

PLANNING JUSTIFICATION

REPORT

OFFICIAL PLAN & ZONING BY-LAW AMENDMENT

219 AND 223-235 O'NEIL DRIVE EAST

CITY OF GREATER SUDBURY

NOVEMBER 2022
PROJECT # 211641

CONTENTS

1.0 REPORT INTENT	5
PROJECT OVERVIEW	5
REPORT INTENT	5
2.0 SUBJECT SITE AND SURROUNDING CONTEXT	6
SUBJECT SITE	6
TOPOGRAPHY AND SITE FEATURES.....	9
TRANSPORTATION AND TRANSIT.....	10
BACKGROUND HISTORY	11
SURROUNDING NEIGHBOURHOOD CONTEXT	11
3.0 PROPOSED DEVELOPMENT	14
4.0 POLICY OVERVIEW AND ANALYSIS	17
PROVINCIAL POLICY STATEMENT, 2020.....	17
GROWTH PLAN FOR NORTHERN ONTARIO.....	23
CITY OF GREATER SUDBURY OFFICIAL PLAN	24
CITY OF GREATER SUDBURY ZONING BY-LAW 2010-100Z.....	32
5.0 CONCLUSION	34



1.0 REPORT INTENT

PROJECT OVERVIEW

TULLOCH has been retained by the owner of the lands described below, in the City of Greater Sudbury, to prepare a planning justification report to amend the *City of Greater Sudbury Official Plan and Zoning By-Law 2010-100Z*. This report provides a planning analysis and justification for the official plan and zoning by-law amendment needed to rezone the subject lands from 'R3.D60 and R3(23) to Medium Density Residential R3-Special R3(S)' to facilitate the conversion of an existing 40-bed rooming house to a 46-unit multiple dwelling.

The legal description of the subject properties is as follows:

- PCL 32542 SEC SES SRO; LT 15-18 PL M690 GARSON; S/T LT167686; GREATER SUDBURY
- PCL 33171 SEC SES SRO; LT 13-14 PL M690 GARSON; S/T LT167686 CITY OF GREATER SUDBURY

This report reviews consistency of the application in the context of applicable policies found within the:

- *2020 Provincial Policy Statement (PPS)*
- *Growth Plan for Northern Ontario*
- *City of Greater Sudbury Official Plan*
- *City of Greater Sudbury Zoning By-Law 2010-100Z*

Overall, the author finds that the proposed official plan and zoning by-law amendment is consistent with the *2020 Provincial Policy Statement (PPS)* and conforms with the *Growth Plan for Northern Ontario (GPNO)* and the *City of Greater Sudbury Official Plan* and represents good planning.

REPORT INTENT

This Planning Justification Report is comprised of the following sections:

- **Section 1.0** provides an introduction and the purpose of this report.
- **Section 2.0** introduces the Subject Site and the surrounding context.
- **Section 3.0** describes the development proposal.
- **Section 4.0** describes the planning policy context including provincial, and municipal planning policy, and the proposed development's response to these policies.
- **Section 5.0** sets out the summary and conclusions of the report.

2.0 SUBJECT SITE AND SURROUNDING CONTEXT

SUBJECT SITE

The subject site is made up of two properties (223-235 O'Neil Drive East and 219 O'Neil Drive East) and would be consolidated as part of a successful official plan and zoning by-law amendment application. The two subject properties have a combined area of approximately $\pm 3673\text{m}^2$ with ± 106.6 -metres frontage on O'Neil Drive East and ± 34.4 -metres frontage on Moreau Avenue (See *Figure 1*). Both streets are categorized in the City's Official Plan as local roads.

The westerly subject property (223-235 O'Neil Drive East) contains an existing 2-storey 4-unit row dwelling with a large parking area to the rear of the dwellings accessed via O'Neil Drive East (See *Figure 4*).

The easterly property (219 O'Neil Drive East) houses a 2-storey 40-bed rooming house and accessory uses with 25 parking spaces currently located in the front, interior side, and rear yards (See *Figure 2-3*).

