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November 29, 2024
240751

Development Approvals – Planning Services

Tom Davies Square – City of Greater Sudbury
200 Brady Street
Sudbury, ON
P3A 5P3

RECEIVED

DEC 04 2024

PLANNING SERVICES

Re: Zoning By-law Amendment – Montee Genereux Street

PINs 73348-0749, 73348-0750, 73348-0751, 73348-0752, 73348-0753 &
73348-0754

Dear Planning Services,

TULLOCH has been retained by the owner of PINs 73348-0749, 73348-0750, 73348-0751, 73348-0752, 73348-0753 & 73348-0754 (located along Montee Genereux Street) in Chelmsford to prepare a planning justification memo as part of a complete application to amend the *City of Greater Sudbury Zoning By-Law 2010-100Z*. This memo provides justification for an application to rezone the subject properties (hereby referred to as the 'subject lands') from R2-2 (Low Density Residential Two) to R3(S) (Medium Density Residential Special) to facilitate the development of a one or two storey, five-unit street townhouse building with driveways providing direct access to and from Montee Genereux Street for each dwelling unit.

The following site-specific reliefs are also being requested through the rezoning application, and are analyzed throughout this memo:

- That the easterly property limit be deemed the front lot line;
- Corner side yard setback of 3.5m, whereas a minimum of 4.5m is required;
- Lot depth of 40m, whereas a minimum of 45m is required; and
- 0m wide planting strip with a 1.5m tall privacy fence abutting lands zoned R1-4 (Low Density Residential One) under Zoning By-law 2010-100Z.

The subject lands are comprised of Lots 12-14 on Plan 53M-1420, and a deeming by-law is required to remove the lots from Plan 53M-1420 and consolidate the lots into one parcel. Following the construction of the 5-unit townhome's common walls, it is intended that consent

applications would be submitted to the City to sever the newly consolidated property into 5 new lots.

The property is located just north of Trottier Avenue, just south of Highway 144 and Municipal Road 35 intersection in Chelmsford and is currently vacant. Combined, the above-noted PINs make up an area of $\pm 3,232\text{m}^2$ with $\pm 42.83\text{m}$ of frontage along the Montee Genereux Street Cul-de-sac.

Table 1 outlines the specific lot areas and frontages for each proposed lot:

Table 1 - Proposed Lot Areas & Frontages

| LOT NUMBER | PROPOSED LOT AREA | PROPOSED LOT FRONTAGE |
|--------------|------------------------|-----------------------|
| Lot 1 | $\pm 847.06\text{m}^2$ | $\pm 14.5\text{m}$ |
| Lot 2 | $\pm 502.57\text{m}^2$ | $\pm 9.2\text{m}$ |
| Lot 3 | $\pm 475.44\text{m}^2$ | $\pm 9.2\text{m}$ |
| Lot 4 | $\pm 448.31\text{m}^2$ | $\pm 9.2\text{m}$ |
| Lot 5 | $\pm 958.62\text{m}^2$ | $\pm 14.21\text{m}$ |

The subject lands are currently zoned R2-2 (Low-Density Residential Two) in the *City of Greater Sudbury Zoning By-law 2010-100z*, designated Living Area I and located within the City's settlement area boundary in the City of Greater Sudbury Official Plan (OP). Montee Genereux is designated as a local road with full municipal sewer and water services in the OP.

The subject lands are approximately 500 metres from transit and active transportation networks such as GOVA Transit Route 104, and pedestrian walkways connecting Montee Genereux Street to the established mixed-use commercial corridor along Highway 144.

The surrounding area is comprised of a range and mix of land uses including residential, commercial, institutional and industrial. The broader Chelmsford community is predominantly made up of low-density residential uses taking the form of single-detached dwellings, with some medium-density residential uses scattered throughout the community (particularly along Highway 144). The immediate surrounding area can be described as follows:

NORTH: Industrial lands zoned M1, a large commercial plaza with Place Bonaventure Mall, restaurants, retail, medical and financial services

WEST: Highway 144, commercial lands zoned C2(6), low-density residential uses

SOUTH: Low-density residential uses

EAST: Low-density residential uses

2024 Provincial Planning Statement (PPS)

Section 2.2.1 of the PPS states that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet the projected needs of current and future residents by permitting and facilitating all housing options required to meet the social, health, economic and well-being of current and future residents by introducing new housing options within previously developed areas; and by promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation.

