum of five (5) storeys. Two (2) of the five-storey multiple dwellings will occupy the central portion of the site where the highest elevations are situated. No setbacks are indicated on the concept plan, but are estimated based on the scaled drawing:

Building A: approximately 57 metres to the southerly lot line and 89 metres to the westerly lot line; and,
Building B: approximately 67 metres to the northerly lot line and 63 metres to the westerly lot line.

The third five-storey multiple dwelling (Building C) located in the southwest corner of the site has the closest proximity to existing residential uses, being 44.6 metres to the southerly lot line and 37.7 metres to the westerly lot line.

Buildings A and B have substantial setbacks that effectively mitigate the visual impact on abutting uses given that the maximum building height is restricted to 19 metres. The attached photos provided by the applicant illustrate the typical design of a five-storey building, which is appropriately scaled for a mid-rise building based on the location. Building C presents the greater concern related to the interface with abutting single detached dwellings given the topography and the proximity to the westerly and southerly lot lines. It is difficult to assess the impact given that finished grades are not indicated and no design analysis or cross-section was provided.

It is therefore recommended that the height of any building within 50 metres of a lot line be limited to 11 metres, which would allow up to three storeys depending on the building design. This also aligns with the maximum height in the R1-5 zone encompassing the surrounding area. It is further noted that a three-storey, 18-unit building was shown at this location at the pre-consultation stage. This provision would not impact Buildings A and B, which are more than 50 metres from any lot line based on the concept plan.

c) Buffering and screening

Under Section 4.15 of the Zoning By-law, a planting strip is required for buffering and screening where a medium density residential use abuts a low density residential zone. The minimum width of the planting strip varies from 1.8 to 3 metres depending on its composition. The intended function is to create a buffer that also contains a screening component.

In this instance, existing conditions and the design concept allow for a natural vegetative buffer around the perimeter of the undeveloped portion of the site that would effectively screen the development from abutting uses while also accommodating privacy yards for the row dwellings. A minimum 10 metre-wide natural vegetative buffer is recommended, excluding any clearance required for the servicing corridor to Bancroft Drive. Minor adjustments to the preliminary location of the stormwater ponds may be required.

On the existing developed portion of the site being the former school, a traditional planting strip is recommended along the interior side yards of the abutting single detached dwellings to the north and south (45 and 137 Estelle Street). On the south side of the property abutting 45 Estelle Street, the existing chain link fence should be replaced with a proper planting strip for effective buffering and screening including an opaque fence. On the north side of the property, the planting strip will delineate the limits of the proposed stormwater pond. The following site-specific provisions are therefore recommended:

- A minimum ten (10) metre-wide natural vegetative buffer shall be provided where the subject land abuts a Low Density Residential Zone excluding any clearance of land required for the servicing corridor to Bancroft Drive;
- Notwithstanding the above, a minimum three (3) metre-wide planting strip with a minimum 1.5 metre-high opaque fence is required where the subject land abuts the southerly limit of Part 2, Plan 53R-13471 and the northerly limit of Part 1, Plan SR-140.

Local traffic impact and active transportation components

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 delays or congestion to the local road network. Sight lines at the two (2) proposed driveway entrances meet the applicable standards. The construction of a sidewalk on the west side of Estelle Street extending from Bancroft Drive to Rheal Street is recommended in order to improve pedestrian connectivity.

Although the TIS recommends that a pedestrian linkage be created to the transit stop on Bancroft Drive, conceivably through the proposed servicing corridor, the Planning Justification Report clarifies that this is not possible given that grades are too steep to be AODA compliant (Accessibility for Ontarians with Disabilities Act). Transit users will therefore have to walk to the bus stop via Estelle Street. It is noted, however, that most buildings within the proposed complex are within 500 metres walking distance of the bus stop if Estelle Street is the only access.

Transportation and Innovation Services Section has no concerns with the Traffic Impact Study and concur with the analysis and recommendations. Roads Section requires a cash contribution towards the urbanization of the west side of Estelle Street including the provision of a sidewalk. This matter will be dealt with in greater detail as part of the Site Plan Control Agreement.

Source Protection Plan

The subject property is located within Ramsey Lake Intake Protection Zone (IPZ) 3, which is deemed to be a vulnerable area under the Source Protection Plan. As per the Source Protection Plan's salt and snow policies, the owner is advised that a Risk Management Plan may be required for the application of road salt and storage of snow if the exterior parking lot is equal to or greater than one (1) hectare in area. The handling and storage of road salt (0.5 tonnes or greater) is prohibited.