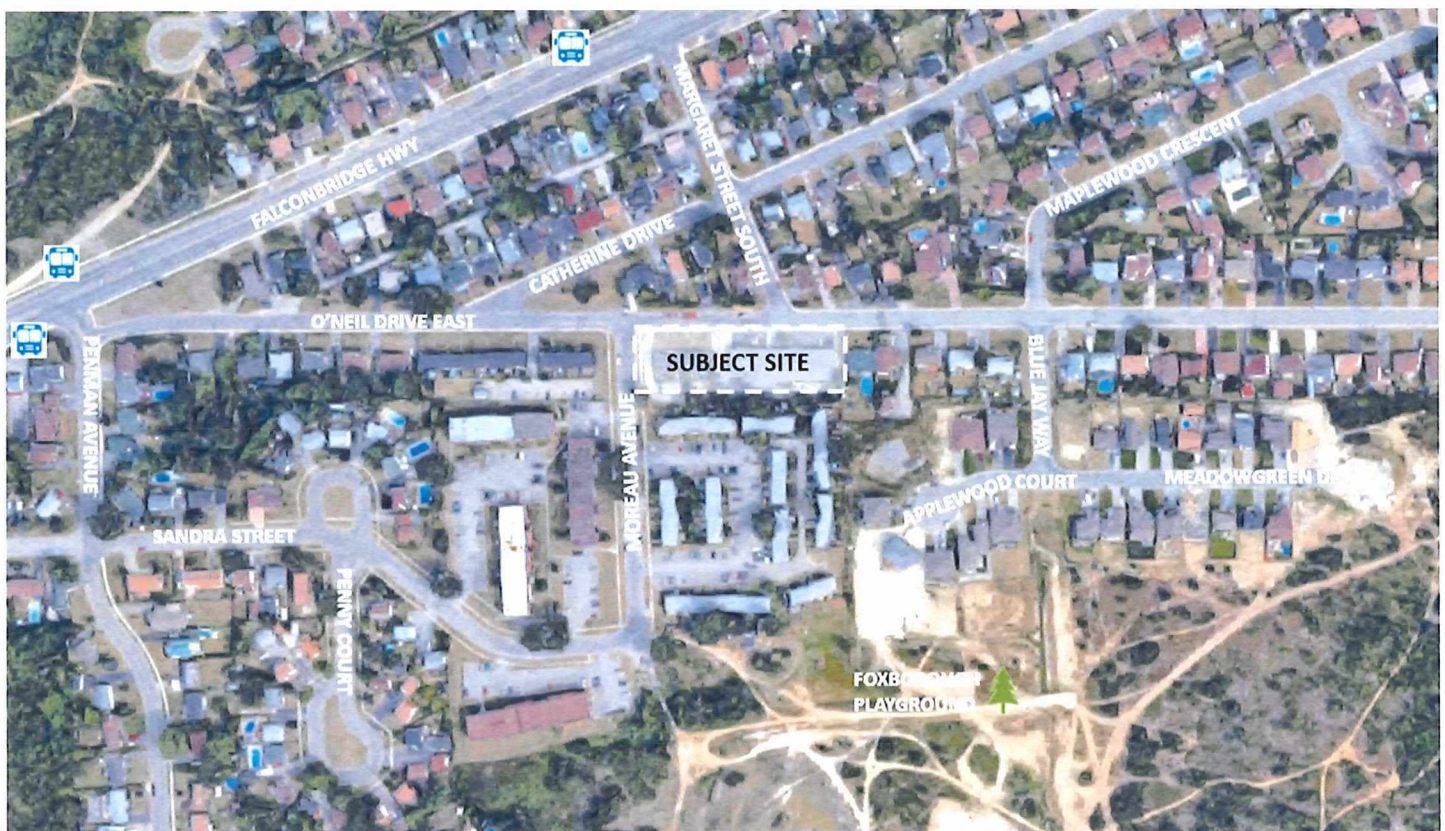


Figure 1: Location of Subject Site



Figure 3: 219 O'Neil Drive East



Figure 4: 223-235 O'Neil Drive East

TOPOGRAPHY AND SITE FEATURES

The subject site is relatively flat, paved with asphalt and gravel areas, with little vegetation aside from limited landscaping provided along the road frontages. Some mature trees are found along the property boundaries. The site does not contain any floodplain, watercourses, or wetland areas and as such is not subject to Conservation Sudbury's regulations for fill or construction. *Figures 5-12* show existing site conditions as of July 2022.



Figure 5: Rear Yard of 219 O'Neil Drive E facing west



Figure 6: Westerly Interior Side Yard of 219 O'Neil Drive E facing north



Figure 7: Westerly Interior Side Yard of 219 O'Neil Drive E facing 223-235 O'Neil Drive E



Figure 8: View of 223-235 O'Neil Drive E from Moreau Avenue



Figure 9: 223-235 O'Neil Drive E along O'Neil Drive E frontage



Figure 10: Existing Parking Area of 223-235 O'Neil Drive E

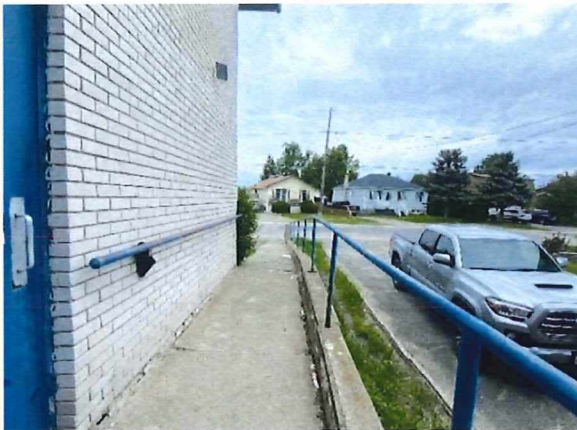


Figure 11: Easterly Interior Side Yard of 219 O'Neil Drive E



Figure 12: Rear Yard of 219 O'Neil Drive E facing east

TRANSPORTATION AND TRANSIT

The property is serviced by the GOVA Transit system -Transit Route 102 Garson, running on 90-minute service throughout the day. The route operates along Church Street and Orell Street into Garson then travels along Falconbridge Highway and LaSalle Boulevard to the New Sudbury Centre. The closest bus stop is located at the intersection of Falconbridge Road and Penman Avenue, approximately 350.0-metres from the site (See *Figure 1*).

The Garson Mobility Hub is approximately 900.0-metres from the subject site at the intersection of Falconbridge Road and Garson Coniston Road providing GOVA Zone connections via partner taxi companies to and from Falconbridge and Skead.

BACKGROUND HISTORY

The building located at 219 O'Neil Drive East was originally constructed in 1970 as an 80-bed nursing home (long term care home). The facility operated until 2001, at which time the long-term care beds were transferred to Finlandia Village in Sudbury.

After remaining vacant for three years, the property was purchased in May 2004 and began operation as the McCourt Residence (a 40-bed rooming house). Rooms were rented monthly to seniors, persons with disabilities, and out-of-town workers seeking short-term accommodation.

Although the rooming house had been in operation for some time, the property's existing institutional zoning did not permit such use. The owner applied for a site-specific rezoning to legalize the rooming house by changing the zoning to "R3-Special", Medium Density Residential Special. Planning Committee subsequently approved the application (2007-310) in January of 2007. The subject lands were rezoned to R3(23) which states that:

- (i) *The only permitted use shall be a 40 bed rooming house, and related accessory uses;*
- (ii) *A minimum of 25 parking spaces shall be provided and parking shall be permitted in the required front yard;*
- (iii) *Minimum landscaped open space shall be 20 percent.*

Council required that prior to the enactment of the amending by-law, that the owner enter into a Site Plan Control Agreement.

The existing site plan control agreement for 219 O'Neil Drive East includes 25 parking spaces, 15 of which are in the front yard along O'Neil Drive East (See *Figure 2*).

SURROUNDING NEIGHBOURHOOD CONTEXT

The subject site is situated in the community of Garson. The surrounding area is a mix of housing forms ranging from single detached dwellings to medium density multiple dwellings, commercial, and open space uses.

Surrounding uses can be described as follows:

NORTH:	Low Density Residential (Single Detached Dwellings)
EAST:	Low Density Residential (Single Detached and Semi-Detached Dwellings)
SOUTH:	Medium Density Residential (Row-dwellings)
WEST:	Medium Density Residential (Row-dwellings and Multiple Dwellings)

The surrounding neighbourhood is largely residential in nature. A cluster of commercial uses including restaurants, retail, and services are located at 3098 Falconbridge Hwy (referred to as the Garson Mall) approximately 440.0-metres from the subject site. A large vacant open space area with a trail system confirmed on *Schedule 9* of the OP is located approximately 150.0-metres south of the subject site and is referred to as Saturn Park. *Figures 13-16* show the range of housing types immediately surrounding the subject site.



Figure 13: 40 Moreau Avenue Row Housing Complex



Figure 14: 35 Moreau Avenue Multiple Dwelling Complex



Figure 15: Single Detached Dwellings at Intersection of O'Neil Drive East and Margaret Street South



Figure 16: Single Detached Dwellings along O'Neil Drive East

3.0 PROPOSED DEVELOPMENT

The application proposes to facilitate the conversion of the existing 40-bed rooming house to a 46-unit multiple dwelling and retention of the 4-unit row dwelling. The conversion would result in each of the 46 multiple dwelling units having individual kitchen and bathroom facilities. As part of the development proposal both properties are proposed to be consolidated. The proposed resultant density would be 136.2 units per hectare for a total of 50-units on the subject site (see *Table 1*).

