

0 Bancroft Drive, Sudbury

Presented To:	Planning Committee
Meeting Date:	October 21, 2024
Type:	Public Hearing
Prepared by:	Stephanie Poirier Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-6/24-010

Report Summary

This report provides a recommendation for rezoning to permit a future medium density residential development as a result of Council direction to create development-ready parcels of land to assist with housing and funding opportunities.

This report is presented by Stephanie Poirier, Senior Planner.

Resolution

THAT the City of Greater Sudbury approves the application to amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury to change the zoning classification from “R1-5” Low Density Residential One Zone to the “H62R3-1” Holding Medium Density Residential Zone on those lands described as PINs 73578-0223, 73578-0573, 73578-0574, & 73578-0576, Lot 12, Concession 3, Township of Neelon, subject to the following condition:

1. A Holding symbol which shall not be removed by the City of Greater Sudbury until the following condition has been addressed:
 - a) The owner shall have entered into an affordable housing agreement with the City of Sudbury to the satisfaction of the Director of Planning Services.

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

Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

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 future residential intensification and housing diversification within a fully serviced settlement area. Additionally, the rezoning aligns with Council’s Strategic Priorities including “Expand Affordable and Attainable Housing Options” and “Develop and Promote Solutions to Support Existing Housing Choices”.

Financial Implications

If approved, staff are unable to estimate taxation revenues as the assessment value of the proposed building (with unknown number of units at this time) 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 at the time of permit issuance.

Report Overview:

The application seeks to rezone the subject lands from the "R1-5" Low Density Residential One Zone to the "H62R3-1" Holding Medium Density Residential Zone in order to accommodate a future housing development proposal.

The application is subject to a two-stage public hearing process. The attached report is a recommendation Planning Report prepared for the stage two public hearing. The stage one hearing took place on September 4 2024. No members of the public were in attendance and no written submissions have been received to date. Three phone calls were received which were for information clarification purposes. Staff are supportive of the application as it is consistent with the Provincial Planning Statement, conforms to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury, has regard for matters of provincial interest and represents good planning.

Staff Report

Proposal:

The purpose and effect of the Municipally initiated application is to rezone the subject lands from the “R1-5” Low Density Residential One Zone to the “H62R3-1” Holding Medium Density Residential Zone in order to accommodate a future housing development proposal in accordance with the Housing Supply Strategy and Affordable Housing Community Improvement Plan (AHCIP).

The subject lands are designated ‘Living Area 1’ within the City’s Official Plan, are zoned “R1-5” Low Density Residential One Zone within By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury and are located within the ‘Ramsey Lake Intake Protection (IPZ 3) Zone 3’ within the Source Water Protection Plan.

The subject lands are located North-West of the intersection of Bancroft Avenue and First Avenue in Minnow Lake. The subject lands have a frontage of +/- 75 m along Bancroft Drive, +/- 146 m along First Avenue, and a lot area of +/- 6 ac (4.42 ha). The subject lands are in a natural vegetative state and are vacant of buildings and structures. The site is relatively flat, based on a preliminary review of orthophotography and site visit there do not appear to be any development constraints.

The subject lands are serviced by a municipal sanitary connection, and water infrastructure is located within the right of way of Bancroft Drive. Adequate servicing capacity exists for the subject lands based on the maximum units per ha permitted within the Official Plan, being 90 units per ha for medium density developments. Access(es) will be established to the site through the site plan control process once a development proposal has been received.

Surrounding uses are residential and institutional in nature. The subject lands are located adjacent to existing active transportation infrastructure, and are in proximity to both active and passive recreational opportunities, including the Morel Family Foundation Park on Second Avenue; educational and health care facilities as well as a cluster of commercial developments at the corner of Second Ave and Bancroft Ave.

A location map has been attached for reference.