The owner's agent confirmed that the estimated impervious surface (parking areas, internal roadway) on the preliminary plan is approximately 1.2 ha in area. The requirement for a risk management plan will therefore be reviewed in greater detail at the site plan stage based on the final design. An Application for Section 59 Notice will also be required at that time.

Official Plan

The application demonstrates general conformity with the applicable policies of the Official Plan as it relates to medium density development in Living Areas, surplus institutional lands, residential intensification, sensitive surface water features, transit-oriented development, parking and site design:

- Medium density residential uses are encouraged on arterial roads serviced by public transit. In this case, the proposed development abuts Bancroft Drive, which is a fully urbanized Secondary Arterial Road with sidewalks, bike lanes and access to public transit. Although the site is disconnected from major commercial and employment areas, the intensity of use is appropriately scaled to reflect the locational context.
- The application addresses the policies applied to surplus institutional lands. The former school site was offered to the City for purchase and declined by Council. The residential density is deemed appropriate based on the existing conditions.
- The criteria applied to residential intensification can be adequately addressed by limiting the maximum density, implementing enhanced buffering and screening, and restricting the height of a multiple dwelling within 50 metres of the property limits.
- In regards to Source Water Protection (Ramsey Lake IPZ 3), a risk management plan will be required if the final site plan indicates that the total impervious area for parking and driveways exceeds 1.0 ha. Enhanced quantity and quality control will be implemented for stormwater management at site plan stage.
- The proposed residential complex is within 500 metres of a bus stop serviced by two (2) transit routes.
- Transportation & Innovation Services Section is satisfied with the parking analysis provided in the Traffic Impact Study and do not object to the alternative parking standards.
- The site design addresses the general parameters outlined under Section of the Official Plan, with higher density uses concentrated in the central portion of the site to mitigate the impact on abutting uses. Pedestrian connections to an upgraded Estelle Street will also be implemented through the site plan process.

2020 Provincial Policy Statement (PPS)

The application addresses PPS policies applied to housing, settlement areas, residential intensification, stormwater management and source water protection. The subject land is located in a fully serviced settlement area in a built-up urban area. The development will utilize existing municipal sewer and water services, which are deemed adequate for the intended use based on a capacity/feasibility review.

The development will diversify the supply of new housing and contribute towards residential intensification targets that are required under the PPS and implemented through the Official Plan. In particular, the residential conversion of surplus institutional land is encouraged as a means of achieving increased density within the built boundary of the City.

Stormwater management including enhanced quality and quantity controls will be addressed in greater detail at site plan stage. In regards to the protection of drinking water resources, the application of road salt is the only activity identified as a potential threat. A risk management plan will therefore be required if the total paved area exceeds 1.0 ha based on the final site plan. Environmental Planning has not identified any natural heritage features or functions as defined under the PPS. There are no natural hazards present on the subject lands based a review by Conservation Sudbury.

The application is deemed to be consistent with the 2020 Provincial Policy Statement.

2011 Growth Plan for Northern Ontario (GPNO)

The GPNO has a limited range of land use policies compared to the PPS and OP; however, the Plan does identify desired locations for higher density mixed-use development in keeping with the City's designation as an Economic and Service Hub. The GPNO also broadly encourages a diverse mix of land uses and an appropriate range of housing types.

Although this portion of Bancroft Drive is designated as a Secondary Arterial Road, it is not intended for intensified mixed-use development that would encompass a range of commercial and residential uses. However, this does not preclude residential intensification projects in fully serviced areas on appropriate sites that would expand the range of housing options within the community.

The application is deemed to conform with the 2011 Growth Plan for Northern Ontario.

Conclusion:

Staff recommend the following conditions of approval in order to address conformity with the applicable policy framework. These recommendations are considered a measured approach that supports residential intensification while recognizing the neighbourhood context and the potential impact on existing uses.

- The maximum residential density should be limited to 30 dwelling units per hectare to be consistent with the surrounding area and the technical studies provided in support of the application. This allows the introduction of alternative housing types while appropriately limiting the intensity of use in a low density residential area.
- A natural vegetative buffer should be implemented around the perimeter of the undeveloped portion of the site by utilizing existing vegetation including existing tree cover.
- In order to mitigate the impact of mid-rise buildings on existing abutting uses, any building within 50 metres of the property boundaries should be limited to a building height of 11 metres, consistent with the maximum height applied to the abutting R1-5 zone.

These matters can be addressed as site-specific zoning provisions to be implemented as part of the Site Plan Control Agreement, including the alternative parking standards.

Planning Services recommends that the application for rezoning be approved subject to the conditions outlined in the Resolution section of this report.