

0 Belisle Drive, Val Caron

Presented To:	Planning Committee
Meeting Date:	October 3, 2022
Type:	Public Hearing
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-7/22-10

Report Summary

This report provides a recommendation regarding an application for rezoning to an amended “M1(33)”, Mixed Light Industrial/Service Commercial Special, to additionally permit office use.

This report is presented by Wendy Kaufman, Senior Planner.

Resolution

THAT the City of Greater Sudbury approves the application by the City of Greater Sudbury to amend Zoning By-law 2010-100Z by changing the zoning classification from “M1(33)”, Mixed Light Industrial/Service Commercial Special, to an amended “M1(33)”, Mixed Light Industrial/Service Commercial Special on lands described as PINs 73501-2249 & 73501-2247, Parts 1-3, Plan 53R-21683, Part of Lot 8, Concession 5, Township of Blezard, as outlined in the report entitled “0 Belisle Drive, Val Caron”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on October 3, 2022, subject to the following condition:

1. That the amending zoning by-law for the M1(33), Mixed Light Industrial/Service Commercial Special Zone include the following site-specific provision:
 - i. On Parts 1-3, Plan 53R-21683, a business office shall also be permitted.

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

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding. The application contributes to the 2019-2027 City of Greater Sudbury Strategic Plan goals related to business attraction, development and retention. The application aligns with the Community Energy and Emissions Plan by supporting the strategy of compact, complete communities.

Financial Implications

If approved, staff are unable to estimate taxation revenue at this time as the assessed value of the building would be determined by Municipal Property Assessment Corporation (MPAC).

The additional taxation revenue 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.

The amount of development charges will be based on final review of the property by Building Services department.

Report Overview

An application for rezoning has been submitted to enable the use of the site as an office. The subject land is designated as General Industrial in the Official Plan and zoned "M1(33)", Mixed Light Industrial/Service Commercial Special.

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

Staff Report

Proposal:

The application proposes to amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury to enable the use of the site as an office.

The property is currently vacant. The applicant has submitted a concept plan which illustrates the proposed 930 square metre office building, along with associated access driveway, parking and landscaping. The applicant has also submitted a plan of survey indicating the area to be rezoned for the proposed use, as well as a water/sewer capacity assessment. The office use is intended for a business targeting to become a manufacturer of battery-quality lithium salts to support electric vehicle and battery supply chains in North America.

The lands are part of a larger area acquired in April 2011 by the City of Greater Sudbury to expand the Valley East Industrial Park. Lots are intended to be sold by the City for industrial/business development.

Existing Zoning: "M1(33)", Mixed Light Industrial/Service Commercial Special

The M1(33) zone permits a range of industrial and commercial uses which often have an accessory office component, and designates the lands as an area where site plan control will be applied.

Requested Zoning: amended "M1(33)", Mixed Light Industrial/Service Commercial Special

The proposed amended M1(33) zone would additionally permit office use. No site-specific zoning relief has been requested.

Location and Site Description:

The subject property is described as PINs 73501-2249 & 73501-2247, Parts 1-3, Plan 53R-21683, Part of Lot 8, Concession 5, Township of Blezard, in Val Caron. The subject lands are located on the east side of Belisle

Drive, approximately 300 m north of the intersection of Belisle Drive and Valleyview Road, and north of Lamondin Street. The portion of the lands to be rezoned have an area of approximately 1.2 hectares and 61 m of frontage on Belisle Drive, which is a collector road in this location. The lands are currently serviced with municipal water and sanitary sewer, and transit stops are located on both sides of Municipal Road 15 approximately 1.2 km to the southwest.

Surrounding Land Uses:

The area surrounding the site includes:

North and west: industrial/commercial use

South and east: vacant lands zoned 'RU', Rural

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

Site photos show the industrial uses along Belisle Drive in this area.

Public Consultation:

The statutory notice of the application was provided by newspaper along with a courtesy mail out to surrounding property owners and tenants within 244 m of the property on July 19, 2022. The statutory notice of the public hearing was provided by newspaper and courtesy mail out on September 15, 2022.

Policy & Regulatory Framework:

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

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

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

Provincial Policy Statement:

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

Section 1.3.1 (b) states that planning authorities shall promote economic development and competitiveness by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

Section 1.7.1(a) states that long-term economic prosperity should be supported by promoting opportunities for economic development and community investment-readiness.

Growth Plan for Northern Ontario:

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters conform with the Growth Plan for Northern Ontario. The application is

considered to conform to the Growth Plan, by aligning with policies that direct economic development initiatives related to the minerals sector.

Official Plan for the City of Greater Sudbury:

The subject property is designated General Industrial in the City of Greater Sudbury Official Plan, which is one of the Employment Areas designations where employment opportunities exist or will be provided in the future.

Section 1.3.2 of the Official Plan regarding Economic Development acknowledges the link between planning, design and economic development, such as by providing a framework to reinforce the urban structure and achieve efficient urban form and use of infrastructure.

Section 4.1 of the Official Plan lists objectives of the Employment Area policies, which include

(a) ensure that an adequate supply and variety of serviced employment land exists throughout Greater Sudbury in accordance with the settlement pattern, allowing for the expansion and diversification of the employment base;

(f) ensure that existing industrial lands are used efficiently and promote the development and redevelopment of existing, underutilized, or unused sites;

(g) promote environmentally sound industrial practices and mitigate conflicts with sensitive uses;

(j) embrace new technologies to harness emerging areas of growth.