The application would facilitate the development of a medium-density housing option that would assist in providing a range and mix of residential types to an area of predominantly low-density housing. The application also plans for the introduction of smaller unit sizes to accommodate the growing number of smaller households in Sudbury and overall, the long-term needs of Sudbury's aging demographic. In line with **Section 2.2.1**, the proposed development represents an efficient use of the lands by utilizing existing municipal infrastructure such as municipal sewer and water services, and transit and active transportation networks. In addition, a water capacity analysis was completed by TULLOCH, which determined that sufficient water capacity and pressure exist for the proposal in question. The results of such analysis are provided as part of a complete application for rezoning.

The property is located within the City's settlement area boundary, which under **Section 2.3.1** of the PPS shall be the focus of growth and development. This section also promotes densities and a mix of land uses which efficiently use land and resources; optimize existing and planned infrastructure and public service facilities; support active transportation; and are transit supportive. As noted above, the proposed development represents an efficient use of the subject lands and the existing municipal infrastructure with the capacity to service the proposal. With respect to **Section 2.3.1.2**, the proposal also optimizes existing public service facilities within the community of Chelmsford such as schools, parks and open spaces, community recreation facilities and fire stations.

Growth Plan for Northern Ontario Policies (GPNO)

The GPNO also promotes municipalities to plan for a diverse mix of land uses under **Section 3.4.3**, which states that:

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

The application supports and promotes healthy living by promoting a more diverse mix of residential uses in the area. In addition, the property is located in proximity to lands designated Mixed Use Commercial in the OP, and future residents would have access (via a 10-minute bus ride on GOVA Transit) to lands designated as Town Centre in both Chelmsford and Azilda. Such

land use designations feature a range and mix of land uses, allowing future residents access to local stores and services.

City of Greater Sudbury Official Plan (OP)

Sections 3.2 & 3.2.1 of the Official Plan contains policies related to lands designated as Living Area I throughout the City. Such policies permit both low and medium density housing in all Living Area I designations where full municipal services are available. Most notably, **Section 3.2.1.5** outlines criteria for Council to consider when considering applications to rezone lands designated Living Area I. These matters are outlined as follows:

- 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.*

The application conforms to the above criteria, specifically it:

- Is a suitable size and shape to accommodate the proposed density and building form. With respect to density, the proposal is ± 16 units per hectare pre-severance, and a maximum of 90 units per hectare is permitted for medium-density development in the OP. With respect to the proposed building form, such conforms with the vast majority of the applicable provisions of the R3 zone (as demonstrated in the submitted concept plan) – one of the site-specific reliefs is requested to accommodate the proposed built form, however, this relief would not hinder land use compatibility, as justified in the zoning by-law section of this memo;
- Proposes a residential development that is compatible with the surrounding neighborhood in terms of scale, massing, height and siting.
 - The adjacent R1-4 zone contains identical zoning provisions (related to scaling, massing, height and siting) to that of the R3 zone for single-storey dwellings – that being a front yard setback of 6m; rear yard setback of 7.5m; interior side yard setback of 1.2m; corner side yard setback of 4.5m; maximum lot coverage of 40%; and a maximum height (regardless of one or two stories) of 11m. Particularly with respect to the existing low-density housing to the south of the property, the proposal contemplates an enhanced southerly interior side yard setback of ± 5 m, whereas (as noted above) 1.2m is required for single-storey townhouse buildings in the R3 zone.
 - Moreover, the zoning by-law requires certain landscaping features where low-density residential uses fall adjacent to medium-density residential uses. The proposal requires a 3m wide planting strip along the southerly lot line, however in the absence of this landscaping feature, a 1.5m tall opaque fence is proposed in

this location to serve as a buffer between the proposed medium-density development and the existing low-density housing to the south. It is the authors opinion that together with the proposed enhanced interior side yard setback and fence, the proposal is compatible with the surrounding neighbourhood;

- The property's current lot configuration and zoning permits the development of duplex, semi-detached and/or single-detached dwellings over the 6 existing lots with a maximum height of 11m – whereas, this application proposes a one or two storey, 5-unit townhouse building;
- Provides adequate on-site parking (1 parking space per dwelling), whereas a minimum of 1 parking space per dwelling is required for street townhouses in Table 5.5 of the zoning by-law, and adequate landscaping and outdoor amenities that are conducive to a more compact built form; and
- Had the benefit of receiving preliminary comments from the City's Traffic and Transportation Department, for which no concerns with the proposal's traffic impact on the local street network were raised.

