

## 71 Lasalle Boulevard, Sudbury

Presented To:	Planning Committee
Meeting Date:	March 18, 2024
Type:	Public Hearing
Prepared by:	Bailey Chabot Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-6/23-20

## Report Summary

This report provides a recommendation regarding an application to amend the City of Greater Sudbury's Zoning By-law, 2010-100Z in order to permit eight (8) row dwelling units and the associated relief requested.

This report is presented by Bailey Chabot, Senior Planner.

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

## Resolution

THAT the City of Greater Sudbury approves the application by 2538085 Ontario Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification from "R1-5", Low Density Residential One to "R3 Special", Medium Density Residential Special on lands described as PIN 02127-0468, Part Lot 5, Concession 5, Township of McKim; Greater Sudbury, as outlined in the report entitled "71 Lasalle Boulevard, Sudbury", from the General Manager, Growth and Infrastructure, presented at the Planning Committee meeting on March 18, 2024 subject to the following conditions:

1. That the amending by-law includes the following site-specific provisions:
  - a. The street line abutting Crescent Park Road be considered the front lot line;
  - b. A minimum rear yard setback be 4.5 metres be permitted;
  - c. A minimum of 4.5 metres be permitted for the required privacy yard;
  - d. A minimum corner side yard setback of 3.5 metres, be permitted;
  - e. A minimum 2 metre-wide landscaping strip along Lasalle Boulevard and Crescent Park Road, be permitted; and,
  - f. A refuse storage area be permitted in the front yard and shall maintain a front yard setback of no less than 8.0 metres.

## 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 represents redevelopment of an existing serviced lot and is therefore consistent with the goals and objectives of the Strategic Plan.

As the proposal promotes a mix of density in a built-up urban area serviced by public transit, the proposal aligns with the recommendations of the Community Energy & Emissions Plan.

## **Financial Implications**

If approved, staff are unable to estimate taxation revenues as property assessed value will increase from an existing single detached dwelling to eight row dwelling units where the assessed values would be determined by Municipal Property Assessment Corporation (MPAC).

If there is additional taxation revenue, it 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, as well as eligibility of reductions through Bill 23 and from DC by-law 2019-100 for corridors discount and demolition/redevelopment credits.

## **Report Overview:**

An application for Zoning By-law Amendment has been submitted to permit eight (8) row dwellings on the property municipally known as 71 Lasalle Boulevard, Sudbury. There is a single storey detached dwelling currently located on the property.

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

# STAFF REPORT

## PROPOSAL:

An application for a Zoning By-law Amendment to rezone the lands from “R1-5”, Low Density Residential One to “R3 Special”, Medium Density Residential Special has been submitted to permit eight (8) row dwellings. The special provisions requested by the applicant relate to front lot line, rear yard setback, privacy yard, corner side yard setbacks, landscaping strips and locations of refuse storage.

### **Location and Site Description:**

The subject parcel is legally described PIN 02127-0468, Part Lot 5, Concession 5, Township of McKim; Greater Sudbury and is known municipally as 71 Lasalle Boulevard, Sudbury. The lands are located at the southwestern corner of the intersection of Lasalle Boulevard and Crescent Park Road. The parcel is rectangular in shape with frontage of approximately 30.5 metres along Lasalle Boulevard and approximately 43.3 metres along Crescent Park Road. The parcel is gently sloped to the east and contains little vegetation. A small, single storey residential unit exists with an accessory structure.

The parcel is located in a mature residential neighbourhood where the primary character is one and two storey, single detached residential built forms. Although the parcel does not front part of the Lasalle Boulevard Regional Corridor, it does front onto Lasalle Boulevard, an arterial road, and is approximately 186 metres west of the Lasalle Boulevard Regional Corridor.

### **Existing Zoning:** “R1-5”, Low Density Residential One

The “R1-5” zone permits residential uses per Part 6.2, Table 6.1 – Permitted Uses of the City’s Zoning By-law. The development standards associated with the “R1-5” zone are outlined under Part 6.3, Table 6.2 – Standards for the Low Density Residential One (R1) Zone. Row dwellings are not a permitted use in the “R1-5” zone.

