

## Algonquin Road, Sudbury – Stage 2

Presented To:	Planning Committee
Meeting Date:	September 25, 2023
Type:	Public Hearing
Prepared by:	Mauro Manzon Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-6/22-009

## Report Summary

This report provides a recommendation regarding an application for rezoning in order to permit a six-storey retirement home with 150 guest rooms.

This report is presented by Mauro Manzon, Senior Planner.

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

## Resolution

That the City of Greater Sudbury approves the application by 11415573 Canada Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification from “FD”, Future Development to “R3-1 Special”, Medium Density Residential Specials on lands described as Part of PIN 73475-0701, Parts 3 & 4, Plan 53R-14815 in Lot 5, Concession 5, Township of Broder, as outlined in the report entitled “Algonquin Road, Sudbury – Stage 2”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on September 25, 2023, subject to the following conditions:

1. That the amending by-law includes the following site-specific provisions;

(a) The only permitted uses shall be a retirement home, related accessory uses, and uses permitted in all zones under Section 4.40;

(b) The maximum building height shall be four (4) storeys and 15 metres, as measured from all building elevations;

(c) Planting strips shall be provided as follows:

(i) A minimum 17 metre-wide natural vegetative buffer shall be provided along the easterly lot line; and,

(ii) The planting strip along the southerly year yard may be reduced to a width of 1.3 metres in conjunction with an opaque fence;

(d) A Holding symbol which shall not be removed by the City of Greater Sudbury until the following condition has been addressed:

(i) A stormwater management report has been submitted to the satisfaction of the General Manager of Growth and Infrastructure and Conservation Sudbury (NDCA).

Until such time as the H symbol has been removed, the only permitted uses shall be those legally existing on the date that the amending by-law comes into effect.

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

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding. The proposal demonstrates conformity with the Strategic Plan and the Community Energy & Emissions Plan to the extent that it represents residential intensification and housing diversification within a fully serviced settlement area.

## **Financial Implications**

If approved, staff are unable to estimate taxation revenues as the assessment value of the building would be determined by Municipal Property Assessment Corporation (MPAC).

Any 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 the Building Services Department.

## **Report Overview:**

An application for rezoning has been submitted in order to permit a six-storey retirement home with 150 guest rooms on a vacant parcel located at the southeast corner of Algonquin Road and Rockwood Drive in the South End of Sudbury. Site-specific relief is requested under the proposed R3-1 zoning for a building height of six (6) storeys and the width of the planting strip along the southerly lot line. Part of the subject property is located in a designated flood plain.

The application is subject to a two-stage public hearing process. The Stage 1 hearing took place on February 22, 2023, at which time public input was received following statutory notice and a courtesy mail-out following the City's standard practice.

The Stage 2 review of the application has determined that the proposal conforms to the applicable policies set out under the Official Plan, the 2020 Provincial Policy Statement and the 2011 Growth Plan for Northern Ontario related to residential intensification within the built boundary of the City. Retirement homes are defined as a type of neighbourhood-based institutional use that is permitted in Living Area 1 provided compatibility can be achieved with the existing and planned character of the area. On that basis, Staff recommend that the building height be limited to four (4) storeys and that a holding designation be applied in order to deal with outstanding matters related to the flood plain and stormwater management.

# Staff Report

## Proposal:

An application has been received to amend By-law 2010-100Z being the City of Greater Sudbury Zoning By-law from “FD”, Future Development to “R3-1 Special”, Medium Density Residential Special in order to permit a six-storey retirement home with 150 guest rooms and related accessory uses.

The 2,185 m<sup>2</sup> building footprint forms an L-shaped configuration that is designed to be located outside of a designated flood plain, which encompasses the northerly portion of the parcel. The entire building has a gross floor area of 11,840 m<sup>2</sup> and a lot coverage of 21.6%. A parking area with 83 spaces is proposed within the limits of the flood plain, which exceeds the minimum requirement of 51 spaces based on the mix of uses. An approximate 17.2 metre-wide vegetative buffer utilizing existing tree cover is proposed along the easterly lot line where the site directly abuts single detached dwellings on Vintage Way and Cognac Court.

