

## 1836 Yorkshire Drive, Val Caron

Presented To:	Planning Committee
Meeting Date:	April 14, 2025
Type:	Public Hearing
Prepared by:	Ugo Ufoegbune Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-7/24-08

## Report Summary

This report provides a recommendation regarding an application to rezone the subject land from RU (93), Rural Special to R1-5, Low Density Residential One to rezone portions of the land along the easterly property line to support consent applications for lot additions to the residential parcels to the east. The affected easterly properties are those lands known municipally as 3683 Suzanne Street, 3661 Suzanne Street, 1745 Charles Court and 1739 Charles Court in Val Caron.

This report is presented by Ugo Ufoegbune, Senior Planner.

## Resolution

THAT the City of Greater Sudbury approves the application by Julie & Marc Bodson to amend Zoning By law 2010 100Z by changing the zoning classification on the subject lands from RU (93), Rural Special to R1-5, Low Density Residential One on those lands described as PINs 73505-1066 and 73505-1068, Parts 3 & 4, Plan 53R-20955, Part Lot 7, Concession 1, Township of Hanmer (1836 Yorkshire Drive, Val Caron), from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of April 14, 2025, subject to the following conditions:

1. That prior to the enactment of an amending zoning by-law the owner shall submit a registered survey plan describing the lands to be rezoned to the satisfaction of the Director of Planning Services. and,
2. That conditional approval shall lapse on April 15, 2027, unless Condition #1 above has been met or an extension has been granted by Council.

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

The application to amend the City's Zoning By-law is an operational matter under the Planning Act to which the City is responding. The proposal does not either directly align with or negatively impact any of strategic goals and objectives that are identified within the City's Strategic Plan.

The application to rezone portions of the land along the easterly property line to support consent application for lot addition to the residential parcels to the east does not either directly align with or negatively impact any of strategic goals and objectives that are identified within the City's Strategic Plan.

The rezoning application would facilitate consent application for lot addition to the residential parcels to the east and it is not expected to have any direct negative impacts on the stated goals and recommendations that are contained within the CEEP.

## **Financial Implications**

There are no financial implications associated with this report.

### **Report Overview:**

This report reviews an application for Zoning By-law Amendment of the subject land from RU (93), Rural Special to R1-5, Low Density Residential One in order to rezone portions of the land along the easterly property lines to support consent applications for lot addition to the residential lands abutting to the east. The affected properties to the easterly property line of the subject lands are those lands known municipally as 3683 Suzanne Street, 3661 Suzanne Street, 1745 Charles Court and 1739 Charles Court in Val Caron. The benefitting lands are presently zoned "R1-5", Low Density Residential One in the City's Zoning By-law.

The Planning Services Division is recommending that the application be approved as outlined in the Resolution section of this report.

## **STAFF REPORT**

### **PROPOSAL:**

The application seeks to amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury by changing the zoning classification on the subject lands from RU (93), Rural Special to R1-5, Low Density Residential One. The applicant is seeking to rezone portions of the land along the easterly property lines to support consent applications for lot addition to the residential parcels to the east. The benefitting lands are those lands known municipally as 3683 Suzanne Street, 3661 Suzanne Street, 1745 Charles Court and 1739 Charles Court in Val Caron. If approved, the rezoning of the lands will add lands to the abutting properties to the east.

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

The subject parcel is legally described as PINs 73505-1066 and 73505-1068, Parts 3 & 4, Plan 53R-20955, Part Lot 7, Concession 1, Township of Hanmer and is municipally known as 1836 Yorkshire Drive, Val Caron. The lands are located on Yorkshire Drive, west of Whitson River. There is a watercourse, Whitson River Tributary VIII-A that runs across the subject land from south to the northern portion of the lot to be rezoned which abuts the property to the east. The parcel of land is square in shape with a frontage along Yorkshire Drive of approximately 85.6 metres and a lot dept of approximately 182.88 metres. The parcel is generally flat. There is vegetation along the western, northern and eastern property lines.

The subject lands contain a single-detached dwelling to the west of the property and serviced by a septic system. The lands have access from Yorkshire Drive. Municipal services exist for the benefitting dwellings of the lot additions to the east.

The dimensions for the portions of the lands to be rezoned are shown below. Lot labelling is for illustrative purposes only with Lot A being the most northern lot addition.