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

The “R3” zone permits Part 6.2, Table 6.1 – Permitted Uses of the City’s Zoning By-law. The development standards associated with the “R3” zone are outlined under Part 6.3, Table 6.5 – Standards for Medium Density Residential (R3 and R3-1) Zones. The “R3” zone permits row dwelling units.

Special provisions have been requested by the applicant to accommodate the proposed development:

1. The street line abutting Crescent Park Road be considered the front lot line whereas Lasalle Boulevard is considered the front lot line;
2. A rear yard setback of 4.5 metres, whereas a minimum of 7.5 metres is required;
3. A privacy yard of 4.5 metres, whereas a minimum of 7.5 metres is required;
4. A corner side yard setback of 3.5 metres, whereas a minimum of 7.5 metres is required;
5. A minimum 2 metre-wide landscaping strip along Lasalle Boulevard and Crescent Park Road, whereas a minimum 3 metre-wide landscaping strip is required adjacent to rights-of-way greater than 10 metres wide; and,
6. A refuse storage area to be permitted in the front yard, whereas refuse storage areas are only permitted in interior yards.

### **Surrounding Land Uses:**

North: Adjacent – City owned institutional lands  
Further North – Maley Drive and vacant open space lands

East: Adjacent – Low density residential development  
Further East – Low and medium density development and commercial uses, the Lasalle Boulevard Regional Corridor

South: Adjacent – Low density residential development  
Further South – Low density residential development

West: Adjacent – Institutional lands (École Secondaire MacDonald-Cartier)  
Further West – Maley Drive and vacant open space lands

The existing zoning and location map are attached to this report and together indicate the location of the parcel subject to the Zoning By-law Amendment request, as well as the applicable zoning on other parcels of land in the immediate area.

### **Public Consultation:**

The statutory Notice of Application was provided to the public by newspaper and to nearby landowners and tenants located within 120 m (400 ft) of the subject lands on December 19, 2023. The statutory Notice of Public Hearing dated February 22, 2024 was provided to the public by newspaper and to nearby landowners and tenants located within 122 m (400 ft) of the subject lands.

At the time of writing this report one public letter and one phone call have been received. Generally, the comments reflect concern with the density of the proposed development, reduced privacy, and increased traffic.

### **POLICY AND REGULATORY FRAMEWORK:**

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

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

The PPS and the Growth Plan for Northern Ontario, along with the City's Official Plan, provide a policy framework for land use planning and development in the City of Greater Sudbury. This framework is implemented through a range of land use planning controls such as, but not limited to, zoning by-laws, plans of subdivision, and site plans.

### **2020 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 2020 PPS. The following PPS policies are pertinent to the application for Zoning By-law Amendment:

1. Resilient development and land use pattern policies set forth in section 1.1.1 state that healthy, liveable and safe communities are sustained by 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.

## **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. There are no policies that are relevant to this application, therefore the application does not conflict with the Growth Plan.

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

The Official Plan defines 'intensification' as the development of a property, site or area at a higher density than currently exists through redevelopment, the development of vacant or underutilized lots, infill and the expansion or conversion of existing buildings. The proposed development is considered intensification.

The subject land is designated as Living Area 1, which primarily focuses on a range of residential uses and other compatible uses that support neighbourhoods. Policy 2.3.3.4. permits medium scale intensification in Town Centres, Secondary Community Nodes, Regional Corridors and Mixed Use Commercial corridors, while policy 2.3.3.5. permits intensification in Living Area 1 lands. Policies 2.3.3.7. and 2.3.3.8. permit intensification where suitable infrastructure exists and that is compatible with the existing and planned character of an area. Policy 2.3.3.9. provides criteria that must be considered when evaluating intensification, and include items such as the suitability of the site in terms of size and shape of the lot and the availability of infrastructure.

The objectives of the Living Area 1 designation include meeting Greater Sudbury's housing needs, including the special needs of the elderly, handicapped, low-income individuals and families, and students, by encouraging the provision of an adequate supply of affordable, ownership, rental, and special needs housing (3.1.a.) and to encourage the development of a mix of residential uses (3.1.b.). Urbanized communities that are fully serviced by municipal water and sewer and are the primary focus of residential development.