To facilitate the development an official plan amendment requesting a site-specific exception to Section 3.2.1 of the OP which only permits high density residential development in the community of Sudbury is required.

A zoning by-law amendment application is also required to rezone the lands from 'Medium Density Residential R3(23)' and 'Medium Density Residential R3.D60' to 'Medium Density Residential R3-Special R3(S)'.

The following reliefs are required to facilitate the development:

- To permit 0.76 parking spaces per multiple dwelling unit where 1.5 spaces is required;
- To permit an area of 73m² per dwelling unit where 110m² per dwelling unit is required;
- To permit 16 parking spaces in the front yard parking along O'Neil Drive East where such is not permitted;
- To permit 1 parking space in the corner side yard along Moreau Avenue where such is not permitted.
- To permit a maximum of 46-units per building where a maximum of 30-units per building is required;
- To permit a two-way drive aisle width of 5.50-metres where a 6.0-metre drive aisle width for two-way traffic is required;
- To permit a 5.0-metre-deep privacy yard where a 7.50-metre-deep privacy yard is required;
- To permit a 0.0-metre-wide landscaped area along O'Neil Drive East in locations where parking is proposed where a 3.0-metre-wide landscaped area is required abutting all public roads having a width greater than 10.0-metres; and,
- To permit a 0.0-metre planting strip with a fence along the easterly lot line where a 1.8-metre landscaped strip with a fence is required where a lot zoned Medium Density Residential abuts a lot zoned Low Density Residential One.

As part of the application, it is requested that O'Neil Drive East be recognized as the front lot line. A total of 39 parking spaces are proposed, 4 of which would be allocated to the existing 4-unit row dwelling and the remaining 35 parking spaces would be allocated to the 46 apartment units (See *Figure 16*).

Access to the site would be provided via two driveways, the first being via the existing easterly driveway along O'Neil Drive East and the second being via a new access driveway off Moreau Avenue. The existing driveway on O'Neil Drive East to the west of the 4-unit row dwelling is proposed to be removed and landscaped as part of a successful application. As part of the development proposal several decks and fences would be removed to reconfigure the existing parking areas and a new fence would be installed along the southerly and easterly lot lines (See *Figure 17*). The application proposes a ±540m² landscaped open space amenity area to the rear of 219 O'Neil Drive East. The landscaped open space area to the rear of the 4-unit row dwelling will be reconfigured and the required 7.5-metre privacy yard is proposed to be reduced to 5.0-metre to accommodate the parking area. The front and corner side yard will be landscaped aside from areas where parking and driveways are proposed (See *Figure 17*).

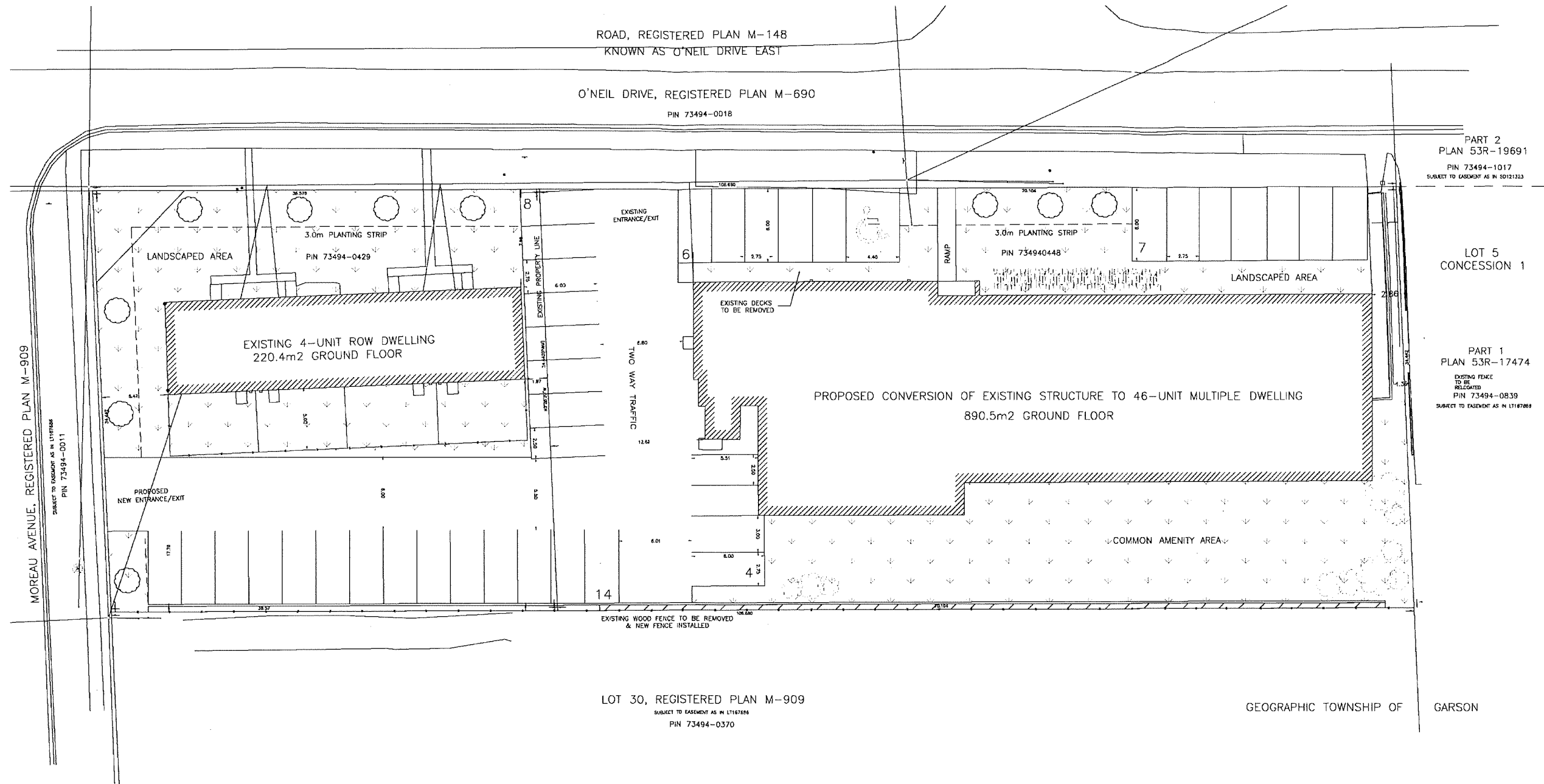
Table 1: Proposed Density with Properties Merged