Background

On May 27, 2024 Planning Committee was presented with an update on the Affordable Housing Land Banking Strategy Phase 2, which described the process of municipal land banking and the criteria used to determine suitable lands for the creation of affordable housing units in accordance with the Housing Supply Strategy and in conjunction with the Affordable Housing Community Improvement Plan (AHCIP).

Based on the identified need for purpose-built rentals, the amount of land required for multi-residential developments, and the locational criteria established in the Affordable Housing Community Improvement Plan (AHCIP), two City owned sites were identified as priority properties, one of the sites being 0 Bancroft Drive.

Planning Committee passed a resolution (PC2024-83) that directed staff to initiate the Planning Act processes to rezone 0 Bancroft Drive to the “R3-1” Medium Density Residential Zone. This rezoning application is a result of Council direction to create development-ready parcels of land to assist with affordable housing and funding opportunities.

On September 4, 2024 planning staff provided Committee with an information report as part of the phase one hearing for this rezoning application. Planning Committee passed a resolution (PC2024-129) that directed staff to complete a further review and evaluation of the application and schedule a second public hearing. In response, staff have prepared a recommendation report for Committee’s consideration.

Policy & Regulatory Framework:

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

- [2024 Provincial Planning Statement](#)
- [2011 Growth Plan for Northern Ontario](#)
- [Official Plan for the City of Greater Sudbury, 2006](#)
- [Zoning By-law 2010-100Z](#)

Provincial Planning 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 Planning Statement:

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

Several sections of the PPS are relevant to the application and intended medium density residential use of the lands.

Policy 2.1.6 identifies that planning authorities should support complete communities by accommodating an appropriate range and mix of land uses to meet long term needs, which improves accessibility for people of all ages and abilities, and improves social equity and overall quality of life for people of all ages, abilities, and incomes.

Policy 2.2 speaks to housing and requires planning authorities to provide an appropriate range and mix of housing options to meet social, health, and economic needs of current and future residents by permitting densities for new housing and residential intensification which efficiently use land, resources, infrastructure, public service facilities, and transit.

Policy 2.3 speaks to settlement areas and requires that settlement areas be the focus of growth and development. Land use patterns within settlement areas should be based on densities and a mix of land uses which efficiently use land and resources, optimize existing and planned infrastructure and public service facilities, and are transit supportive. Intensification and redevelopment to achieve complete communities shall be supported.

Policy 2.9 speaks to energy conservation, air quality, and climate change and requires planning authorities to reduce greenhouse gas emissions by supporting compact and complete communities that are transit supportive, conserve and use energy efficiently, protect the environment, and improve air quality.

Policy 3.6 speaks to sewage, water, and stormwater and includes a servicing hierarchy where municipal sewage and water services are the preferred form of servicing within settlement areas to support protection of the environment and minimize potential risk to human health and safety.

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 Growth Plan encourages Municipalities to plan communities that achieve accommodation of the diverse needs of all residents, now and in the future, optimize use of existing infrastructure, and result in a high quality of place.

Official Plan for the City of Greater Sudbury:

The subject property is designated as 'Living Area 1' in the City of Greater Sudbury Official Plan.

Section 3.1 contains the objectives of the 'Living Area 1' designation. The objectives applicable to this application are as follows:

- a. meet 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 in Living Areas;
- b. encourage the development of a mix of residential uses;
- c. achieve stability in the City's housing market by ensuring that a sufficient supply of designated and serviceable residential land is available to meet existing and future needs;
- e. focus residential development in areas that have sufficient infrastructure and public service capacity

Areas designated 'Living Area I' in Communities are seen as the primary focus of residential development. Section 3.2.1 contains policies for the 'Living Area I' designation. The following are applicable:

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.
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.
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.
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.