Policy 3.2.2. permits medium density housing in all Living Area 1 designations where full municipal services are available while policy 3.2.3. requires that 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.

Policy 3.2.1.2. allows for medium density development in a mix of built forms up to 90 units per hectare. Medium density housing, per policy 3.2.1.4., is to be located on sites in close proximity to Arterial Roads, public transit, main employment and commercial areas, open space areas, and community/recreational services, and in areas of 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 (policy 3.2.1.5.). In consideration of applications to rezone lands in Living Area 1, the following matters must be met (policy 3.2.1.6.):

- 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.

In consideration of site design and operation, policy 11.4.1. states that new developments generally must provide an adequate supply of parking to meet anticipated demands, while 11.7.2. requires that new development provide adequate pedestrian access to the site. Section 11.8 of the Official Plan identifies accessibility as a key consideration for our communities.

Policies in 17.2.1 promote a diversity of housing type and tenure, including promoting smaller (1 and 2 bedroom units) to support the growing number of smaller households.

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

The existing R1-5 zone does not permit row dwelling units. The rezoning is required to permit the row dwelling use. The special provisions requested relate to relief from zoning standards for site specific design.

### **Site Plan Control:**

The proposed development is for fewer than 10 residential units, therefore site plan control does not apply.

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

The application, including relevant accompanying materials, has been circulated to all appropriate agencies and departments. Responses received from agencies and departments have been used to assist in evaluating the application.

During the review of the proposal, comments provided by circulated agencies and departments included the following:

Active Transportation, Conservation Sudbury, Drainage, Roads, and Roads Operations have each advised that they have no concerns from their respective areas of interest.

Building Services does not have any concerns but have identified the requirement for demolition permits for the existing structures and the requirement for building permits for the proposed row dwellings.

Development Engineering notes that the parcel is serviced by municipal water and wastewater and that there are no concerns with the proposed development.

Transportation and Innovation Support notes that they do not have concerns for the application but offer the following commentary for the consideration of the applicant as part of site design:

- It is unclear from the sketch provided, the dimensions of the pedestrian walkway. The pedestrian walkway should have a minimum width of 1.5m clear from vehicle overhang. Consideration should be given to barrier curb or car park barrier system along parking stalls to prevent vehicles from overextending the parking space and impeding pedestrian routes.
- The location of the bike parking spaces might not be functional in its current location, so close to and behind the waste enclosure. Bike racks should be located in a highly visible location within 15m of the main entrance.

There was no opposition to the proposed rezoning identified by any circulated department or agency.

### **PLANNING ANALYSIS:**

The 2020 PPS, the 2011 Growth Plan, and the City of Greater Sudbury Official Plan, and other relevant policies and supporting guidelines were reviewed in their entirety. The following section provides a planning analysis of the application with respect to the applicable policies, including issues raised through agency and department circulation.

The proposed development represents a density of just over 60 units per hectare, which is considered medium density, and represents an intensification of the existing site. There are two primary considerations when analyzing intensification; the appropriateness of the location and the appropriateness of the built form and site design.

### Appropriateness of Location

The policies of section 2.3.3 Intensification permits intensification in established Living Area 1 lands, so long as it is accordance with the policies of the Official Plan (2.3.3.5.). Policies 2.3.3.7. and 2.3.3.8. require that intensification occur where there are appropriate infrastructure and public service facilities, of which there are.

In terms of location, the proposed development fronts onto Lasalle Boulevard, a primary arterial road, is on a bus route, with the nearest stop being less than 100 metres from the parcel. There is ample commercial development along Lasalle Boulevard, including grocery stores, restaurants, fitness centres, and personal services stores. Directly to the west is a high school with ample vacant area for passive recreation. Lasalle Boulevard and Crescent Park Road are serviced by municipal water and wastewater and there are no servicing capacity concerns. The subject parcel is consistent with the locational criteria for intensification in the policies of 3.2 General Policies for Living Areas.