Property	Lot Area (m ²)	Dwelling Units	Density (u/ha)	Proposed Parking	Proposed Parking Ratio
219 O'Neil Drive East	2414m ²	46 Bachelor apartments units (proposed)	190 units per hectare	35	0.76 spaces per unit
235, 231, 227, 223 O'Neil Drive East	1259m ²	4 row-dwellings (existing)	33 units per hectare	4	1 space per unit
Combined Properties	3673m ²	50-Units	136.2 units per hectare	39	-

CONCEPTUAL SKETCH FOR ZONING BY-LAW AMENDMENT
 223, 227, 232, 235 and 219 O'NEIL DRIVE
 GEOGRAPHIC TOWNSHIP OF GARSON
 CITY OF GREATER SUDBURY
 DISTRICT OF SUDBURY
 TULLOCH, 2022
 SCALE 1:125



- NOTES:
- (1) PROPOSED OPA TO PERMIT A DENSITY OF 136.2 UNITS/HA
 - (2) PROPOSED REZONING FROM R3(23) & R3.D60 TO R3 TO PERMIT THE CONVERSION OF EXISTING 40 BED ROOMING HOUSE TO 46-UNIT MULTIPLE DWELLING AND RETENTION OF 4-UNIT ROW-DWELLING (TOTAL OF 50 UNITS)
 - (3) TOTAL LANDSCAPED OPEN SPACE: ±36%
 - (4) PIN 734940448 & 734940429 WOULD BE MERGED.



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Figure 17: Conceptual Site P

4.0 POLICY OVERVIEW AND ANALYSIS

The following section sets out the relevant planning policy framework to assess the appropriateness of the proposed applications in the context of Provincial and Municipal policies and regulations. Each sub-section will outline relevant policies and provide a planning analysis with respect to how the official plan and zoning by-law amendment is consistent with or conforms to such policy.

PROVINCIAL POLICY STATEMENT, 2020

The *2020 Provincial Policy Statement (PPS)* provides high-level provincial policy direction for planning approval authorities in preparing municipal planning documents, and in making decisions on *Planning Act* applications. Municipal Official Plans must be consistent with the provincial policy statement. Policies applicable to the proposed zoning by-law amendment are outlined and discussed below.

PPS **Section 1.0** speaks to managing and directing land use to achieve efficient and resilient development and land use patterns. PPS **Section 1.1.1** states, in part:

1.1.1 *Healthy, liveable and safe communities are sustained by:*

a) promoting efficient development and land use patterns which sustain the financial well-being of the province and municipalities over the long term;

b) accommodating 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), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

...

e) promoting the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society

RESPONSE

The proposal promotes efficient development and land use patterns by proposing the redevelopment of a site well suited for a proposed density of 136 units per hectare, as supported in **policy 1.1.1(a)**. The subject lands are serviced by full municipal servicing and have the benefit of access to a suitable transportation network being O'Neil Drive East and Moreau Avenue.

The proposed density makes better use of the existing municipal servicing to the subject lands, thereby promoting the financial well being of the Municipality and Province. Under **Section 1.1.1** of the PPS, municipalities shall accommodate a

range and mix of residential uses to meet long-term needs, including housing for older persons. The application supports **policy 1.1.1(b)(f)** by permitting the addition of new bachelor multi-unit housing to the community of Garson and supporting a mix of residential housing types to meet the needs of changing demographics and housing affordability challenges.

The existing building at 219 O'Neil Drive East can easily be intensified by converting common spaces and facilities to apartments given that it was originally designed as a long-term care facility. Similarly, the mix of housing forms proposed is also more conducive to seniors-living and those living with disabilities than traditional single detached dwellings as the application proposes an apartment unit built form per **policy 1.1.1(f)**.

Section 1.1.3 of the PPS states that Settlement Areas shall be the focus of growth and development and their vitality and regeneration shall be promoted. Given that the subject lands are found within Greater Sudbury's Settlement Area, the following policies are applicable:

- 1.1.3.1** *Settlement areas shall be the focus of growth and development.*
- 1.1.3.2** *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;*
 - ...
 - e)** *support active transportation;*
 - f)** *are transit-supportive, where transit is planned, exists or may be developed*

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.
- 1.1.3.4** *Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.*
- 1.1.3.6** *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.*

RESPONSE

The subject area is located within the settlement area boundary, which under **Section 1.1.3** shall be the focus of growth and development. Per **policy 1.1.3.1** the subject application promotes growth and a mix of uses and densities within an existing settlement area, which is suitable for and effectively uses existing infrastructure, and public service facilities.

The proposal is consistent with **policy 1.1.3.2** given the development represents the efficient use of land, infrastructure, and resources, at a density that is supportive of the cost-effective utilization of existing established soft and hard municipal services and makes better use of the existing structure.

This application proposes an overall residential density of 136 units per hectare which places the proposed development into the high-density category of the OP. This proposed density is appropriate for the location given its efficient use of land, compact form, and available servicing capacity. Moreover, 219 O’Neil Drive East is presently used as a 40-bed rooming house and the conversion to a 46-unit multiple dwelling provides a density similar to what presently exists. Per **policy 1.1.3.4** the application meets the tests of appropriate development standards for intensification, redevelopment and compact form set out in **policy 2.3.3.9** of the City of Greater Sudbury’s Official Plan, which are addressed later in this report.

Consistent with **policy 1.1.3.6**, the application thereby promotes the efficient use of land and servicing by increasing density and housing on a fully serviced site within an existing building. The development locates higher density residential uses in a location where it is compatible with the existing medium density multiple dwelling developments in the immediate area.

Section 1.4 of the PPS outlines policies associated with housing and states that:

1.4.3 *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*

b) permitting and facilitating:

1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and

2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed

RESPONSE

Further to **Section 1.4.3**, this proposal will aid in providing an appropriate and varied mix of housing tenure in the city through the addition of bachelor style apartment units. It also efficiently uses land and infrastructure through the conversion of an existing building to multiple dwelling.

Moreover, the development will:

- Assist in meeting the social, health, economic, and well-being of current and future residents and respond to demographic changes through the addition of rental multiple dwelling units;

- Directs new housing development towards a location that will efficiently use land, resources, infrastructure, and public service facilities given that the subject lands are municipally serviced with sufficient capacity and appropriate transportation infrastructure; and,
- Facilitates residential intensification and new residential development which aids in reducing the cost of housing and facilitates more compact development.

