

July 15, 2022
Our File No.: 31222-000

VIA: E-MAIL

Planning Services
City of Greater Sudbury
200 Brady Street
Sudbury, ON P3A 5P3

Dear Planning Services:

Re: Cover Letter - Revised Proposed Amendment

J.L. Richards & Associates Limited (JLR) has been retained by Minewise Technology Ltd. (Minewise) to assist in the facilitation of planning approvals to rezone the lot known municipally as 40 Eyre Street South, Sudbury from Institutional (I) to General Commercial Special Exception (C2-X) Zone to permit light industrial use on the lot and to reduce the required 3 m landscape buffer along Eyre Street to 0 m and to permit the parking area setback along a road with a width greater than 10 m to 0m.

Following submission of the zoning by-law amendment application, Minewise has revised plans to use the church building for their operations (including both clerical office use and light industrial) and to lease out the manse for business office purposes. A reduction in parking requirements is no longer required.

This cover letter serves as a supplementary report to the initial planning justification report provided.

Background

Minewise is a producer of electronics, video products, and 3D scanning solutions for the mining sector. Daily operations include the assembly of small to medium size electronics, electronic testing, and supportive clerical work.

In the spring of 2021 Minewise took ownership of 40 Eyre Street, which contained a church and manse formerly owned and used by Theatre Cambrian. The initial intent was to use the existing church and manse on the subject lands for business office purposes, to convert the lower level of the main building to a light duty electronics assembly facility, and maintain the main level use for an assembly hall (gathering hall/performance space).

JLR submitted a Zoning By-law amendment application on behalf of Minewise to the City of Greater Sudbury (CGS) on September 17th, 2021 to rezone the lot known municipally as 40 Eyre Street South, Sudbury from Institutional (I) to General Commercial Special Exception (C2-X) Zone to permit light industrial use on the lot and to reduce the required parking from 49 spaces to 45

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spaces. The application was accompanied by a Planning Justification Memorandum and the following drawings:

- Site Plan, Sewer and Parking
- Elevations
- Setbacks and Lot Dimensions
- Lower Parking and Loading Area
- Building Floorplan

On October 18th, 2021 the application was deemed incomplete by the CGS as there were some discrepancies related to the proposed parking layout as well as the identification that the proposed above-grade structure required relief from the zoning by-law.

Following the initial submission of the zoning by-law amendment application, a fire occurred in the existing former church building on the subject property. As a result of the damages the proposed uses have changed. Minewise is no longer intending on using the main level of the church for assembly hall purposes. They are now proceeding with an amendment to use the church building for their operations (including both clerical office use and light industrial) and to lease out the manse for business office purposes. An amendment is still required to re-zone the lot from Institutional (I) to General Commercial (C2) with a special exception to permit light industrial in addition to the general commercial uses. Additionally, an amendment is required to reduce the required landscape buffer along Eyre Steet to 0m and to permit the parking area setback along a road with a width greater than 10 m to 0m. A parking structure that was initially proposed is no longer required, as there is adequate parking on the lot to accommodate their operations and additional business office uses.

Minewise's intent is to use the subject building for approximately 10 years until they are able to move to a larger location. They do not intend on modifying the interior of the building to support the Minewise operation, they instead intend to restore the building to its original condition prior to the fire to allow for future assembly hall use and/or church use. The proposed rezoning to General Commercial exception zone is being sought to allow the light industrial use and to ensure the ability to use the building in the future for assembly hall or institutional uses (i.e., place of worship) is permitted without the need for an amendment for the use. Future users would need to confirm parking requirements are met.

In a discussion with the CGS staff which occurred on November 24th, 2021 it was requested that as a result of the revisions to the file a new Cover Letter to support the newly requested amendment be submitted, and that an updated Neighborhood Notice for the proposed amendment be distributed.

Minewise Operations

Minewise operations revolve around CAD designs, assembly and wiring of small electronics. Little noise is generated from the soldering of wires together and screwing or bolting assemblies together. Some 3D printing, video product assembly, wireless devices and laser scanning devices are used on site, however no gas, other emissions, or excessive noise is generated in these processes. Further, current operations occur in multiple commercial properties which have residential rental units within the same building and no issues have risen with these residential

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neighbors. Any weldments or metal forming and other more intensive uses are sub-contracted to businesses in the Lively Industrial Park.