Section 4.5.1 of the Official Plan establishes policies for the General Industrial designation.

Policy 1 states that permitted uses may include manufacturing, fabricating, processing and assembling of industrial and consumer products, repair, packaging and storage of goods and materials, and related industrial activities. Policy 2 states that complementary uses, such as administrative offices, hotels and restaurants, which do not detract from, and which are compatible with, the operation of industrial uses are also permitted.

Policy 3 states that General Industrial uses must have minimal environmental impacts. Any use which may impact surrounding areas and cause nuisance will be appropriately buffered and screened.

Zoning By-law 2010-100Z:

Previous rezoning file [751-7/11-7](#) resulted in the M1(33) zoning of the property. The development standards for the M1(33) zone establish a maximum height of 12.0 m. The minimum required front yard is 9.0 m, rear yard is 6.0 m and interior side yard is 3.0 m on at least one side of the lot. The maximum lot coverage is 50%. The parking rate is 1 space per 30 square metres net floor area. The lands are subject to site plan control.

A 3.0 m wide landscaped area is required to be provided along Belisle Drive. Outdoor storage is permitted in a rear or interior side yard and is required to be screened by opaque fencing a minimum of 2.2 m in height.

Site Plan Control:

The current M1(33) zoning for this property requires that a site plan control agreement be entered into prior to development of the site. This requirement is intended to ensure consistency in the site design of new development in the industrial park.

Department/Agency Review:

The application has been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate zoning by-law standards. Comments have been addressed to the satisfaction of reviewing department and agencies. No concerns

were raised by Development Engineering, Infrastructure Capital Planning Services, Building Services, Environmental Planning Initiatives, Transit, Conservation Sudbury or Leisure Services.

Development Engineering has advised that municipal water and sanitary sewer services are available in the Belisle Drive right-of-way. A sewer and water capacity review and analysis were conducted and the City water and sanitary sewer system has enough capacity to service this project. Detailed review of site grading, servicing, and stormwater management will occur through the site plan control process.

Building Services has advised that the storage containers shown on the applicant's sketch are not permitted as per Section 4.34 of the Zoning By-law.

Environmental Planning Initiatives has advised that this application does not pose an elevated risk to species protected by the Endangered Species Act or to their habitat. The proposed development is anticipated to either have only minor negative effects on the overall natural environment or to have potential negative effects that are to be adequately mitigated or addressed through existing development requirements. As such, additional specific studies are not required beyond those that have been requested previously. The applicant is advised that it is their sole responsibility to ensure that the Endangered Species Act is not contravened.

Conservation Sudbury has advised that the subject property is adjacent to a municipal drain, Horizon Drain B, and also includes some wetland features. All development adjacent to wetlands must comply with Conservation Sudbury's wetland guidelines. Additional requirements related to the mapping of the wetlands and geotechnical investigation will be required as part of the site plan control agreement process.

Planning Analysis:

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

It is recommended that additionally permitting office use conforms with the Growth Plan for Northern Ontario by aligning with the general economic policies. The application is consistent with the PPS and conforms with Official Plan policies that acknowledge the link between land use planning and economic prosperity, and maintaining a range of sites to provide employment opportunities for a diversified economic base. The application conforms with the general objectives established by the Official Plan for employment areas including embracing new technologies to harness emerging areas of growth.

The subject lands are designated General Industrial in the Official Plan. Permitted uses in the General Industrial designation include a range of industrial uses as well as complementary uses such as administrative offices which are compatible with industrial operations. Staff recommend that the proposed office use conforms with the policies for the General Industrial designation, in that it is complimentary to the existing and future industrial/commercial uses and will not adversely affect the overall viability of the employment area. The existing infrastructure and public service facilities are available to accommodate the proposed use. The application supports the Official Plan objective of enabling the efficient use of an existing unused serviced industrial site, which also aligns with the Community Energy and Emissions Plan strategy of promoting compact and complete communities.

The Official Plan requires that General Industrial uses must have minimal environmental impacts. Further to comments received from Environmental Planning Initiatives, staff is of the opinion that the use will have minimal environmental impacts. The applicant is advised that it is their sole responsibility to ensure that Endangered Species Act is not contravened. Additional requirements related to the mapping of onsite wetlands and geotechnical investigation will be required as part of the site plan control agreement process.

The Official Plan requires that any use which may impact surrounding areas and cause nuisance will be appropriately buffered and screened. The proposed use is compatible with the surrounding industrial uses, and there are no residential uses in the immediate vicinity. The zoning by-law requires outdoor storage areas to be screened, and staff recommend that no additional buffering or screening is required.

Conclusion

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

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

- To rezone the lands from “M1(33)”, Mixed Light Industrial/Service Commercial Special, to an amended “M1(33)”, Mixed Light Industrial/Service Commercial Special to additionally permit office use.

The development of the subject lands achieves a number of policy directives related to maintaining a range of sites to provide employment opportunities for a diversified economic base. Staff has considered, amongst other matters, a full range of factors through a detailed review when forming the recommendation of approval for this application.

Staff is satisfied that the application is consistent with the PPS and conforms to the Growth Plan and the Official Plan. Staff is of the opinion that the proposed zoning by-law amendment is appropriate based on the following:

- The use is complimentary to the existing and future industrial/commercial uses and will not adversely affect the overall viability of the employment area.
- The required infrastructure is available.
- The application will enable the efficient use of an existing unused serviced industrial site and promote a more compact and complete community.
- There will be minimal environmental impacts.
- The use is compatible with the surrounding uses.

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