The applicant is further requesting relief from the following R3-1 zone standards:

- maximum building height of 21 metres where 19 metres is permitted;
- six (6) storeys where a maximum of five (5) storeys is permitted; and,
- a 1.3 metre-wide planting strip along the southerly lot line where a minimum of 1.8 metres is required in conjunction with an opaque fence.

The following materials were submitted in support of the application:

### Stage 1:

- Site Plan;
- Planning Justification Report;
- Shadow Study;
- Elevation Plans & Architectural Renderings;
- Analysis of easterly interface and proposed screening (rendering and video), and,
- Sewer & Water Capacity/Feasibility Review.

### Stage 2:

- Traffic Impact Brief;
- Stormwater Management Memorandum.

### **Existing Zoning:** “FD”, Future Development

“FD”, Future Development zoning is typically applied to lands within settlement areas that are earmarked for future development in conformity with the underlying land use designation in the Official Plan. A single detached dwelling is permitted as an interim use on a legal existing lot zoned FD.

### **Requested Zoning:** “R3-1 Special”, Medium Density Residential Special

“R3-1”, Medium Density Residential zoning permits low and medium density residential uses up to a maximum density of 90 dwelling units per hectare. Permitted dwelling types include singles, semis, duplexes, row dwellings, street townhouse dwellings and multiple dwellings.

A special R3-1 zoning is required in order to add a retirement home as a permitted use, as well as site-specific relief related to building height and the width of the planting strip along the southerly interior side yard.

## **Location and Site Description:**

Part of PIN 73475-0701, Parts 3 & 4, Plan 53R-14815 in Lot 5, Concession 5, Township of Broder (Algonquin Road, Sudbury)

The subject property forms a vacant parcel of land located at the southeast corner of Algonquin Road and Rockwood Drive in the South End of Sudbury. The area is fully serviced by municipal water and sanitary sewer. Algonquin Road is designated as a Collector Road and is not fully urbanized at this location, as there is no sidewalk on the south side of the roadway. Rockwood Drive is designated as a Local Road and is not constructed to an urban standard.

The neighbourhood is serviced by Route 28 South End Local ("South End Loop"), which provides transit service to the South End Transit Hub at the Smart Centres development. The closest public transit stop is located in front of Algonquin Road Public School, approximately 85 metres north of the intersection. There is another transit stop located further to the west at Blyth Road, approximately 280 metres from the intersection. Monday to Friday service is provided every 30 minutes during peak periods, and at hourly intervals for the remainder of the service schedule. Saturday and Sunday service is provided on an hourly basis.

Total area of the subject land is 1.01 ha, with 91.54 metres of frontage on Algonquin Road and 111.86 metres of street line on Rockwood Drive. The site is relatively flat with no significant changes in topography. Existing tree cover is predominantly comprised of second-growth deciduous trees (white birch, trembling aspen). Part of the site has been cleared for access.

A significant portion of the property forms a designated flood plain, as illustrated on the attached NDCA map. The flood plain covers more than half of the property, with the regulation limits extending a further 15 metres from the flood line.

Drainage channels are located along the entire northerly and easterly limits of the subject parcel. An approximate ten (10) metre-wide drainage easement in favour of the City forms the northerly section of the lands (Instrument # LT581641). There are two (2) drainage gravity mains that outlet into the drainage channel. A standard three (3) metre-wide drainage easement on the rear portion of the residential lots on Vintage Way and Cognac Court abuts the entire length of the easterly lot line (LT886830 & LT914497).

The surrounding neighbourhood is a low density residential area predominantly comprised of one and two-storey detached dwellings. Medium density residential infill takes the form of one and two-storey row dwellings with condominium form of ownership. Based on a review of assessment data, there are no multiple dwellings in the immediate area.