Section 1.6.6 of the PPS deals with sewage, water and stormwater, and states in part that:

1.6.6.1 *Planning for sewage and water services shall:*

a) *accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:*

1. *municipal sewage services and municipal water services;*

b) *ensure that these systems are provided in a manner that:*

1. *can be sustained by the water resources upon which such services rely;*
2. *prepares for the impacts of a changing climate;*
3. *is feasible and financially viable over their lifecycle; and*

c) *promote water conservation and water use efficiency;*

d) *integrate servicing and land use considerations at all stages of the planning process*

1.6.6.2 *Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services*

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.*

RESPONSE

The proposed development will be connected to full municipal water and sewage services which is the preferred method of servicing settlement areas. The proposal is consistent with **Section 1.6.6** of the PPS as it promotes the efficient use of existing municipal servicing infrastructure and accommodates new housing in a location which does not require the uneconomical extension of such infrastructure.

The PPS also supplies policy direction for matters related to transportation in **Section 1.6.7**. The 2020 PPS states that:

- 1.6.7.4** *A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.*

RESPONSE

The development proposal represents the intensification of an under-utilized property that will increase the range and variety of housing available in the community and supports transit and active modes of transportation given proximity to services/commercial areas. More specifically the existing 40-bed rooming home zoning permissions do not facilitate the highest and best use of the subject lands given the large gross floor area afforded to the existing building. The conversion to a 46-unit multiple dwelling is consistent with **policy 1.6.7.4** as the proposed density and proximity to transit will assist in reducing the number of vehicle trips.

Section 1.7 provides policy direction for municipalities to achieve long-term economic prosperity. The following policies are relevant:

- 1.7.1** *Long-term economic prosperity should be supported by:*
- a) promoting opportunities for economic development and community investment-readiness*
 - b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce*

RESPONSE

The application is consistent with **1.7.1(a)** as it promotes opportunities for economic development and community investment readiness and enables the lands to be used appropriately to respond to changing market-demands for housing types other than single detached dwellings. The application promotes a residential use which responds to market-based needs (more affordable housing options) and assists in providing necessary housing supply and a range of housing options through the addition of rental apartment units per **1.7.1(b)**.

Section 1.8 of the PPS speaks to energy conservation, air quality and climate change. It states in part:

1.8.1 *Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of changing climate through land use and development patterns which:*

b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;

...

e) encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion

RESPONSE

Per **Section 1.8** the compact form of the development will support the public transit system and active transportation and in doing so will minimize impacts on air quality and climate change. The reuse of existing structures on lands within a developed urban area to provide modest intensification and increased availability of mixed housing options, will help to reduce greenhouse gas emissions while also minimizing the consumption of land.

SUMMARY

It is our opinion that the official plan and zoning by-law amendment application is consistent with the PPS. As outlined in the preamble to the PPS, the policy-led planning systems in Ontario seek to address the complex inter-relationships between the pillars that contribute to good land use planning. This includes promoting a range and mix of housing supply, wise use of resources and infrastructure, long-term economic prosperity, and efficient and compact development. This application achieves the above by converting 40-rooming units to 40 bachelor units and introducing an additional 6 units by converting the common areas into liveable residential units. Overall, the development improves both the existing site and neighbourhood through landscape and streetscape improvements, the removal of one driveway, and increasing the amount of parking across the site while providing appropriate common amenity/landscaped, and private yard areas.

GROWTH PLAN FOR NORTHERN ONTARIO

The *Growth Plan for Northern Ontario* (GPNO) is a 25-year plan that provides guidance in aligning provincial decisions and investment in Northern Ontario. It contains policies to guide decision-making surrounding growth that promotes economic prosperity, sound environmental stewardship, and strong, sustainable communities that offer northerners a high quality of life. It also recognizes that a holistic approach is needed to plan for growth in Northern Ontario.

Section 3.4.3 of the GPNO promotes a diverse mix of land uses within northern communities. The GPNO states that:

3.4.3 *Municipalities are encouraged to support and promote healthy living by providing for communities with a diverse mix of land uses, a range and mix of employment and housing types, high-quality public open spaces, and easy access to local stores and services.*

RESPONSE

Per **Section 3.4.3** the subject application will promote a further range of housing types in the community through the creation of bachelor style apartments in an area of predominately single detached dwellings and one- and two-bedroom units. Further the proposed units are in proximity to parks and trails (to the south), and easy access to local stores and services at the Garson Mall (to the southwest).

CITY OF GREATER SUDBURY OFFICIAL PLAN

The *City of Greater Sudbury's Official Plan* is the principal land use planning policy document for the City of Greater Sudbury. The Official Plan (OP) establishes objectives and policies that guide both public and private development/decision-making.

The subject lands are designated 'Living Area 1' per *Schedule 1B* of the *City of Greater Sudbury Official Plan*. The lands are also located within the 'Settlement Area' and 'Built Boundary' on *Schedule 3* of the *Official Plan* (See *Figure 18*).



Figure 18: Existing OP Land Use Schedule 3

Section 2.3.2 speaks to the City's settlement area and states in-part:

- 2.3.2.1** *Future growth and development will be focused in the Settlement Area through intensification, redevelopment and, if necessary, development in designated growth areas*
- 2.3.2.2** *Settlement Area land use patterns will be based on densities and land uses that make the most efficient use of land, resources, infrastructure and public service facilities, minimize negative impacts on air quality and climate change, promote energy efficiency and support public transit, active transportation and the efficient movement of goods*

Section 2.3.3 addresses intensification and states in-part:

- 2.3.3.1** *All forms of intensification are encouraged in accordance with the policies of this Plan*
- 2.3.3.2** *The City will aim to accommodate 20 percent of future residential growth and development through intensification within the Built Boundary*

- 2.3.3.3** *Large scale intensification and development is permitted in strategic core areas such as the Downtown, Regional Centres and major public institutions, in accordance with the policies of this Plan*
- 2.3.3.4** *Medium scale intensification and development is permitted in Town Centres, Secondary Community Nodes, Regional Corridors and Mixed-Use Commercial corridors, in accordance with the policies of this Plan.*
- 2.3.3.5** *Intensification and development is permitted in established Living Area I lands, in accordance with the policies of this Plan.*
- 2.3.3.7** *Intensification will be encouraged on sites with suitable existing or planned infrastructure and public service facilities.*
- 2.3.3.8** *Intensification will be compatible with the existing and planned character of an area in terms of the size and shape of the lot, as well as the siting, coverage, massing, height, traffic, parking, servicing, landscaping, and amenity areas of the proposal.*
- 2.3.3.9** *The following criteria, amongst other matters, may be used to evaluate applications for intensification:*
- a. the suitability of the site in terms of size and shape of the lot, soil conditions, topography and drainage;*
 - b. the compatibility proposed development on 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 of 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. Where applicable, applications for intensification of difficult sites may be subject to Section 19.7*

2.3.3.10

Residential intensification proposals will be assessed so that the concerns of the community and the need to provide opportunities for residential intensification are balanced.