	Lot A	Lot B	Lot C	Lot D
Lot Width	54.1	36.1	22.8	8.9
Lot Depth	45.72	45.72	45.72	45.72
Lot Area	2473.45	1650.49	1042.42	406.91

A registered survey plan will be required to confirm the dimensions of the lands to be rezoned.

### **Surrounding Land Uses:**

North: Adjacent – Rural residential development, Low Density Residential One  
Further North - Low Density Residential One

East: Adjacent - Low Density Residential One  
Further East - Rural residential development, Special Open Space-Conservation Zones –OSC

South: Adjacent – Rural residential development, City of Greater Sudbury, Water treatment / filtration / water tower / pumping station  
Further South - Rural residential development, Special Open Space-Conservation Zones –OSC

West: Adjacent – Agricultural lands,  
Further West - Rural residential development

The location map, concept plan and site photos are attached to this report indicating the concept plan and location of the subject lands that are to be rezoned. Site photos show the existing single-detached dwelling, the subject land viewed from the rear of the single-detached dwelling facing the easterly properties for lot addition and other photos viewed from the rear of the properties for lot additions, municipally known as 3683 Suzanne Street, 3661 Suzanne Street, 1745 Charles Court, facing west.

The owner submitted a Concept Plan in support of the proposed rezoning that would facilitate the above noted and described lot addition to the abutting residential properties.

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

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

- [2024 Provincial Policy Statement \(PPS\);](#)
- [2011 Growth Plan for Northern Ontario;](#)
- [Official Plan for the City of Greater Sudbury;](#) and,
- [Zoning By-law 2010-100Z.](#)

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

### **2024 Provincial Policy 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 Policy Statement 2024 (PPS). Staff has reviewed the PPS 2024 and is satisfied that no matters of provincial interest are impacted should the rezoning application be approved.

## **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. Staff has reviewed the planning matters contained within the Growth Plan for Northern Ontario and are satisfied that the application to rezone the lands conforms to and does not conflict with the Growth Plan for Northern Ontario.

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

The subject lands are designated Rural and Parks & Open Space in the Official Plan for the City of Greater Sudbury. There are portions to the northwest of the subject lands that are designated Parks and Open Space, however, the portions of lands that are subject to this application are designated Rural. The Rural designation is intended for uses that operate using private water and wastewater services and, by their nature, require rural or large amounts of land, such as agricultural uses or rural industrial uses.

The property at 1836 Yorkshire Drive is located at the boundary between Rural and Living Area I designation in the Official Plan. Section 19.9 (a) of the Official Plan indicates that in interpreting the Plan, the boundary designation on the maps are general guidelines only, and that minor adjustments to the Plan, without formal amendment, through the passing of by-laws are permitted provided the general purpose and intent of the Plan is maintained. The subject lands are therefore deemed to comply to the Official Plan because the abutting properties to the east of the subject lands are designated Living Area I and no amendment to the Official Plan is required.

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

The subject lands are zoned RU (93), Rural Special pursuant to the City's Zoning By-law 2010-100Z. The RU (93) permits a number of uses per Part 9.2, Tables 9.1 – Permitted Residential Uses and Table 9.2 – Permitted Non-Residential Uses of the City's Zoning By-law. The development standards associated with the RU (93) zone are outlined under Part 9.3 and Table 9.3 – Standards for all Rural Zones with the following site specific provisions contained in Part 11: Exceptions, Section 4 Special Rural Zones, (2) Special Rural Zone, RU (93) which states that notwithstanding any other provision hereof to the contrary, within any area designated RU(93) on the *Zone Maps*, all provisions of this by-law applicable to the "RU", Rural zone shall apply subject to the following modifications:

- (i) The minimum *lot frontage* shall be 25 metres;
- (ii) *Buildings, structures and private sewage disposal systems* shall be located outside the regulated area of Conservation Sudbury.

The above noted provisions do not impact the application to rezone the subject land.

## **Requested Zoning:** "R1-5", Low Density Residential One

The proposal is seeking to rezone portions of the land along the easterly property line to support consent application for lot addition to the residential parcels to the east. The "R1-5" Zone permits single residential dwellings, a bed and breakfast having a maximum of two guest rooms, a group home type 1 having a maximum of ten beds, a private home daycare and/or a single-detached dwelling. The development standards applicable to the "R1-5" Zone can be found under Section 6.3, Zone Standards, Table 6.2 – Standards for the Low Density Residential One (R1) Zone of the City's Zoning By-law.

