

3441 Highway 144, Chelmsford

Presented To:	Planning Committee
Meeting Date:	April 28, 2025
Type:	Public Hearing
Prepared by:	Stephanie Poirier Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-5/24/12

Report Summary

This report provides a recommendation regarding a request to rezone a draft approved plan of subdivision on lands known as 3441 Highway 144 in Chelmsford.

This report is prepared by Stephanie Poirier, Senior Planner.

Resolution

THAT the City of Greater Sudbury approves the application by Vytis Lands (Kagawong) Ltd. & Ronald Chevrier to amend Zoning By-law 2010-100Z by changing the zoning classification from “FD”, Future Development to “R2-2”, Low Density Residential Two and “R3”, Medium Density Residential on lands described as Part of PINs 73348-0734 & 73348-0005, Parts 1, 2 & 3, Plan 53R-20417 in Lot 2, Concession 2, Township of Balfour, as outlined in the report entitled “3441 Highway 144, Chelmsford” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on April 28, 2025, subject to the following conditions:

1. That the owner provides the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to enable the preparation of an amending zoning by-law; and
2. That the draft approved plan of subdivision (File: 780-5/12-005) be rezoned as follows:
 - i) Lots 1 to 6, 18 to 21, 92, 93, 164 to 168 and 192 to 194 and Block C be zoned as “R3”, Medium Density Residential;
 - ii) Lots 7 to 17, 22 to 91, 94 to 163 and 169 to 191 and Blocks B and D be zoned as “R2-2”, Low Density Residential Two; and,
 - iii) Block A be zoned as “P”, Park.

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

The proposal is consistent with the goals and objectives of the Strategic Plan by expanding and diversifying the supply of new housing in a fully serviced settlement area, where the provision of municipal services is deemed to be efficient and cost-effective. The application is consistent with the goal to create compact, complete communities under the Community Energy & Emissions Plan.

Financial Implications

If approved, staff estimates approximately \$1.8 million in taxation revenue in the supplemental tax year only, based on the assumption of 348 semi-detached dwelling units and 73 townhouse units, at an estimated assessed value of \$300,000 and \$275,000 respectively per dwelling unit, at the 2024 property tax rates.

This 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, at time of building permit issuance.

Report Overview:

An application for rezoning has been submitted to permit the construction of 174 lots for semi-detached dwellings (348 units) and 20 lots for street townhouse dwellings (73 units) on lands subject to a draft plan of subdivision (file 780-5-12-005) approved in 2013 and most recently amended in 2022.

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.

Staff Report

Proposal:

The purpose and effect of the application is to rezone the subject lands from the “FD”, Future Development to “R2-2”, Low Density Residential Two and “R3”, Medium Density Residential to permit the construction of 174 lots for semi-detached dwellings (348 units) and 20 lots for street townhouse dwellings (73 units) on lands subject to a draft plan of subdivision (file 780-5-12-005) approved in 2013 and most recently amended in 2022.

The lands are subject to two previous Zoning By-law Amendment Applications, files 751-5-12-17 and 751-5-22-001 which have both lapsed. No changes have been proposed since the previous rezoning application.

The subject lands are designated ‘Living Area 1’ within the City’s Official Plan, are zoned “FD” Future Development” within By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury, and are regulated by the Nickel District Conservation Authority (NDCA).

Surrounding uses are low density residential, commercial, open space recreational, and future development in nature.

The following materials have been submitted as part of the application and are attached for reference:

1. Planning Justification Memorandum
2. Draft Plan of Subdivision
3. Floodplain Correspondence
4. Photos of Units

A location map has been attached for reference.

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;](#) and,
- [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).

The PPS acknowledges the Province's goal of getting at least 1.5 million homes built by 2031 and identifies that Ontario will increase the supply and mix of housing options. "Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce, now and for many years to come."

Several sections of the PPS are relevant to the application and intended 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. Additionally, a small northwesterly portion adjacent to the Whitson River tributary is designated as Parks and Open Space, which aligns with the flood plain boundary indicated on the draft 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;
- d. focus residential development in areas that have sufficient infrastructure and public service capacity

Section 3.2 contains general policies for Living Areas, and states that low and medium density housing is permitted in all Living Area 1 designations where full municipal services are available. Low density development permits single detached dwellings, semi-detached dwellings, duplexes and townhouses to a maximum net density of 36 units per hectare.

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.

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:

5. 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 speaks to reinforcement of the urban structure and 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 2.3.3 encourages all forms of intensification and establishes a 20% residential intensification target. Intensification applications are to be evaluated with respect to the following criteria:

- 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.

Section 17 identifies a key housing goal 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.

Due to the flood plain associated with Tributary III of the Whitson River, policies applied to flooding and erosion hazards under Section 10.2 shall be considered:

1. Because flooding and erosion hazards may cause loss of life and may result in damage to property, development on lands adjacent to the shoreline of a watercourse or waterbody affected by flooding or erosion hazards are generally restricted and may be approved by Conservation Sudbury or MNRF. In addition, development on adjacent lands is also generally restricted and may be approved by Conservation Sudbury or MNRF.
2. Notwithstanding the above, development and site alteration is not permitted within a floodway regardless of whether the area of inundation contains high points of land not subject to flooding. Development and site alteration is not permitted in areas that would be rendered inaccessible to people and vehicles during times of a hazard, unless it has been demonstrated that the site has safe access appropriate to the nature of development and hazard.
3. For purposes of clarity, 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.

4. Uses that by their nature must locate within the Flood Plain including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows are permitted.
5. Any alterations to the terrain within the Flood Plain which may have an effect on drainage and the erection of any structures must first receive the approval of Conservation Sudbury or MNRF.

