

944 Falconbridge Road, Sudbury

Presented To:	Planning Committee
Meeting Date:	March 24, 2025
Type:	Public Hearing
Prepared by:	Stephanie Poirier Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	701-6/24-09 & 751-6/24-22

Report Summary

This report provides recommendations regarding an application to remove Site Specific Policy Area 21.43 of the Official Plan and rezone the subject lands from the 'C2(74)' General Commercial Special to a 'R4-S' High Density Residential Special Zone in order to permit the construction of a five-storey multiple dwelling unit containing 52 units with site specific provisions.

This report is presented by Stephanie Poirier, Senior Planner.

Letter(s) of concern from concerned citizen(s) have been received.

Resolution

Resolution 1:

Resolution regarding the Official Plan Amendment

THAT the City of Greater Sudbury approves the application by Falconbridge Developments Inc. to amend the City of Greater Sudbury Official Plan by removing Site Specific Policy 21.43 in order to allow the uses permitted in the underlying 'Mixed Use Commercial' designation, on lands described as PIN 73569-0020, Plan 53M1194 Lot 33, Lot 10, Concession 5, Township of Neelon, & PIN 73569-0050, Parcel 34542, Plan M380 South Part Lot 25, Lot 10, Concession 5, Township of Neelon, as outlined in the report entitled "944 Falconbridge Road, Sudbury", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on March 24, 2025.

Resolution 2:

Resolution regarding the Zoning By-law Amendment

THAT the City of Greater Sudbury approves the application by Falconbridge Developments Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification from 'C2(74)' General Commercial Special to a 'R4-S' High Density Residential Special Zone, on lands described as PIN 73569-0020, Plan 53M1194 Lot 33, Lot 10, Concession 5, Township of Neelon, & PIN 73569-0050, Parcel 34542, Plan M380 South Part Lot 25, Lot 10, Concession 5, Township of Neelon, as outlined in the report entitled "944 Falconbridge Road,

Sudbury”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on March 24, 2025 subject to the following conditions:

1. That the amending zoning by-law include the following site-specific provisions:
 - a) A minimum front yard setback of 6 m, where 15 m is required;
 - b) A minimum of 1.2 parking spaces per dwelling unit, where 1.5 parking spaces per dwelling unit are required; and
 - c) A maximum building height of 5 storeys.
2. A Holding symbol which shall not be removed by the City of Greater Sudbury until the following condition has been addressed:
 - a) That sufficient sanitary flow capacity be available at the Don Lita Lift Station to accommodate the proposed development 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 that the amending by-law comes 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 application contributes to the 2019-2027 City of Greater Sudbury Strategic Plan goals related to housing by adding to the range and mix of housing available in this area. The application aligns with the Community Energy and Emissions Plan by supporting the strategy of creating compact, complete communities.

Financial Implications

If approved, staff estimates approximately \$227,000 in taxation revenue in the supplemental tax year only, based on the assumption of multiple dwelling building with 52 units at an estimated assessed value of \$275,000 respectively per dwelling unit at the 2024 property tax rates.

The 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 the time of building permit issuance.

Report Overview:

An application for an official plan amendment and rezoning have been submitted to permit the construction of a five-storey multiple dwelling containing 52 units with site specific provisions.

Staff recommends approval of the applications as described in the Resolution section on the basis that they are consistent with the Provincial Planning Statement, conform to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury and represent good planning.

Staff Report

Proposal:

The purpose and effect of the proposed Official Plan Amendment is to remove a Site-Specific Policy from the subject lands, being Section 21.43 of the Official Plan, to allow the uses permitted in the underlying 'Mixed Use Commercial' designation.

The purpose and effect of the proposed Zoning By-law Amendment is to change the zoning classification on the subject lands from 'C2(74)' General Commercial Special to a 'R4-S' High Density Residential Special zone to permit a 5-storey multiple dwelling containing 52 units with the following site-specific provisions:

- A minimum front yard setback of 6 m, where 15 m is required; and
- A minimum of 1.2 parking spaces per dwelling unit, where 1.5 parking spaces per dwelling unit are required.