Single detached dwellings on Vintage Way and Cognac Court abut the easterly lot line of the subject property. A communications building on a 1.1 ha parcel owned by Bell Canada is located directly to the south. Low density housing is situated directly opposite the subject land on the west side of Rockwood Drive, being two (2) single detached dwellings on lots zoned "R1-5", Low Density Residential One (9 Countryside Drive & 2593 Greenvally Drive) and a duplex dwelling on a lot zoned "C1", Local Commercial (2629 Rockwood Drive). The C1 zoning permits up to two (2) dwelling units with or without a permitted local commercial use (e.g., convenience store).

Public and private institutional uses are also present in the surrounding area, including several schools: Algonquin Road Public School is located directly north of the subject land; St. Benedict Secondary School and Holy Cross Elementary School are located further east on Algonquin Road. The Gerry McCrory Countryside Sports Complex is situated further west on Countryside Drive. A long-term care facility currently under construction is located further north on Algonquin Road opposite Radcliff Park (Extendicare).

## **Public Consultation:**

The notice of complete application was circulated to the public and surrounding property owners on June 24, 2022 based on an expanded mailing radius as directed by the Ward Councillor. The mailing radius was further expanded by the Ward Councillor on July 25, 2022 with notices issued accordingly.

The statutory notice of the Stage 2 public hearing was provided by newspaper. A courtesy mail-out was circulated to the public and surrounding property owners on September 7, 2023 based on the expanded mailing list and other persons outside of the approved mailing radius who made a written submission and/or asked to be added to the mailing list.

The proponents conducted a neighbourhood information session via Zoom on September 14, 2022.

Written submissions received to date are attached for review.

## **Policy & Regulatory Framework:**

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

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

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

### **Provincial Policy Statement (PPS):**

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

The applicable PPS policies can be grouped into five categories: housing, settlement areas, residential intensification, stormwater management and natural hazards.

#### **A. Housing**

Under Section 1.1.1, municipalities shall accommodate an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons) to meet long-term needs. Section 1.4 provides further detailed policies supporting the diversification of the housing supply by promoting a mix of market-based and affordable housing, residential intensification, transit-supportive development, and the utilization of existing and planned infrastructure.

#### **B. Settlement areas**

Section 1.1.3 of the PPS states that fully serviced settlement areas shall be the focus of development and growth. Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the impacts of a changing climate;

- e) support active transportation;
- f) are transit-supportive, where transit is planned, exists or may be developed; and,
- g) are freight-supportive.

New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

#### C. Residential intensification

Residential intensification is promoted as an important component of land use planning, including a requirement to establish and implement minimum targets for intensification and redevelopment within built-up areas based on local conditions. The criteria are set out in Section 1.1.3.3 as follows:

Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

#### D. Stormwater management

Under Section 1.6.6.7, planning for stormwater management shall:

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;
- b) minimize, or, where possible, prevent increases in contaminant loads;
- c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;
- d) mitigate risks to human health, safety, property and the environment;
- e) maximize the extent and function of vegetative and pervious surfaces; and
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

#### E. Natural hazards

The northerly portion of the subject property is located within a designated flood plain. Under Section 3.1.5 related to natural hazards, development shall not be permitted to locate in hazardous lands and hazardous sites where the use is an institutional use including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools.

### **Growth Plan for Northern Ontario:**

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

The applicable land use policies are outlined under Chapter 4 of the GPNO, which speaks broadly to the provision of housing and the need to intensify in appropriate locations in designated economic and service hubs such as Greater Sudbury.

Under Section 4.3.3, economic and service hubs shall maintain updated official plans and develop other supporting documents which include strategies for:

- developing a diverse mix of land uses, an appropriate range of housing types, and high quality public spaces; and providing easy access to stores, services and recreational opportunities; and,
- encouraging a significant portion of future residential and employment development to locate in existing downtown areas, intensification corridors, brownfield sites, and strategic core areas.

Intensification corridors are defined as areas along major roads, arterials or transit corridors that have the potential to provide a focus for higher density mixed-use development.