## **Public Consultation:**

The statutory Notice of Application was provided to the public by newspaper and to nearby landowners and tenants located within 122 m (400 ft) of the subject lands on January 24, 2025. The statutory Notice of Public Hearing dated March 20, 2025, was provided to the public by newspaper and to nearby landowners and tenants located within 122 m (400 ft) of the subject lands.

The owner / applicant was also advised of the City's policy recommending that applicants consult with their neighbours, ward councilor and key stakeholders to inform area residents of the application prior to the public hearing. The owner / applicant sent an email to staff to advise that he had spoken to all adjacent landowners both on Yorkshire Drive and surrounding neighbourhood and did not receive any objections to the application.

At the time of writing this report, two phone calls and one email submission with respect to the proposal have been received by the Planning Services Division. The phone calls were from nearby residents seeking clarification on the intent of the proposed rezoning with one of the phone calls expressed concerns regarding the soil conditions in the area.

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

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

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

Roads, Active Transportation, Transportation and Innovation, Roads Operation have each advised that they have no concerns from their respective areas of interest.

The City's Drainage Section noted that there is a municipal drain on-site and setbacks to this drain must be respected.

Staff from Environmental Planning do not have concerns for the application. The applicant is advised that compliance with the federal Migratory Bird Convention Act, 1994, the provincial Fish and Wildlife Conservation Act, 1997, and the provincial Endangered Species Act, 2007 is their sole responsibility. Staff do not have immediate concerns with contravention of the noted legislations.

The City's Finance Department noted that there are no financial implications associated with this application.

Building Services have advised that they have no objections with the proposed use, subject to the following advisory:

- There is an issued permit for the Single Family Dwelling located on the retained lands. The applicant is advised to ensure that a final inspection is scheduled to close the Building Permit.

Conservation Sudbury advised that for the purposes of rezoning to support lot additions (i.e., where no new lots are being proposed), the information and sketch provided by the applicant is acceptable. The applicant / Owner, the municipality, and the future landowners must be aware that the construction of structures on the subject parcels, particularly on the northern parcel, will be subject to the *Conservation Authorities Act*, and may not be permitted. Support of this rezoning does not imply that further residential development will be permitted on these parcels.

### **PLANNING ANALYSIS:**

The 2024 PPS, the 2011 Growth Plan, and the City of Greater Sudbury Official Plan, Zoning By-law and other relevant policies and supporting guidelines were reviewed in their entirety. The following section provides a planning analysis of the application with respect to applicable policies.

As noted previously in this report, the application is to amend By-law 2010-100Z being the Zoning By-law for

the City of Greater Sudbury by changing the zoning classification on the subject lands from RU (93), Rural Special to R1-5, Low Density Residential One. The applicant's objective is to rezone portions of the land along the easterly property line to support consent application for lot addition to the residential parcels to the east. Staff has no concerns with respect to the requested zone category and would note that the portion of the lands to be rezoned are abutting R1-5, Low Density Residential One zone.

The "RU" Zone permits a range of non-residential uses (e.g. agricultural uses, animal shelter, garden nursery, veterinary clinic, etc.) whereas the benefitting lands have frontage on Suzanne Street and Charles Court which are zoned entirely for residential purposes. Therefore, the portion of the lands to be rezoned is consistent with "R1-5" Zone.

It is on this basis that staff has no concerns with the application and would note that a registered survey plan providing a legal description of the lands to be rezoned is required to prepare an amending zoning by-law should the rezoning application be approved.

## **CONCLUSION:**

Staff has noted in this report that the proposed rezoning would change the zoning classification from RU (93), Rural Special to R1-5, Low Density Residential One which would facilitate future consent application for lot additions to the residential parcels to the east.

Staff has reviewed the development proposal and is satisfied that it conforms with the City's Official Plan. The application is also generally not in conflict with the PPS. Staff notes that the application both conforms to and does not conflict with the Growth Plan for Northern Ontario.

The Planning Services Division therefore recommends that the application for Zoning By-law Amendment be approved in accordance with the Resolution section of this report.