The subject lands are designated 'Mixed Use Commercial' and subject to Site Specific Policy 21.43 within the City of Greater Sudbury Official Plan, and are zoned 'C2(74)' General Commercial Special within the City of Greater Sudbury Zoning By-law.

The subject lands are currently vacant of buildings or structures. The subject lands will be serviced by a municipal water and sanitary connection. The subject lands will be accessed via Falconbridge Road.

Surrounding land uses are industrial and low density residential.

The following documents and technical studies were submitted as part of the application package and are attached to the report:

- Concept Plan
- Planning Justification Report
- Sewer and Water Capacity Results
- Sun Shadow Study & Elevation Drawings

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 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 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 'Mixed Use Commercial' in the City of Greater Sudbury Official Plan and is subject to Site Specific Policy 21.43.

Section 4.3 speaks to the 'Mixed Use Commercial' policies and stated that all uses permitted in the Official Plan (except Heavy Industrial) may be accommodated in the 'Mixed Use Commercial' designation through the rezoning process. Uses permitted in the 'Mixed Use Commercial' designation shall provide for a broad range of uses that serve the needs of the surrounding neighbourhoods.

Given the function and high visibility of 'Mixed Use Commercial' areas, special attention to sound urban design principles is essential. Siting buildings to create a sense of street enclosure, locating parking lots to the rear of buildings, screening service entrances and garbage storage, and effective landscaping can

aesthetically enhance the appearance of mixed-use corridors. To attract viable, high-quality development, emphasis will also be placed on creating a safe and attractive cycling and pedestrian environment, as well as convenient access to public transit and greenspace.

In order to minimize the disruption of traffic flow along Arterial Roads and promote better development, small lot rezoning will be discouraged and land assembly for consolidated development will be promoted.

Subject to rezoning, new development may be permitted provided that:

- a. sewer and water capacities are adequate for the site;
- b. parking can be adequately provided;
- c. no new access to Arterial Roads will be permitted where reasonable alternate access is available;
- d. the traffic carrying capacity of the Arterial Road is not significantly affected;
- e. traffic improvements, such as turning lanes, where required for a new development, will be provided by the proponent;
- f. landscaping along the entire length of road frontages and buffering between non-residential and residential uses will be provided; and,
- g. the proposal meets the policies of Sections 11.3.2 and 11.8, and Chapter 14.0, Urban Design.

Section 2.3.3 speaks to intensification and states that the City will aim to have 20% of residential growth by way of intensification within the built boundary. Medium scale intensification is permitted within the 'Mixed Use Commercial' designation. Intensification will be compatible with the existing and planned character of an area in terms of the size and shape of the lot, as well as the siting, coverage, massing, height, traffic, parking, servicing, landscaping and amenity areas of the proposal. The following criteria, amongst other matters, may be used to evaluate applications for intensification:

- a) the suitability of the site in terms of size and shape of the lot, soil conditions, topography and drainage;
- b) the compatibility proposed development on 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 of surrounding natural features and areas and cultural heritage resources;
- j) the relationship between the proposed development and any natural or manmade 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 11.3.2 speaks to land policies that support transit needs. Urban design and community development that facilitate the provision of public transit will be promoted. 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. 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. Buildings should be sited as close to the street as possible to reduce walking distances for transit users.

Section 14.0 of the Official Plan speaks to urban design policies. Policies in 14.3 Community and Neighbourhood Design speak to the promotion of a higher standard of community design, while policies in 14.4 Site and Building Design provide guidance regarding the design of sites and buildings.

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.

Special Policy 21.43 states that the only permitted use shall be offices. The applicants are proposing to remove the special policy area to permit the uses in the underlying 'Mixed Use Commercial' designation.