Under the City's Official Plan, strategic core areas are identified as the Downtown, the Town Centres, the Regional Centres, and the major public institutions listed in Section 4.4 of the Official Plan (Laurentian University, Cambrian College, Collège Boréal, Health Sciences North, Science North and Dynamic Earth).

### **Official Plan for the City of Greater Sudbury:**

The subject land is designated as Living Area 1, which permits a range of residential uses and neighbourhood-based institutional uses such as retirement homes.

#### **A. Living Area 1**

##### **3.2: General policies applied to Living Areas**

New residential development must be compatible with the existing physical character of established neighbourhoods, with consideration given to the size and configuration of lots, predominant built form, building setbacks, building heights and other provisions applied to nearby properties under the Zoning Bylaw.

Elementary schools, libraries, places of worship, day nurseries, retirement homes and other neighbourhood-based institutions form an integral part of community life. Local institutional uses that are compatible with the residential function of neighbourhoods are allowed in all Living Area designations subject to rezoning. Existing institutional uses will be recognized in the Zoning By-law.

##### **3.2.1: Policies applied to Living Area 1 – General rezoning criteria**

In considering applications to rezone land in Living Area I, Council will ensure amongst other matters that:

- a. the site is suitable in terms of size and shape to accommodate the proposed density and building form;
- b. the proposed development is compatible with the surrounding neighbourhood in terms of scale, massing, height, siting, setbacks, and the location of parking and amenity areas;
- c. adequate on-site parking, lighting, landscaping and amenity areas are provided; and,
- d. the impact of traffic on local streets is minimal.

#### **B. Residential intensification**

The application is a form of residential intensification given the increased density that is proposed based on existing zoning as well as the surrounding neighbourhood context. Section 2.3.3 of the Plan addresses residential intensification in settlement areas. The following criteria, amongst other matters, may be used to evaluate applications for intensification:

- a. the suitability of the site in terms of the size and shape of the lot, soil conditions, topography and drainage;
- b. compatibility with the existing and planned character of the area;

- c. the provision of on-site landscaping, fencing, planting and other measures to lessen any impact the proposed development may have on the character of the area;
- d. the availability of existing and planned infrastructure and public service facilities;
- e. the provision of adequate ingress/egress, off-street parking and loading facilities, and safe and convenient vehicular circulation;
- f. the impact of traffic generated by the proposed development on the road network and surrounding land uses;
- g. the availability of existing or planned, or potential to enhance, public transit and active transportation infrastructure;
- h. the level of sun-shadowing and wind impact on the surrounding public realm;
- i. impacts of the proposed development on surrounding natural features and areas and cultural heritage resources;
- j. the relationship between the proposed development and any natural or man-made hazards; and,
- k. the provision of any facilities, services and matters if the application is made pursuant to Section 37 of the Planning Act.

#### C. Built boundary

Schedule 3 of the Official Plan identifies the limits of the settlement area and the built boundaries of the City. Under Section 2.3.2 of the Official Plan, intensification and development within the built boundary is encouraged. In this case, the subject land is located within the built boundary applied to the South End.

#### D. Flooding and erosion hazards

A significant portion of the subject land encompasses a flood plain. Flood plain boundaries are illustrated on the attached regulation area map. Lands with identified natural hazards are generally not suitable for development.

Under Section 10.2, institutional uses such as hospitals, long-term care facilities, retirement homes, pre-schools, elementary schools and secondary schools; essential emergency services and industrial uses involving the disposal, manufacture, treatment or storage of hazardous substances are not permitted on lands subject to flooding or erosion hazards.

#### E. Transit-supportive development

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

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

7. The provision of public transit will be integrated into the long-term planning of future Employment Areas, including facilities for the convenience and comfort of transit users.