Zoning By-law 2010-100Z:

The subject lands are zoned 'FD' Future Development within the City's Zoning By-law.

The development standards for a semi-detached dwelling in the requested zone being the 'R2-2' Low Density Residential Two Zone are as follows:

- Minimum lot area of 275 m² per dwelling unit
- Minimum lot frontage of 9 m (10.5 m for corner lots)
- Minimum lot depth of 30 m
- Minimum front yard setback 6 m
- Minimum rear yard setback 7.5 m
- Minimum interior side yard setback 1.2 m + 0.6 m per storey above the first storey
- Maximum lot coverage 40%
- Maximum height 11 m

The development standards for street townhome dwellings in the requested zone being the 'R3' Medium Density Residential Zone are as follows:

- Minimum lot area of 150 m² per dwelling unit
- Minimum lot frontage of 6 m (8 m for corner lots)
- Minimum lot depth of 30 m
- Minimum front yard setback 6 m
- Minimum rear yard setback 7.5 m
- Minimum interior side yard setback 1.2 m + 0.6 m per storey above first storey
- Maximum lot coverage 40%
- Minimum landscaped open space 30%
- Maximum height 11 m

Parking provisions for semi-detached and street townhome dwellings require 1 space per unit.

Landscaping provisions require a 3 m wide planting strip, or 1.5 m tall opaque fence with 1.8 m planting strip along the medium density 'R3' Zone lot lines which abut lower residential 'R2-2' Zone.

Public Consultation:

The statutory notice of the application was provided by newspaper on February 8, 2025 along with a courtesy mail-out to surrounding property owners and tenants within 122 m of the property on February 4, 2025. The statutory notice of the public hearing was provided by newspaper on April 5, 2025, and courtesy mail-out within 122 m of the property on April 3, 2025.

At the time of writing this report, no written or oral submissions from the public have been received by the Planning Services Division.

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 and to inform and identify appropriate development standards in an amending zoning by-law should the application be approved. Comments received from departments generally had no objections to the rezoning application. Advisory comments were provided from Building Services and Conservation Sudbury in regard to additional zoning review at time of building permit stage and the

continuation of addressing floodplain and erosion hazards through the draft plan of subdivision process. Additionally, Development Engineering has advised that a first submission of construction drawings were reviewed in 2024 for the plan of subdivision.

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

Planning Analysis:

The Provincial Planning Statement, Growth Plan for Northern Ontario, and City of Sudbury Official Plan all encourage appropriate growth and residential intensification to occur within settlement areas on full municipal services. The proposed development is located within the settlement boundaries of Chelmsford in an area intended to accommodate future residential use. The proposal represents the logical extension of municipal services within a designated growth area.

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 will result in residential intensification and is intended to contribute to diversifying the housing supply by permitting semi-detached and townhome dwellings. The Official Plan identifies that a key housing goal is to maintain a balanced mix of ownership and rental housing, and to encourage a greater mix of housing types and tenure. The proposal represents an opportunity to provide additional housing options within Chelmsford. The applicant has provided photos of one-storey townhome dwellings attached for reference.

Staff have reviewed the draft approved plan of subdivision against the proposed zoning standards in terms of minimum lot area, lot frontage, and lot depth for the proposed 'R2-2' and 'R3' Zones. The proposed zoning appears to be consistent with the lot fabric of the draft plan. The applicant has not requested any site specific standards at this point in time and no changes to the draft plan or proposed zoning have occurred since the previous amendment and draft plan extension in 2022.

The subject lands contain flood and erosion hazards adjacent to Tributary III of the Whitson River. The extent of natural hazards is limited to the northerly area of the subject lands as identified on the draft plan. Conservation Sudbury has no objections to the rezoning, however, has identified that additional information on watercourses, erosion hazards, wetlands and municipal drains is required. The applicant has provided a copy of correspondence in regard to this matter as part of the first draft plan submission, which is attached for reference. Staff are satisfied that the hazards will continue to be addressed through the draft plan process.

The draft plan is attached to the report for reference.

Overall staff is satisfied that the proposed zoning is appropriate for the existing draft plan approval to facilitate the construction of 174 lots for semi-detached dwellings (348 units) and 20 lots for street townhouse dwellings (73 units) for a total of 421 dwelling units.

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.

Appendix 1:

Departmental & Agency Comments

a) Building Services

No objections with the proposed zoning amendment subject to the following advisory comments:

- Specific zone standards and requirements applicable to the lots will be reviewed at time of subdivision and may be subject to the Minor Variance approvals.

b) Conservation Sudbury

The property is adjacent to a portion of the Whitson River Tributary III and has an associated flood and erosion hazard regulated by Conservation Sudbury. Sketch submitted with the rezoning application indicates the approximate flood hazard for this specific Tributary but does not show all the other hazards, including other watercourses, erosion hazards, wetlands or municipal drains.

Conservation Sudbury does not object to the rezoning application for the subject properties. However, concept sketch may not be able to be realized as distributed pending the mapping of the hazards.

The mapping requirement as it relates to the identification of hazards are detailed in correspondence from Conservation Sudbury dated November 21, 2024 (as part of the 1st circulation construction drawings for Huneault Subdivision Phase 1).

c) Development Engineering

Development Engineering has reviewed the above noted application. A first submission of Construction drawings for the subdivision were reviewed in 2024. Servicing of the lots would need to match the proposed lot fabric and meet the requirements of City By-law and standards.

We have no objection to changing the zoning classification of the subject property from “FD”, Future Development to “R2-2”, Low Density Residential Two and “R3”, Medium Density Residential.

d) Hydro One

No concerns.

e) Infrastructure and Capital Planning.

No concerns from roads, transportation & innovation support, active transportation, roads operations, or drainage.