Section 2.3 of the Official Plan regarding reinforcement of the urban structure states that growth must continue to be directed to capitalize on existing investments, make the most efficient use of existing infrastructure and public service facilities, protect our rural and agricultural assets and preserve our natural features and areas. Reinforcing the urban structure also creates a more energy efficient land use pattern and supports climate change mitigation. Section 2.3.2 directs that 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 17 contains policies in regards to housing and states that adequate and affordable housing for all residents is a fundamental component of Greater Sudbury's Healthy Community approach to growth and development. Housing is also a key contributor to individual success at school, in the workplace, and in the community. Diversity in the housing supply is achieved by providing a range of housing types, maintaining a balanced mix of ownership and rental housing, and addressing housing requirements for low income groups and people with special needs.

A key housing goal of the Official Plan is to maintain a balanced mix of ownership and rental housing, and to encourage a greater mix of housing types and tenure, including encouraging the production of smaller (one and two bedroom) units to accommodate the growing number of smaller households. The Official Plan is intended to provide direction as to how housing needs and issues can be addressed in concert with the CGS Housing and Homelessness Plan.

Zoning By-law 2010-100Z:

The subject lands are proposed to be rezoned to the “R3-1” Medium Density Residential Zone within the City’s Zoning By-law.

The “R3-1” Zone permits the following uses:

- Bed and Breakfast Establishment;
- Convenience Store;
- Day Care Centre;
- Duplex Dwelling;
- Group Home Type 1;
- Multiple Dwelling;
- Personal Service Shop;
- Private Home Daycare;
- Row Dwelling;
- Shared Housing;
- Semi-detached Dwelling;
- Single Detached Dwelling; and
- Street Townhouse Dwelling.

The “R3-1” zoning standards and general provisions vary depending on the proposed use. The applicable zoning standards will be evaluated once a development proposal has been received.

2.6 Holding Zones

Notwithstanding any other provision in this By-law, where a Zone symbol is preceded by, a letter “H” and a number– for example H1M1 – the symbol refers to a Holding provision that applies to the lands noted. No person shall use or permit the land to which the Hold applies for any use other than the use which legally existed on the date the By-law applying the Holding provision came into effect or the use(s) permitted in the By-law enacting the Hold, or expand or replace an existing building or structure as the case may be, until the Hold (H) is removed in accordance with the policies of the Official Plan and Section 36 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

Consultation:

Public Consultation:

The statutory notice of the application was provided by newspaper on March 23, 2024 along with a courtesy mail-out to surrounding property owners and tenants within 122 m of the property on July 10, 2024. The statutory notice of the stage one public hearing was provided by newspaper on August 10, 2024, and courtesy mail-out within 122 m of the property on August 8, 2024. The notice for the stage two public hearing was provided by newspaper on September 28, 2024, and courtesy mail-out within 122 m of the property on September 26, 2024.

At the time of writing this report, three phone calls were received to date and no written submissions with respect to this application have been received by the Planning Services Division. The nature of the phone calls were for information purposes only.

Department/Agency Review:

The application including relevant accompanying materials has been circulated to all appropriate agencies and departments. Responses received from agencies and departments will be used to assist in evaluating the application. Comments received from departments generally had no concerns with the rezoning request. At the time when a development proposal is received, further department and agency review will be completed through the site plan control application process.

Development Engineering confirmed that adequate servicing capacity exists for the subject lands based on the maximum number of units per ha permitted within the Official Plan.

Strategic and Environmental Planning provided advisory comments for the developer to adhere to federal Migratory Birds Convention Act, the provincial Endangered Species Act and the provincial Fish and Wildlife Conservation Act.

Source Water Protection identified that the site will be subject to a permit and further review in order to protect significant drinking water.

Detailed comments can be found in Appendix 1 to this report.

Planning Analysis:

The Provincial Planning Statement (PPS) and Official Plan direct growth to occur within settlement areas with preference for full municipal services. The subject lands are located within an existing residential area in the settlement area of Sudbury and municipal servicing is available subject to engineering and design.