RESPONSE

Per **policy 2.3.2.1**, the site is located within the City's Settlement Area. The redevelopment of this building is considered a form of intensification which the Official Plan encourages in **policy 2.3.3.1**. With respect to **policy 2.3.2.2**, it is noted that the development will contribute to the efficient use of land, infrastructure, and public service facilities, and will support new public transit investments and in so doing will minimize impacts on air quality and climate change. Per **policy 2.3.3.7**, municipal infrastructure in the form of sewer and water services are available along with public service facilities.

Respecting **policy 2.3.3.8**, the proposed development is compatible with the surrounding area given the existing medium-density residential uses (row dwellings and multiple dwellings) that presently exist. OP policy requires consideration of the existing physical character of established residential neighbourhoods, with special consideration extended to the proposed built form and density. This is balanced with the need to expand the range of housing options throughout the community. The application proposes to convert an existing 40-bed rooming house to a 46-unit multiple dwelling with no expansion to the existing building. The conversion of this building will not impact the physical character of the established residential neighbourhood. In fact, that the conversion from a rooming house to a newly renovated multiple dwelling will positively impact the surrounding neighbourhood given proposed landscaping improvements, paving, and reconfiguration of front yard parking.

Per the *City of Greater Sudbury's Zoning By-Law 2010-100z* shared housing is permitted everywhere in the C6 (Downtown Commercial) zone and is only permitted in commercial and residential lands zoned C2, C3, C4, R3, R3-1 and R4 on a lot abutting one of the following streets:

- LaSalle Boulevard from Notre Dame Avenue to Falconbridge Road
- The Kingsway from Lloyd Street to Falconbridge Road
- Barry Downe Road from the Kingsway to LaSalle Boulevard
- Notre Dame Avenue from Elm Street to LaSalle Boulevard
- Regent Street from Lorne Street to Paris Street
- Lorne Street from Elm Street to Kelly Lake Road
- Paris Street from Elm Street to Regent Street

Boarding house dwellings are permitted on lands zoned C6 (Downtown Commercial). The site's existing conditions were the result of past site-specific zoning to permit a rooming house following the closure of a long-term care home. Although shared housing (rooming houses) provide an important form of housing in communities, it is the intent of the zoning by-law to locate them on arterial roads and main commercial corridors in proximity to transit and amenities or near post-secondary institutions.

Section 2.3.3.9 of the Official Plan sets out the tests (criteria) for evaluating whether a location is appropriate for intensification. It is the authors opinion that the application meets the tests for appropriate location to permit intensification given that:

- The proposed conversion of the existing 2-storey building is compatible with the existing character of the area which is comprised of a mix of multiple dwelling types generally 2-3 storeys in height;

- Improvements to the landscaping in the front yard will aesthetically enhance the appearance of the property from O'Neil Drive East and from nearby properties;
 - The site is fully serviced, efficiently using existing infrastructure, and has immediate access to nearby public service and parks within walking distance. No extension of services is required and no upgrades to sewer and water servicing are required for the development as the City's Development Engineering Section has confirmed that there is sufficient to accommodate the proposed redevelopment;
 - 0.76 parking spaces per multiple dwelling unit will be provided on-site which represents an improvement over the current ratio of 1 per 0.62 per room;
 - A traffic impact study was not required as part of a complete application. The traffic generated from the development can be accommodated without need for any improvements to the local road network, adequate ingress/egress and parking are provided;
 - Vehicular circulation will be improved by reducing potential conflicts with front yard parking at the intersection at O'Neil Drive East and Margaret Street South, and removal and reallocation of one driveway on O'Neil Drive East;
 - A preliminary grading plan has been submitted as part of the applications which demonstrates that the proposed development can be properly graded to City standards;
 - The redevelopment of the site will contribute to transit usage in the area; and,
 - No natural or man-made hazards such as floodplains have been identified on the subject lands.
-

3.2.1 Living Area I – Communities

- 3.2.1.2** *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.*
- 3.2.1.3** *High density housing is permitted only in the community of Sudbury. All housing types, excluding single detached dwellings, are permitted in high density residential areas to a maximum net density of 150 units per hectare. Densities in the downtown may exceed this maximum, as set out in the Zoning By-law.*
- 3.2.1.4** *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.*
- 3.2.1.5** *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.*
- 3.2.1.6** *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. Applications for intensification in established Living Area I lands are also subject to Section 2.3.3.

RESPONSE

To facilitate the conversion an official plan amendment requesting a site-specific exception to **Section 3.2.1.3** which only permits high density residential development in the community of Sudbury is requested. The proposed "R3(S)", Medium Density Residential Special zone would provide a maximum of 50 dwelling units with a density of 136 units per hectare. In accordance with the OP, the subject lands are approximately 350.0-metres from a primary arterial (Falconbridge Road) which is served by public transit. The property is also located near community, employment, and commercial areas located to directly west at the Garson Mall, which features several restaurants and a grocery store in addition to other everyday retail uses.

It is the authors' opinion that the site is suitable in terms of size and shape to accommodate the new 46-unit conversion and that the existing building is compatible with the surrounding neighbourhood in terms of scale, massing, height, siting, setbacks, and amenity areas. A landscaped open space area will be reinstated to the rear of 219 O'Neil Drive East and landscaping will be improved along the subject sites frontages. The existing parking areas have been reconfigured to support improved site circulation and reduce potential conflict points at two intersections. Given the scale of the development, the proposed use will not result in any appreciable impacts on traffic and adjacent properties.

Section 11.3.2 discusses land use policies to support transit needs. Applicable policies to this application include:

- 11.3.2.1** *Urban design and community development that facilitate the provision of public transit will be promoted.*
 - 11.3.2.2** *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.*
 - 11.3.2.3** *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.*
-

RESPONSE

With respect to the **policies in 11.3.2**, it is noted that the proposed density will facilitate the use of public transit as the property is within approximately 350.0-metres walking distance of the nearest transit stop at the intersection of Falconbridge Road and Penman Avenue (See *Figure 1*).

Section 11.4 speaks to parking and requires that:

- 11.4.1** *New developments generally must provide an adequate supply of parking to meet anticipated demands.*

11.4.2

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.