Policy Context

The proposed land use is consistent with the Provincial Policy Statement, conforms to/ does not conflict with the Growth Plan for Northern Ontario and is in conformity with the Official Plan for the City of Greater Sudbury.

Please refer back to the initial Planning Justification Report for analysis of these policies. City of Greater Sudbury Zoning By-law 2010-100Z

The lot is currently zoned Institutional (I), which does not permit light industrial uses. As such, the proposed amendment is seeking the General Commercial Special Exception (C2-X) Zone where the business office use is permitted. A special exception is also being sought to permit the light industrial use on the lot. The assembly hall previously discussed in the Planning Justification Report will no longer be on the site.

As a result of the change of use from the initial application, the parking calculations were recalculated.

Use / Type of Space	Requirement	Proposed	Compliance
<ul style="list-style-type: none"> • Business Office • Light Industrial 	<ul style="list-style-type: none"> • 1/30m² net floor area =5.7 spaces • 1/90m² net floor area =12.5 spaces 		
Total Parking Spaces	=19 (18.2) spaces	=23	<input type="checkbox"/>
Loading Spaces	300 m ² to 4,500 m ² Gross Floor Area =1 1 space	=1	<input type="checkbox"/>
Accessible Spaces	10-50 parking spaces = 1 accessible parking space	=1	<input type="checkbox"/>

The lot is currently able to accommodate 16 parking spaces. Based on the provisions of Section 5 of the By-law, 19 parking spaces are required. Minewise is proposing to modify the parking layout (see attachment 1) which will be able to accommodate 23 parking spaces, including 1 loading space and 1 accessible (barrier-free) parking space, in compliance with the By-law.

Section 4.15.1 e) of the zoning by-law requires that a 3.0 metre wide landscaped area adjacent to the full length of a lot line be required abutting all public roads having a width greater than 10.0 metres in all Zones, except in a Downtown Commercial (C6) Zone.

Section 5.2.4.3 c)(ii) states that *Outdoor parking areas shall be permitted in any part of any yard, except that no part of any parking area shall be located:*

- c) closer to any road having a width of more than 10.0 metres, or any Residential Zone than:
 - ii) 3.0 metres in a Commercial (C) or Institutional (I) Zone.

The request to maintain a 0 m landscaped buffer and setback on the property is reflective of the existing retaining wall and parking layout. There is currently a 3 m landscaped buffer immediately abutting the majority of the property, located on City property. While it is not located on the subject property it provides a 3 m setback from the public road and 3 m of landscaped area. By extending the landscaped area an additional 3 m into the subject lot to meet the provisions of 4.15.1 e) and

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5.2.4.3 c)(ii) the lot will be unable to accommodate the required parking. An exception to the by-law is required to reduce the required 3 m landscape area adjacent to a public road having a width of 10 m and the 3 metre outdoor parking setback.

Consultation

As required by the Sudbury Planning Application Review Team, a public consultation strategy for the zoning by-law amendment application has been developed and implemented as follows:

1. To inform surrounding properties the applicant/authorized agent will request the City's mailing list for all properties within a 120 metre radius of the subject lands.
2. A notice informing of the proposed rezoning and contact information of the authorized agent will be prepared and distributed to the above-noted mailing list.
3. All questions and comments received will be recorded and responded to as they come in.
4. Prior to City Staff report preparation, the agent will liaise with the City Planner with respect to comments/questions that have been received on the application.

In light of the changes to the application, a neighborhood notice is being re-drafted and circulated based on the above. An updated copy of the Neighborhood Notice has been attached to this letter.

Conclusion

In our opinion the proposed revised rezoning amendment can be recommended for approval.

Minewise is proposing to convert a surplus institutional building for use by commercial and light industrial uses that are compatible with the surrounding area. The proposed light industrial use is not anticipated to have any adverse impacts on the surrounding land uses. The existing site is able to accommodate the required parking established by the Zoning By-law.

The proposed zoning amendment is consistent with the Provincial Policy Statement, conforms to/does not conflict with the Growth Plan for Northern Ontario, is in conformity with the City's Official Plan, and represents good land use planning.

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J.L.Richards
ENGINEERS · ARCHITECTS · PLANNERS

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Yours very truly,

J.L. RICHARDS & ASSOCIATES LIMITED

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ER:sv