Zoning By-law 2010-100Z:

The subject lands are zoned 'C2(74)' General Commercial Special within the City's Zoning By-law. The special provisions are as follows:

All provisions of this By-law applicable to 'C2' Zones shall apply subject to the following modifications:

- (i) The only permitted use shall be office;
- (ii) The maximum building height shall be one storey;
- (iii) The maximum gross floor area shall not exceed 375m²;
- (iv) The minimum rear yard shall be 15 metres;
- (v) The minimum interior side yards shall be 15 metres;

The development standards for a multiple dwelling in the requested zone being the 'R4' High Density Residential Zone are as follows:

- Minimum lot area of 65 m² per dwelling unit
- Minimum lot frontage of 30 m
- Minimum lot depth of 45 m
- Minimum front yard setback 15 m
- Minimum rear yard setback for five-storey building 10 m
- Minimum interior side yard setback for five-storey building 10 m
- Maximum lot coverage 50%
- Minimum landscaped open space 30%
- Maximum height 63 m

Parking provisions for the proposed multiple dwelling require 1.5 spaces per unit. The subject lands abut a transit route which permits a 10% reduction in number of parking spaces. The proposed 52-unit dwelling requires a total of 70 parking spaces. The applicant has requested a parking ratio of 1.2 spaces per unit for a total of 63 parking spaces inclusive of the two require accessible parking spaces. 0.5 bicycle spaces are required per unit for a total of 26 spaces. 1 loading space is required.

Landscaping provisions require a 3.0 m landscape area along the right-of-way of Falconbridge Road. Additionally, a 3 m wide planting strip, or 1.5 m tall opaque fence with 1.8 m planting strip is required to be provided along both interior side and rear lot lines.

Refuse storage is permitted to be located in an interior yard only, and no encroachment into the required front yard is permitted.

Consultation:

Public Consultation:

The statutory notice of the application was provided by newspaper on December 28, 2024 along with a courtesy mail-out to surrounding property owners and tenants within 122 m of the property on December 12, 2024. The statutory notice of the public hearing was provided by newspaper on March 1, 2025, and courtesy mail-out within 122 m of the property on February 27, 2025.

At the time of writing this report, ten written submissions and six phone calls with respect to this application have been received by the Planning Services Division. Concerns received were in regard to the proposed type of built form and its compatibility with surrounding single detached dwellings as well as concerns with traffic, offsite parking, and safety. A copy of the written submissions have been attached for reference.

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 official plan amendment and zoning by-law should the applications be approved. Comments received from departments generally had no concerns with the official plan and rezoning request. Development Engineering has requested that a holding provision be placed on the lands until such a time as sanitary flow capacity becomes available at the Don Lita lift station. Conservation Sudbury has requested that the wetland be identified on the drawing for the Site Plan Control process.

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 subject lands are in a settlement area and will be fully serviced. The development supports climate change and reduction of greenhouse gases by adding housing that contributes to compact and complete communities that are transit supportive.

The PPS and Official Plan promote residential intensification and encourage a wide range of housing forms to accommodate current and future housing needs. The proposed development being a mix of one- and two-bedroom rental dwelling units would align with the Official Plan housing goal to encourage a greater mix of housing types and tenure. The proposal represents an opportunity to provide additional rental units within the City of Sudbury. Additionally, this proposal supports the City's Municipal Housing Pledge to achieve the target of 3800 new homes constructed by 2031. The City's [Housing Supply and Demand Analysis](#) (N. Barry Lyon Consultants Ltd., 2023) identified the most significant housing gaps are observed in the rental market. There is an immediate need for 470 additional rental units to achieve a vacancy rate of 5%, and an average of 66 additional rental units per year for the next 30 years to meet anticipated demand. This proposal will help to contribute to the diverse range of housing options and rental unit housing targets.

All uses (except heavy industrial) are permitted in the 'Mixed Use Commercial' designation of the Official Plan. Staff have no concerns with removing the site-specific policy area which limits the use of the lands to office use. The subject lands are located along a primary arterial road and are suitable for a diverse range of uses permitted in the 'Mixed Use Commercial' designation.