RESPONSE

The development concept includes 39 parking spaces which represents 0.76 parking spaces per dwelling unit, being less than the 1.5 parking spaces/unit required by *Zoning By-law 2010-100Z*. It is the author's opinion that a reduction in the parking standard is appropriate and supportable for the subject lands based on:

- The development proposal provides additional parking to the 219 O'Neil Drive East by increasing the parking spaces from the required 25 spaces required per the approved 2008 site plan to 39 spaces across the entirety of the site;
- Given the existing building at 219 O'Neil Drive East's built form, the dwelling units will be small sized units (bachelor units) and as such the number of occupants in the dwellings and associated automobiles are expected to be low relative to other apartment units with multiple rooms;
- The existing building has sufficient area to be converted into a 46-unit multiple dwelling and should be used to its highest and best use;
- The parking spaces along O'Neil Drive East which presently reverse into the intersection are proposed to be removed in order to reduce potential conflicts with vehicles and pedestrians; and,
- The existing driveway next to the intersection of Moreau Avenue and O'Neil Drive East is proposed to be removed, which we understand is a preferred outcome from the Roads and Transportation Department.

Section 12.2.2 New Development, speaks to the servicing of new development.

12.2.2.1 *Development in urban areas is permitted provided that existing and planned public sewage and water services have confirmed capacity to accommodate the demands of the proposed development. Alternatively, the proponent of the development will upgrade, at their own expense, the existing sewage and water systems to ensure adequate delivery and treatment facilities consistent with City standards, including the adequacy of fire flows.*

12.2.2.2 *It is policy of this Plan to ensure that water supply and sewer capacity are adequate to service development without major line or plant expansion. Official Plan amendments, rezonings, severance and subdivision approvals, minor variances and building permits will be denied if a water or sewage facility problems exists.*

RESPONSE

With respect to policies **12.2.2.1** and **12.2.2.2**, a completed capacity assessment indicates that no extension of services and no upgrades to sewer and water servicing are required as the City has confirmed that there is sufficient water pressure and downstream sanitary sewer capacity to accommodate the proposed additional units.

Section 17.2 of the OP details policies related to housing.

17.2.1 To encourage a greater mix of housing types and tenure, it is policy of this Plan to:

- a. encourage a wide range of housing types and forms suitable to meet the housing needs of all current and future residents;*
- b. encourage production of smaller (one and two bedroom) units to accommodate the growing number of smaller households;*
- c. promote a range of housing types suitable to the needs of senior citizens;*
- ...
- e. support new development that is planned, designated, zoned and designed in a manner that contributes to creating complete communities – designed to have a mix of land uses, supportive of transit development, the provision of a full range of housing including affordable housing, inclusive of all ages and abilities, and meet the daily and lifetime needs of all residents.*

RESPONSE

The site is located within a developed urban residential area of Garson. With respect to the policies in **17.2.1**, the proposed development will contribute to providing a mix of housing type and forms suitable to meet the housing needs of all current and future residents by:

- Facilitating the development of small bachelor units to accommodate the growing number of smaller households who may not desire or require multiple bedroom units;
- Creating housing that is suitable for a range of persons including lower income individuals, and those looking for more affordable housing options within the community of Garson as 1–2-bedroom apartment units and single detached dwellings are the predominant housing form;
- Facilitating a housing type suitable to the needs of senior citizens and of all ages and abilities given the small unit size and lower maintenance required; and,
- Supporting new development in proximity to a mix of land uses, and transit, that is suitable for and inclusive of all ages and abilities, in order to meet the daily and lifetime needs of all residents, and thereby contributes to creating healthy complete communities.

SUMMARY

It is our opinion that the official plan and zoning by-law amendment application is consistent with the intent of the *City of Greater Sudbury Official Plan*. The OP is informed by four principles that guide future growth and land use planning: *fostering a healthy community, supporting both economic and sustainable development, and focusing on opportunities*. These principles are implemented through polices which focus growth and development within the City's settlement boundary, locating medium and high-density uses and intensification on sites with suitable infrastructure and adequate servicing capacity, and encourages a greater mix of housing types and tenure to meet the housing needs of current and future residents. The OP supports intensification on sites which provide for adequate landscaping and amenity areas, with access to transit and active transportation, and adequate parking to meet anticipated demands.

The application achieves the above by supporting the adaptive reuse of an existing building in a manner that contributes to the creation of complete communities. It provides for a housing form (being bachelor style units) that are inclusive of all ages and abilities to meet the needs of all persons, in proximity to a mix of land uses including low to medium density residential, commercial, and parks and open spaces, while being 350.0-metres from public transit. The application facilitates an improvement to the site's existing parking situation by increasing the current parking ratio from 0.62 spaces per room to 0.76 spaces per multiple dwelling, providing landscaped open space and bicycle parking per the zoning by-law, and reduces potential conflict points at the intersections of Moreau Avenue and O'Neil Drive East and O'Neil Drive East and Margaret Street South by relocating driveways and parking spaces.

CITY OF GREATER SUDBURY ZONING BY-LAW 2010-100Z

The easterly subject property (219 O’Neil Drive East) is zoned R3(23) in the City of Greater Sudbury Zoning By-Law 2020-100Z (See Figure 19). The existing R3(23) zone allows the following:

- R3(23)** *Notwithstanding any other provision hereof to the contrary, within any area designated R3(23) on the Zone Maps, all provisions of this by-law applicable to the **R3** Zones shall apply subject to the following modifications:*
- (i) *The only permitted use shall be a 40-bed rooming house, and related accessory uses;*
 - (ii) *A minimum of 25 parking spaces shall be provided and parking shall be permitted in the required front yard;*
 - (iii) *Minimum landscaped open space shall be 20 percent.*

The westerly subject property (223-235 O’Neil Drive East) is zoned R3.D60 which permits for medium density residential uses with a maximum density of 60-units per hectare (See Figure 19). The current density of the 223-235 O’Neil Drive East is ±31.8-units per hectare.

