

401 Joannette Road, Chelmsford

Presented To:	Planning Committee
Meeting Date:	April 24, 2023
Type:	Managers' Reports
Prepared by:	Mauro Manzon Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-5/19-002 & 701-5/19-001

Report Summary

This report provides a recommendation regarding a request to extend OPA and rezoning approvals for Nickel Belt Boom Truck Ltd. (Nickel Belt Camping) in Chelmsford.

Resolution

THAT the City of Greater Sudbury approves the extension of Official Plan Amendment application File # 701-5/19-001 and rezoning application File # 751-5/19-002 by Nickel Belt Boom Truck Ltd. on lands described as Part of PIN 73350-0593 in Lot 4, Concession 2, Township of Balfour, as outlined in the report entitled "401 Joannette Road, Chelmsford", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on April 24, 2023, for a period of one (1) year to January 9, 2024.

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

The request to extend the conditional OPA and rezoning approvals is an operational matter under the Planning Act to which the City is responding. The proposal is consistent with the goals and objectives of the Strategic Plan by supporting business retention and growth within the community, as the applications will permit the expansion of the owner's retail operations. There is no conflict with the Community Energy & Emissions Plan.

Financial Implications

There are no financial implications associated with this report.

Report Overview

The owner has requested an extension to the conditional approvals of Official Plan Amendment application File # 701-5/19-001 and rezoning application File # 751-5/19-002 for a period of one (1) year to January 9, 2024. The applications were submitted in 2019 in order to permit the expansion of a recreation vehicle sales and service establishment onto abutting lands under the same ownership. Planning Staff are recommending approval of the extension.

STAFF REPORT

Applicant:

Nickel Belt Boom Truck Ltd.

Location:

Part of PIN 73350-0593 in Lot 4, Concession 2, Township of Balfour (Joanette Road, Chelmsford)

Application:

1. To amend the City of Greater Sudbury Official Plan in order to provide a site-specific exception from the policies of Section 5.2.5 concerning Rural Industrial/Commercial uses in Rural Areas;
2. To amend By-law 2010-100Z being the City of Greater Sudbury Zoning By-law from "RU", Rural to "RU(4)", Rural Special.

Proposal:

Applications for Official Plan Amendment and rezoning were submitted in 2019 in order to permit the expansion of a recreation vehicle sales and service establishment onto abutting lands under the same ownership. The expanded use, which has already been established, encompasses the outdoor display and sales of recreation vehicles, as well as the parking and storage of recreation vehicles as an accessory use. No new buildings are proposed at this time.

Background:

The following recommendations PL2019-81 and PL2019-82 were passed by Planning Committee on June 24, 2019 and ratified by City Council on July 9, 2021:

PL2019-81 (OPA)

THAT the City of Greater Sudbury approves the application by Nickel Belt Boom Truck Ltd. to amend the City of Greater Sudbury Official Plan to provide a site-specific exception to the policies of Section 5.2.5 concerning Rural Industrial/Commercial uses in Rural Areas in order to permit the expansion of a recreation vehicle sales and service establishment on lands described as Part of PIN 73350-0593 in Lot 4, Concession 2, Township of Balfour, as outlined in the report entitled "Nickel Belt Boom Truck Ltd." from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 24, 2019, subject to the following conditions:

1. That the Official Plan Amendment be enacted concurrently with the zoning amendment;
2. Conditional approval shall lapse on July 9, 2021 unless Condition 1 above has been met or an extension has been granted by Council.

PL2019-82 (rezoning)

THAT the City of Greater Sudbury approves the application by Nickel Belt Boom Truck Ltd. to amend Zoning By-law 2010-100Z by changing the zoning classification from "RU", Rural to a revised "RU(4)", Rural Special on lands described as Part of PIN 73350-0593 in Lot 4, Concession 2, Township of Balfour, as outlined in the report entitled "Nickel Belt Boom Truck Ltd." from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 24, 2019, subject to the following conditions:

1. That prior to the adoption of the amending by-law, the owner shall address the following conditions:
 - i) Provide the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to enable the preparation of an amending zoning by-law;
 - ii) Remove the shipping containers from the property to the satisfaction of the Director of Planning Services; and,
 - iii) Amend the Site Plan Control Agreement with the City to include the subject lands.
2. That the RU(4) special zoning be amended by applying the following site-specific provisions to the lands to be rezoned:
 - i) The only permitted uses shall be the outdoor display and sales of recreation vehicles and the accessory outdoor storage of recreation vehicles;
 - ii) An opaque fence with a minimum height of 2.2 metres shall not be required for the accessory outdoor storage of recreation vehicles;
 - iii) A natural vegetative buffer shall be maintained as follows:
 - a) A minimum 14 metre-wide buffer abutting the rear lot lines of Parts 1 and 2, Plan SR-3123;
 - b) A minimum 30 metre-wide buffer abutting the rear lots lines of Parts 3 to 8, Plan SR-3123;
 - iv) A planting strip with a minimum depth of 5 metres shall be provided along the southerly interior side lot line abutting Part 1, Plan SR-3123;
 - v) For the purposes of this by-law, the accessory outdoor storage of recreation vehicles shall be defined as follows:

"An outdoor area that is provided for the parking and storage of recreation vehicles for remuneration, but does not include a camping ground or facilities for the disposal of recreation vehicle wastewater."
3. Conditional approval shall lapse on July 9, 2021 unless Condition 1 above has been met or an extension has been granted by Council.

The following matters have been addressed to date:

- The owner's surveyor provided a preliminary survey plan for review in September 2019. A final plan of survey has yet to be submitted.
- A six-month extension was granted by Planning Committee in September 2021 to extend the lapsing date to January 9, 2022.
- The owner submitted an application for site plan control in December 2021, which remains active and under review. Documents submitted at that time included a lot grading plan, stormwater management report, and a traffic analysis requested by MTO to assess the potential impact on the Joannette Road/Highway 144 intersection.
- A one-year extension was subsequently approved to January 9, 2023.
- The owner advised on March 1, 2023 that updated documentation required for the site plan review process will be submitted shortly.

Planning considerations:

The amending by-law will extend the RU(4) special zoning onto the subject lands, to include site-specific provisions addressing the outdoor display and accessory outdoor storage of recreation vehicles. Enhanced screening and buffering are required where the subject lands abut low density housing on Joannette Road. The site-specific zoning provisions will be implemented through an amendment to the existing Site Plan Control Agreement, which is currently applied to the retail operation and repair shop located on the main portion of the site.

The owner recently advised that significant progress has been made on the site plan amendment, and that one (1) year is sufficient time to finalize the agreement.

Based on the above considerations, Staff recommend that the OPA and rezoning approvals be extended for an additional one (1) year period as per the owner's request.