The proposal conforms to the Official Plan urban design principles of the 'Mixed Use Commercial' designation, as the building is situated closer to the front lot line to accommodate majority of the parking to the rear, a 3 m wide landscape strip is being provided along the front lot line, sufficient bicycle parking is being provided, and the lands abut the sidewalk along Falconbridge Road for pedestrian connectivity to nearby places of employment, education, retail, and public transit.

The development is proposed to be located on two separate PINs, which promotes land assembly. The Official Plan provides criteria for evaluating new development in the 'Mixed Use Commercial' zone. Development Engineering has reviewed the water and sanitary capacity analysis and have advised that there is adequate capacity for the proposed development within the existing infrastructure within the road allowance, however, there is currently insufficient capacity at the Don Lita lift station for sanitary flows. As a result, staff have included a holding provision, which prevents the development from proceeding until such a time as capacity within the Don Lita lift station becomes available. Development Engineering staff have

advised that the design for the upgrades to the lift station is currently underway.

Infrastructure and Capital Planning staff have reviewed the application and have no concerns from a road transportation or operations perspective. Falconbridge Road is classified as a primary arterial road under the jurisdiction of the City of Greater Sudbury. Roads are classified based on the function of the road, access, daily traffic volumes, right-of-way width, design speed, and minimum intersection spacing. Falconbridge Road contains four lanes plus a center turning lane and is designed to accommodate high volumes of traffic. In further consultation with Infrastructure and Capital Planning, it was clarified that the number of vehicular trips generated from the development did not trigger the need for a traffic impact study or road improvements and that the traffic carrying capacity of Falconbridge Road would not be significantly affected.

The Official Plan encourages higher density housing along Arterial Roads to enhance the feasibility of transit services, alleviate traffic congestion, and reduce reliance on the automobile. The subject lands abut an existing sidewalk along the south side of Falconbridge Road. The lands abut a public transit route, with the nearest transit stop being located approximately 20 m from the subject lands. The building is proposed to be located closer to Falconbridge Road which reduces walking distance for transit users. The transit route provides accessibility to Lasalle Boulevard (approximately 400 m from subject lands) which is a 'Regional Corridor' and a 'Regional Centre' in the Lasalle and Barry Downe area (approximately 2 km from subject lands).

The proposal is medium scale intensification of an existing vacant parcel of land. Staff have evaluated the proposal and are of the opinion that the medium built form is compatible with the abutting lower density residential use in terms of the size and shape of the lot, as well as the siting, coverage, massing, height, traffic, parking, servicing, landscaping and amenity areas.

As part of the evaluation of compatibility and impact on abutting lower density-built forms staff have evaluated the Sun Shadow Study. The applicant advised that the siting of the proposed building being 6 m from Falconbridge Road is intended to reduce shadow impacts on the surrounding low density residential dwellings. A Sun Shadow Study is a study that shows the effects of a development on sunlight reaching surrounding properties, buildings and adjacent public realm areas by calculating the shadow that will be cast by the development at different times of day in different seasons. The City of Greater Sudbury requires that the Sun/Shadow tests be completed for March 21 and September 21 between the hours of 9 AM and 6 PM. Additionally, the Sun/Shadow diagram is required to identify permanently shaded areas between the start of December to the end of February. The spring and fall equinoxes, around March 21 and September 21, represent the seasonal daylight averages and December to February represent the time period with the least amount of daylight hours. The study found that at the time of the spring and fall equinox shadowing occurs as a result of the development on residential amenity space located north east of the subject lands in late afternoon. In the months of December to February starting at 3pm until sunset the residential amenity space at 982 Falconbridge Road is shadowed. Throughout the daytime, majority of the shadows are either contained on site or on Falconbridge Road. Staff are of the opinion that the development proposal will produce reasonable shadowing on residential amenity space to the north east of the subject lands.