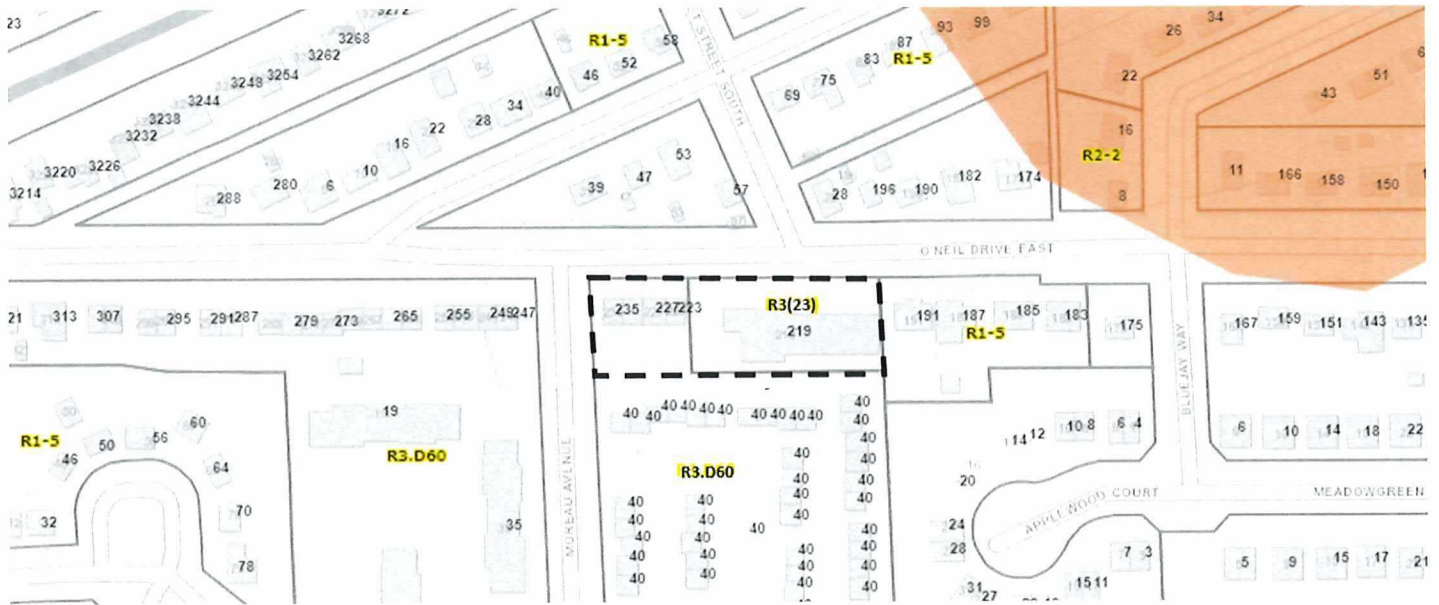


Figure 19: Existing Zoning Map

To facilitate the proposed redevelopment, the lands are proposed to be rezoned to ‘R3 Multiple Residential’ Special to permit the conversion of the existing building to a multiple dwelling. Table 2 below, identifies the zone standards applicable to multiple dwellings in the ‘R3’ Zone along with the corresponding standard that is proposed through the rezoning application.

Table 2: R3 Medium Density Residential Zone Standards for Multiple Dwelling

R3 ZONING REQUIREMENTS	ZONING BY-LAW REQUIREMENT	PROPOSED (WITH O'NEIL DRIVE EAST AS FRONT LOT LINE)	COMPLIANCE WITH THE BY-LAW
Lot Area	110.0 m ² per unit	73m ² per unit	No
Lot Frontage	18.0 m	±106.6-metres	Yes
Front Yard Setback	6.0 m	+ 7.62m	Yes
Interior Side Yard Setback	1.8 m	+ 1.3m	Yes (accessory ramp)
Corner Side Yard Setback	4.5m	+ 5.4m	Yes
Rear Yard	7.5 m	+ 7.70m	Yes
Max Height	11 m	+ 7.0m	Yes
Lot Coverage	40%	+30.2 %	Yes
Landscaped Open Space	30%	±36% (total combined) (+31% LOS proposed over 219 O'Neil Drive East)	Yes
Parking	1.5 spaces / multiple dwelling unit & 1 space per row dwelling unit	0.76 spaces / multiple dwelling unit & 1 space per row dwelling unit	No

To develop the parcels with a highest and best use this unique multi-residential complex requires some flexibility from zoning standards as proposed through this application.

The following reliefs are required to facilitate the development:

- To permit 0.76 parking spaces per multiple dwelling unit where 1.5 spaces is required;
- To permit an area of 73m² per dwelling unit where 110m² per dwelling unit is required;
- To permit 16 parking spaces in the front yard parking along O'Neil Drive East where such is not permitted;
- To permit 1 parking space in the corner side yard along Moreau Avenue where such is not permitted.
- To permit a maximum of 46-units per building where a maximum of 30-units per building is required;
- To permit a two-way drive aisle width of 5.50-metres where a 6.0-metre drive aisle width for two-way traffic is required;
- To permit a 5.0-metre-deep privacy yard where a 7.50-metre-deep privacy yard is required;
- To permit a 0.0-metre-wide landscaped area along O'Neil Drive East in locations where parking is proposed where a 3.0-metre-wide landscaped area is required abutting all public roads having a width greater than 10.0-metres; and,
- To permit a 0.0-metre planting strip with a fence along the easterly lot line where a 1.8-metre landscaped strip with a fence is required where a lot zoned Medium Density Residential abuts a lot zoned Low Density Residential One.

The development proposal seeks relief to permit 0.76 parking spaces per multiple dwelling unit, in addition to allowing 16 parking spaces in the front yard along O'Neil Drive East and 1 parking space in the corner side yard along Moreau Avenue. The overall provision of 39 spaces (0.76 spaces per dwelling unit) for the development is suitable to meet the needs of the future residents given the unique housing form (being unit sizes which range from approximately 250-400 square feet). Additionally, the on-site parking has been improved given the increased parking ratio, elimination of front yard parking along the intersection of O'Neil Drive East and Margaret Street South and relocation of one driveway on Moreau Avenue.

Overall, the application represents the wise use of zoning density, landscaping, and parking requirements/permissions across both sites to intensify 219 O'Neil Drive East's existing structure while better utilizing the land area provided to 223-235 O'Neil Drive East. It is this author's opinion that the above reliefs are appropriate and necessary to facilitate the highest and best use of the existing building, land, and servicing infrastructure and as such is supportable.

5.0 CONCLUSION

Based on the foregoing analysis, it is our opinion that the proposed development and the implementing Official Plan and Zoning By-law Amendment Application are appropriate, in the public interest, and represents good land use planning. This opinion is supported by the following:

- The application is consistent with *Provincial Policy Statement*, by providing for the efficient and effective use of land within the built-up area, addressing a specific housing need within the community, and using existing resources and infrastructure in line with the direction to support municipal financial wellbeing and promote healthy, liveable, and safe communities.
- Conforms with the intent of the *Official Plan*, as it supports the adaptive reuse of an existing building, providing an increase in range of available housing, with available municipal servicing to support the proposed development

Given the analysis provide herein, it is the authors opinion that the proposed official plan and zoning by-law amendment to permit a density of 136 units per hectare outside the community of Sudbury and to change the zoning of the subject lands to 'R3 Medium Density Residential Special' to permit the conversion of the existing building into a 46-unit multiple dwelling is consistent with the 2020 PPS, conforms with the Growth Plan for Northern Ontario, conforms to the City of Greater Sudbury Official Plan, and represents good planning.

Respectfully submitted,

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