### Appropriateness of Built Form and Site Design

Policies within 2.3.3 Intensification require that intensification be compatible with the existing and planned character of an area in terms of “siting, coverage, massing, height, traffic, parking, servicing, landscaping and amenity areas”. The proposal includes two-storey row dwellings oriented so that the fronts of the units face Crescent Park Road. The proposed design does not exceed the maximum lot coverage, provides greater than the required amount of landscaped open space, and meets the parking requirements. The proposed development does not require relief for interior side yard setbacks (to the adjacent low density residential development) and will provide the minimum required 3.0 metre wide planting strip between the subject lands and the adjacent 1121 Crescent Park Road.

Policy 2.3.3.9. identifies criteria to be used to evaluate applications for intensification. Staff is of the opinion that the proposed development complies with these criteria, including the provision of on-site landscaping and other measures to lessen any impact the proposed development may have on the character of the area; the availability of existing and planned infrastructure and public service facilities; and, the provision of adequate ingress/egress, off street parking and loading facilities, and safe and convenient vehicular circulation.

The policies of Living Area 1 lands (3.2) permit medium density, so long as the development is 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”. The subject parcel is larger than the surrounding residential lots and has frontage along a primary arterial road (Lasalle Boulevard), where higher density uses are directed by the Official Plan. The built form, while representing intensification, appears to meet the necessary standards required to support residential development, such as adequate parking, landscaped open space, bicycle parking, direct sidewalk access to Lasalle Boulevard, and buffering to the lower density development to the south. Finally, the two storey proposed height is not greater than exists currently on Crescent Park Road.

Sites should be of a suitable size to provide adequate landscaping and amenity features (policy 3.2.1.5.). The proposed site design does require relief from the size of required privacy yard, from 7.5 metres to 4.5 metres. Staff is of the opinion that this still provides sufficient area to permit the residents to enjoy private outdoor space.

Policy 3.2.1.6.) identifies required criteria for rezoning applications.

- a) Staff is of the opinion that the proposed design is appropriate for the size and shape of the lot;
- b) While the massing of the total development will be larger than the surrounding parcels, it will not be greater in scale (height nor setbacks), siting, and location of parking and amenity areas and is generally considered to be appropriate.
- c) The proposed design includes sufficient on-site parking, lighting, and landscaping and amenity areas are provided.

- d) The proposed development is not anticipated to impact traffic.

Staff is of the opinion that parking is sufficient design (policy 11.4.1) and that the pedestrian access to the site is appropriate (policy 11.7.2). Staff encourages developers to consider accessibility in their site and building designs to ensure new development in the City is accessible to all (policy 11.8). Staff notes that a 1.5 metre wide walkway and ramp have been provided in consideration of accessibility.

#### Requested Relief

The proposed development of eight row dwellings is unable to meet the standards of the R3, Medium Density Residential zone and other applicable sections of the Zoning By-law. To remedy this, the applicant has requested relief from the following standards:

- The street line abutting Crescent Park Road be considered the front lot line whereas Lasalle Boulevard is considered the front lot line;
- A rear yard setback of 4.5 metres, whereas a minimum of 7.5 metres is required;
- A privacy yard of 4.5 metres, whereas a minimum of 7.5 metres is required;
- A corner side yard setback of 3.5 metres, whereas a minimum of 7.5 metres is required;
- A minimum 2 metre-wide landscaping strip along Lasalle Boulevard and Crescent Park Road, whereas a minimum 3 metre-wide landscaping strip is required adjacent to rights-of-way greater than 10 metres wide; and,
- A refuse storage area to be permitted in the front yard, whereas refuse storage areas only permitted in interior yards.

Staff has reviewed the requested relief and is generally supportive. Staff is recommending that the refuse storage be required to maintain a minimum front yard setback of 8.0 metres, consistent with the proposed design, to ensure that the refuse area is not placed any closer than required to the front yard line. To address snow storage and to ensure that snow piles do not obstruct sight lines along Lasalle Boulevard nor Crescent Park Road, the proponent will be storing snow only on the easterly and southerly planting areas as appropriate, and will be removing any excess snow that cannot be safely stored on-site.

Given the above noted analysis, staff recommends approval of the application as described in the Resolution section on the basis that it is consistent with the Provincial Policy Statement, does not conflict with the Growth Plan for Northern Ontario, conforms to the Official Plan for the City of Greater Sudbury, has regard for matters of provincial interest and represents good planning.

#### **CONCLUSION:**

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