The proposed built form being a 5 storey multiple dwelling is considered to be a medium density, however, the development is considered to be high density based on 121 units per hectare. It is noted that there are no density provisions within the 'Mixed Use Commercial' designation of the Official Plan. Density provisions, however, are addressed in the Zoning By-law based on the intended use. The applicant has applied for an 'R4' High Density special zone with a parking reduction of 1.2 spaces per unit where 1.5 parking spaces is required, additionally, a front yard setback of 6 m where 15 m is required. Staff are of the opinion that the reduction in parking is appropriate as it will maintain at least one parking space per unit. Public transit is near the subject lands, as are employment opportunities, retail needs, and institutional uses. Staff are in support of the proposed 6 m setback from Falconbridge Road as it creates a larger buffer between the medium density built form and lower residential built form, creates street presence on a primary arterial road, and increases pedestrian connectivity to public transit. It is also noted that although the minimum interior and side yard setback requirement of the 'R4' zone is 10 m, the applicant is proposing to maintain the existing setback standards of 15 m. The 'R4' zone permits a maximum height of 63 m (+/- 21 storeys) and the applicant is proposing +/- 21 m height with 5 storeys. In order to maintain the level of shadowing contemplated based on

the concept plan, staff recommend that the maximum height of 5 storeys be included within the site specific zoning standards. Should the height wish to be increased, an amendment to the shadow study would be required to determine whether the impacts are appropriate. All other zone standards appear to be met, including the required landscaped strip abutting the interior and rear lot lines.

Should the proposed Official Plan Amendment and Zoning By-law Amendment be approved, the proponent would be required to undergo a site plan control process for the proposed development. The site plan control process would address detailed matters of the site including the massing and conceptual design of buildings; vehicular and pedestrian access and walkways; wind impacts on pedestrians; loading and parking facilities and their surface treatment; waste facilities; emergency vehicle and transit access; lighting; and, landscaping (trees and plantings).

Conclusion:

Overall staff is satisfied that the applicant has demonstrated that the subject lands will be functional because of the proposed residential intensification and that the use will be compatible with the surrounding area. The lands are located along a primary arterial road with accessibility to public transit and proximity to employment opportunities, retail needs, and institutional uses. The site has been designed with sound urban design principles including landscaping along the arterial road, fencing and landscaping buffer abutting lower residential housing, parking towards the rear, and pedestrian connectivity. Lastly, the development will add to diversifying the housing supply, consistent with the Province's goal of reaching 1.5 million homes built by 2031.

Staff recommends approval of the applications as described in the Resolution section on the basis that they are consistent with the Provincial Policy Statement, conform to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury and represent good planning.

Appendix 1:

Departmental & Agency Comments

a) Building Services

No objections to either application at this time. Building Services reserves any further comment to time of fulsome review for Site Plan Control Agreement and Building Permit.

b) Conservation Sudbury

Through the pre-consultation process, Conservation Sudbury requested that the small wetlands be indicated on plans for planning application submissions. The wetland is smaller than 0.5 hectares and therefore, according to our wetland guidelines, does not need to be preserved. However, if development is proposed above the wetland then geotechnical analysis is required to ensure that the soil conditions can support development. The wetland is not currently shown on the plot plan. For future submissions, please indicate the wetland. Conservation Sudbury has no objection to the Official Plan and Zoning By-law amendment.

c) Development Engineering

A water and sewer analysis was preformed. Municipal water and sewer are available within the road allowance and are able to facilitate the requested development. However, the Don Lita lift station does not have capacity for additional sanitary flows at this time. A holding provision will be necessary until such a time that constraints related to the lift station are resolved. The design of the lift station upgrades is currently underway.

Based on the requested rezoning and amendments to the Official Plan, Development engineering has no objection provided that development proceed by way of Site Plan Control Agreement to address site servicing, site grading, stormwater management, and any other requirements.

d) Hydro One

No concerns.

e) Infrastructure Capital Planning

No concerns.

f) Strategic & Environmental Planning

No concerns.

g) Transit

No comments or concerns at this time.