Natural Hazards

The subject property is regulated under Ontario Regulation 41/24 under the *Conservation Authorities Act*. This is a result of the property backing onto the City of Greater Sudbury Lavallee Drain A which has an associated flood and erosion hazard. Through pre-consultation with Conservation Sudbury, it was determined that without a site-specific study, the erosion hazard is considered to extend 15m from the top of the existing bank of the drain/watercourse. The erosion hazard limit is outlined on the submitted concept plan and demonstrates that the proposed development can occur outside of such hazard.

With respect to the flood hazard, there is no modelled floodplain for the drain/watercourse alignment, therefore a proxy elevation of 1.2m above the high watermark of such watercourse is used to ensure appropriate floodproofing of the proposed townhouse building. Through pre-consultation with Conservation Sudbury, a proxy elevation of 271.9m was confirmed. The flood hazard is also outlined on the concept plan. While the townhouse building is proposed within such hazard, in order for Conservation Sudbury to issue a permit under **Section 28.1** of the *Conservation Authorities Act*, the proponent is required to demonstrate the following:

- The proposed structure meets floodproofing standards, including:
- Lowest opening a minimum of 0.3 m above the proxy floor elevation; and
- Fill apron around the structure for a distance of 2-3 m at or above the proxy flood elevation.

A conceptual lot grading plan demonstrating compliance with the above-noted requirements has also been provided as part of a complete application for rezoning. Such determined that the development can proceed in a manner which meets the above noted criteria and conforms with **Section 10.2 (Flooding and Erosion Hazards)** of the OP which permits development on lands adjacent to a watercourse affected by flooding or erosion so long as it is approved by Conservation Sudbury.

City of Greater Sudbury Zoning By-Law 2010-100z

As previously mentioned, the application proposes to rezone the subject lands from R2-2 (Low Density Residential Two) to R3(S) (Medium Density Residential Special). Site-specific relief is requested through the rezoning application. Such reliefs are outlined as follows:

- That the easterly property limit be deemed the front lot line;
- Corner side yard setback of 3.5m, whereas a minimum of 4.5m is required;
- Lot depth of 40m, whereas a minimum of 45m is required; and
- 0m wide planting strip with a 1.5m tall privacy fence abutting lands zoned R1-4 (Low Density Residential One) under Zoning By-law 2010-100Z.

Front Yard and Corner Side Yard Related Reliefs

Deeming the easterly property limit as the front lot line is a technical relief as currently the northerly property limit is considered the front lot line per the zoning by-law. This does not align with the proposed building forms configuration oriented adjacent to the easterly property limit, therefore such relief is requested through this application.

A corner side yard setback under the required 4.5m is proposed to accommodate the anticipated built form, providing residents with more living area and wider privacy yards. This would not impact surrounding land uses, particularly with respect to existing nearby low-density residential housing as this would only apply along the property's northerly lot line, which abuts the Montee Genereux right-of-way, owned by the City of Greater Sudbury.

Lot Depth Relief

Relief to permit a lot depth of 40m for proposed Lot 5 is a product of the irregular shape of the property and is an existing condition. Given that the relief is required to recognize an existing condition and adequate separation (21.8m) from Highway 144 is still provided the relief is appropriate.

Planting Strip

Through consultation with the City of Greater Sudbury, it was confirmed that a 3m wide planting strip can not be provided along the property's southerly lot line as there is an existing City drainage easement in this location. However, in the absence of this planting strip, a 1.5m tall opaque fence is proposed to serve as a buffer between the proposed medium-density development and the existing low-density housing to the south. Given that the proposed built form would be similar in height and size to the surrounding low-density residential uses, it is the author's opinion that the proposed privacy fence will provide for adequate buffering.

Given the analysis provided herein, it is the author's opinion that the application represents good planning and is consistent with the 2024 Provincial Planning Statement, conforms with the Growth Plan for Northern Ontario, and conforms with the City of Greater Sudbury Official Plan.

Respectfully submitted,



Aaron Ariganello
Land Use Planner | BURP