F. Site and building design

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

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

**Zoning By-law 2010-100Z:**

Under the Zoning By-law, a retirement home is defined as a special needs facility, which in turn is defined as a type of institutional use. A retirement home contains guest rooms and is separate and distinct from a multiple dwelling, which is comprised of three or more self-contained dwelling units (i.e., apartments). A retirement home is defined as follows:

*“A premises that provides guest rooms primarily designed for retired persons or residents thereof who require nursing and or homecare where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and where common lounges, recreation rooms and medical care facilities may also be provided.”*

Retirement homes are permitted as-of-right in the following zones:

- “R4”, High Density Residential;
- “I”, Institutional;
- “C2”, General Commercial;
- “C3”, Limited General Commercial;
- “C4”, Office Commercial;
- “C5”, Shopping Centre Commercial; and,
- “C6”, Downtown Commercial.

The proponents have chosen “R3-1”, Medium Density Residential as the zone classification that forms the best fit with their proposal. The proposed R3-1 Special zoning therefore requires a retirement home to be added as a permitted use. The applicant is further requesting that exceptions be granted to the R3-1 zone standards as follows:

- a maximum building height of 21 metres where 19 metres is permitted;
- a built form comprising six (6) storeys where a maximum of five (5) storeys is permitted; and,
- a 1.3 metre-wide planting strip along the southerly lot line where a minimum of 1.8 metres is required in conjunction with an opaque fence.

#### **Site Plan Control:**

The proposed development will be subject to Site Plan Control if approved.

#### **Department/Agency Review:**

##### **Stage 1:**

Development Engineering advised that municipal sewer and water services are available within the right-of-way and that services are adequate including fire flow.

Roads Section requires the urbanization of the Rockwood Drive street line including the installation of sidewalks and curbs. A contribution towards the future upgrading of Algonquin Road will be required at site plan stage if this application is approved.

Conservation Sudbury indicated that the flood plain elevation at this location is 279.95 metres above sea level. Development must be located outside of the flood plain and there must be safe egress in a flood event. Staff further advised that the site plan submitted for the rezoning does not meet their development design requirements and that a Section 28 permit under the Conservation Authorities Act will be required at site plan stage.

##### **Stage 2:**

Transportation & Innovation Support Services have reviewed the Traffic Impact Brief submitted at the Stage 1 hearing. The comments are attached in the updated Appendix to this report. Staff concur with the findings of the Traffic Impact Brief, which demonstrates that the existing road network has sufficient capacity to accommodate the proposed development. Notwithstanding the above, some additional analysis was recommended.

Conservation Sudbury (NDCA) has reviewed the Stormwater Management Memorandum and provided detailed comments in the attached correspondence. Staff advised that additional information is required in support of the owner's proposal to utilize underground storage chambers for flood plain cut compensation, amongst other matters.

Drainage Section advised that the Algonquin Subwatershed is under review and that the results may impact development in the area including the realignment of the limits of the flood plain. The specific impact on the subject land is not known at this time.

Development Engineering have reviewed the Stormwater Management Memorandum and recommend that a holding provision be considered based on the ongoing review of the Algonquin Subwatershed.

## **Planning Analysis:**

### **Stage 1 review**

As part of the Stage 1 report, three (3) action items were identified by Planning Services, which are summarized below including a response from the proponents and/or Staff as applicable.

1. *In lieu of a full Traffic Impact Study, a traffic analysis in the form of a briefing note prepared by a qualified person was recommended to address neighbourhood concerns related to the local traffic impact.*

The proponents submitted a Traffic Impact Brief at the Stage 1 hearing, which was subsequently reviewed by Transportation & Innovation Support Services. Staff concur with the findings of the brief and have reiterated that roadway capacity is not an issue with this proposal. However, Staff recommended that some additional analysis be conducted in order to satisfy any outstanding concerns related to the nature of the use.

The proponents subsequently advised that no additional traffic analysis will be conducted on the basis that the matter has been adequately addressed.