The PPS and Official Plan promote residential intensification and encourage a wide range of housing forms in order to accommodate current and future housing needs. The proposed rezoning from low density to medium density will result in residential intensification of the subject lands and is intended to contribute to diversifying the housing supply by permitting medium density forms of housing with an affordable housing component.

The Official Plan provides location criteria for medium density housing developments. The subject lands has frontage along Bancroft Drive which is classified as an arterial road and is anticipated to be able to accommodate additional growth. The subject lands abut a public transit route with the nearest stops approximately 60 m to the east and 80 m to the west on Bancroft Drive. Adequate municipal water and sanitary services are available, subject to engineering and design. The subject lands are located in close proximity to both active and passive recreational opportunities, including the Morel Family Foundation

Park on Second Avenue, educational and health care facilities, as well as a cluster of commercial developments at the corner of Second Ave and Bancroft Ave. The subject lands are +/- 6 ac (4.42 ha) in area which is considered to be a suitable size to provide adequate landscaping and amenity features. Based on the above, the proposed rezoning is in conformity with the location criteria of the official plan for medium density development.

It is noted that once a development proposal has been submitted staff will undertake a detailed review of the proposal against the policy documents. Should the future development be unable to meet the zoning standards, a subsequent planning application would be required and staff would evaluate the appropriateness of the requested relief at that time.

In order to ensure that the future development contains an affordable housing component, staff recommend that a holding provision be placed on the lands. Removal of the holding provision would be contingent upon the completion of an affordable housing agreement.

The rezoning proposal was initiated through Council's direction to create development-ready parcels of land in accordance with the Housing Supply Strategy and in conjunction with the Affordable Housing Community

Improvement Plan (AHCIP). Overall, staff are of the opinion that the proposed rezoning is consistent with the Provincial and City's direction for establishing increased housing through residential intensification in the form of medium density development with an affordable housing component.

Conclusion:

Staff recommends approval of the application as described in the resolution section on the basis that it is consistent with the Provincial Planning 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.

Resources:

1. Affordable Housing Land Banking Strategy Phase 2 Update, <https://pub-greatersudbury.escribemeetings.com/filestream.ashx?DocumentId=53497>
2. Land Banking Summary- Minnow Lake/ Bancroft Site, <https://pub-greatersudbury.escribemeetings.com/filestream.ashx?DocumentId=53498>
3. Planning Committee Resolution PL2024-83, <https://pub-greatersudbury.escribemeetings.com/FileStream.ashx?DocumentId=53576>

Appendix 1: Departmental & Agency Comments

a) Building Services

No concerns at this time.

b) Development Engineering

This site currently has a sanitary sewer service to the lot line, and municipal water is available within the Bancroft Drive Road allowance. Any upgrading of the water and/or sanitary sewer, if deemed necessary for proper servicing, will be borne by the owner.

A water and sewer capacity analysis was performed based on a maximum of 218 units on this site and it was determined that there is sufficient water supply and sanitary sewer capacity to support the development.

We have no objection to the rezoning provided that the future development proceeds by way of site plan control agreement to deal with issues such as site grading, stormwater management, and site servicing.

c) Housing Services

Housing Services has no concerns and is supportive of the application.

d) Infrastructure Capital Planning

No concerns.

e) Nickel District Conservation Authority (NDCA)

No objection to the rezoning.

f) Strategic and Environmental Planning

The owner is solely responsible for ensuring that vegetation removal, site alteration, and development undertaken on the subject lands do not result in a contravention of the federal Migratory Birds Convention Act, the provincial Endangered Species Act and the provincial Fish and Wildlife Conservation Act.

g) Source Water Protection

The subject lands are located within the Ramsey Lake Intake Protection Zone three (IPZ 3). A Section 59 application is required. The future development proposal will be reviewed to ensure significant drinking water is not threatened. Depending on the proposal, a Risk Management Plan may be required. The storage of road salt on the subject property would be prohibited in excess of 0.5 tonnes.