2. *At the time of the initial pre-consultation, NDCA waived the requirement for a stormwater management report as part of a complete application. The cover letter for the application referenced a stormwater brief in lieu of the above. In order to enable the preparation of a Stage 2 report, Staff requested the submission of the stormwater brief.*

The proponents submitted a Stormwater Management Memorandum on June 20, 2023, which was circulated for review by Conservation Sudbury, Drainage Section and Development Engineering. Their comments are attached for review. Conservation Sudbury advised that more information is needed in order to determine the feasibility of the proposed flood plain cut compensation and stormwater quantity control. Drainage Section advised that the Algonquin Subwatershed is under review and that the results may impact development of the site.

3. *Staff recommended that the applicant reconsider the built form and density based on the initial review of the file. In particular, consideration should be extended to reducing the building height to mitigate the impact on adjacent uses and provide a more effective transition in built form and scale in a low density setting.*

Staff were advised by the proponents that no changes to the proposal are being made following the Stage 1 hearing.

## **Stage 2 analysis**

A retirement home is defined as a type of neighbourhood-based institutional use that is permitted in residential areas provided the facility can be effectively integrated into the existing neighbourhood fabric. The scale and intensity of use shall be appropriate based on the locational context, including the suitability of the site itself. This approach has been consistently applied by Planning Services and has been tested before the Ontario Municipal Board (now Ontario Land Tribunal).

In this case, the key land use considerations concern the proposed built form and the physical constraints to development. The presence of a flood plain has a direct link to Provincial policies that restrict sensitive institutional uses on hazard lands. The local traffic impact is also a major concern for residents based on the public input received to date.

### **Built form**

Given the site constraints including a designated flood plain that encompasses more than half of the property, there is limited opportunity to reconfigure the building envelope unless there are significant revisions to the limits of the flood plain. The proposed 17-metre wide natural vegetative buffer further reduces the amount of developable area. By necessity the proposed L-shaped building is oriented along the southerly and westerly lot lines.

The shadow study confirms that there will be shadow impacts on abutting low density housing, most notably the dwellings on the west side of Rockwood Drive opposite the subject site and the single detached dwellings at the westerly limit of Vintage Way. These impacts will occur at different times of the day and year, as illustrated in the attached shadow study prepared by the proponents.

The impact of the proposed built form is particularly acute for the properties on Rockwood Drive directly opposite the subject land, where the proposed building will be set back 4.5 metres from the lot line at its closet point. The six-storey built form would appear fairly imposing and dominate the street line at this location, with no appropriate transition in scale.

It is the opinion of Staff that a six-storey built form with a building height of 21 metres does not address compatibility with the surrounding neighbourhood as a form of infill development. Although residential intensification is an important objective enshrined in the Official Plan and the Provincial Policy Statement, a balance must be struck between the need for intensification projects and their integration into stable low density neighbourhoods. In this regard, the building as proposed fails to address a key intensification policy, being compatibility with the existing and planned character of the area, which is essentially low and medium density residential development in a range of ground-oriented dwellings (singles, semis, duplexes, row dwellings).

It is further noted that the lands are not located on a major arterial road, where there is an expectation of medium and high density development that may directly interface with low density housing.

Staff therefore recommend that the building height be limited to four (4) storeys and shall not exceed 15 metres, as measured from all building elevations. This would reduce the shadow impacts on adjacent properties and provide a less imposing built form, while also achieving a significant degree of residential intensification within the built boundary of the South End. Staff also reviewed similar building typologies including the applicant's development in Peterborough, where the completed retirement home has a building height of four (4) storeys and is measured 13.2 metres to the underside of the roof slab.

### Buffering and screening

The site plan indicates a minimum 17 metre-wide natural vegetative buffer along the easterly lot line where the proposed development directly abuts the rear yards of single detached dwellings on Vintage Way and Cognac Court. The general intent is to utilize existing tree cover in order to mitigate the impact of the six-storey built form on abutting low density housing. The proponents have provided various renderings to illustrate the interface, including a video fly-over. A reduced planting strip is being requested along the southerly lot line, where the subject land abuts a Bell Canada facility.

Staff attended the site and have noted that the existing tree cover is mainly comprised of second-growth white birch and trembling aspen, with a mixed understorey. The predominant tree species are deciduous, which may not provide the desired screening through parts of the year. Although the density of vegetation is high, the trees are somewhat underdeveloped in keeping with the characteristics of second-growth trees (thin trunks and sparse canopy).

Staff therefore recommend that the proposed vegetative buffer be incorporated into the special zoning, and that the building height be restricted to four (4) storeys and a maximum 15 metres in order to mitigate the impact on abutting low density housing, including rear yard privacy concerns and shadow impacts.

### Flood plain and stormwater management

The flood plain component is particularly relevant given that the Provincial Policy Statement specifically prohibits retirement homes on hazard lands. Accordingly, the proponents have restricted the building to the southwesterly portion of the site. Conservation Sudbury does not object to a parking area being located within the flood plain provided there is safe egress from the building during a flood event.

As indicated above, the proponents submitted a Stormwater Management Memorandum in June 2023 to address the concerns related to the treatment of runoff within a flood plain context. Conservation Sudbury advised that additional information is needed in order to assess the feasibility of the proposed plan. Drainage Section further advised that the Algonquin Subwatershed is under review and that the results may impact development within the subwatershed.

It is therefore recommended that a Holding provision be implemented in order to address outstanding matters related to development within a flood plain and stormwater controls. The Holding provision shall not be removed by the City of Greater Sudbury until a Stormwater Management Report is submitted to the satisfaction of Conservation Sudbury and the General Manager of Growth and Infrastructure.

### Local traffic impact

A significant amount of public input concerns local traffic impacts, including existing traffic patterns associated with the public institutional uses in the area (three schools and a community arena). Traffic concerns were also predominant at the Stage 1 hearing.

Although a Traffic Impact Study was not required as part of a complete application, it was recommended that the proponents prepare a Traffic Impact Brief in order to satisfy concerns related to traffic generation, the operational level of the adjacent intersection, sight line assessment, and parking demand. The Traffic Impact Brief was submitted at the Stage 1 hearing and subsequently circulated and posted online.

Transportation & Innovation Support Services have reviewed the Brief and concur with the findings. As per their initial comments, the urbanization of the Rockwood Drive street line and a contribution towards future upgrades to Algonquin Road will be required at the site plan stage.

### Intensity of use

The intensity of use can be assessed based on four (4) general categories: built form, residential density, traffic generation and servicing requirements. Provided the building height is modified as recommended, the intensity of use is felt to be appropriate within the context of existing conditions based on the following observations:

- A reduction in the building height to four (4) storeys and the anticipated decrease in the number of guest rooms would firmly place the proposed development within the medium density residential category of use, which is more appropriate given the existing and planned character of the area. This approach is also aligned with the other major private institutional use in the neighbourhood, being the long-term care facility on Algonquin Road that is also restricted to four (4) storeys.
- Retirement homes typically generate less traffic than other categories of residential use. Although some occupants may still have vehicles, a significant proportion may no longer drive for a variety of reasons including health status. As a basis of comparison, it was estimated that approximately 10% of residents of Red Oak Villa had vehicles based on information provided as part of a major expansion approved in 2016. Although some retirement homes may be targeted to more active seniors who still drive, the frequency of driving is assumed to be much less, as a number of services are provided on-site, including meal preparation and basic medical care.
- No significant servicing constraints have been identified concerning municipal sewer and water services in the area. Development Engineering advised that recent upgrades to the sanitary sewer system have addressed historical capacity constraints in the area.

### Conformity/consistency with the highest tests

The rezoning approval must align with the applicable policy framework in the Official Plan, Provincial Policy Statement and the Growth Plan for Northern Ontario. Based on the analysis detailed above, Staff are of the opinion that the proposal meets the highest tests of a Planning application provided the built form is modified and a holding provision is implemented to address development within a flood plain.

### **Conclusion:**

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