

## 1257 Martindale Road, Sudbury

Presented To: Planning Committee

Meeting Date: April 27, 2026

Type: Public Hearing

Prepared by: Joel Therrien  
Planning Services

Recommended by: General Manager of  
Planning and Growth

File Number: PL-RZN-2025-00045

## Report Summary

This report provides a recommendation regarding an application to change the zoning classification on the subject property from 'R2-2', Low Density Residential Two, to 'R3(S)', Medium Density Residential Special, to allow for the construction of a ten (10) unit row dwelling, with provisions for site-specific relief.

This report is presented by Joel Therrien, Senior Planner.

Letter(s) of concern from concerned citizen(s).

## Resolution

THAT the City of Greater Sudbury approves the application by 2538085 Ontario Inc., to amend Zoning By law 2010 100Z by changing the zoning classification from 'R2-2', Low Density Residential Two, to 'R3(S)', Medium Density Residential Special, on the lands described as PIN 73589-0865, Parts 7, 11 and 13, Plan 53R-21641, Lot 7, Concession 2, Township of McKim, to allow for the construction of a ten (10) unit Row Dwelling structure, as outlined in the report entitled "1257 Martindale Road, Sudbury", from the General Manager of Planning & Growth, presented at the Planning Committee meeting on April 27, 2026 subject to the following conditions:

That the amending zoning by-law includes the following site-specific provisions:

- a) Permit a maximum of 10 dwelling units for a Row Dwelling, whereas a maximum of 8 dwelling units is permitted;
- b) Reduce the front yard setback requirement to 0 m for a retaining wall with a height greater than 2.5 m, whereas the setback requirement is 6 m;
- c) Reduce the privacy yard depth to 4 m, whereas 7.5 m is required;
- d) Reduce the required side yard setback, abutting PIN 73589-0864, Parts 3 to 6 and 10 and 12, Registered Plan 53R-21641, Lot 7, Con 2, Township of McKim (1253 Martindale Road), to 0.5 m for a retaining wall with a height greater than 2.5 m, whereas the setback requirement is 1.2 m;

- e) Reduce the required side yard setback, abutting the most southerly side lot line, to 1 m for a retaining wall with a height greater than 2.5 m, whereas the setback requirement is 1.2 m;
- f) Increase the height permitted for a retaining wall to 5.5 m whereas a maximum of 5 m is permitted;
- g) Reduce planting strip along the rear lot line to 0 m, where 3 m is required; and
- h) Reduce planting strip along the side lot line to 0 m, where 1.8 m is required with an opaque fence with minimum height of 1.5 m.

## **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 of Greater Sudbury 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 \$46,000 in taxation revenue, based on the assumption of ten (10) dwelling units, based on an estimated assessed value of \$275,000 per unit, at the 2025 property tax rates.

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 time of building permit issuance.

## **Report Overview**

An application for rezoning has been submitted to facilitate the construction of a ten (10) unit row dwelling, with site specific provisions.

Staff recommends approval of the application as described in the Resolution section of this Staff Report 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 proposed Zoning By-law Amendment is to change the zoning classification of the lands from the 'R2-2', Low Density Residential Two, to 'R3(S)', Medium Density Residential Special to allow for the construction of a ten (10) unit, row dwelling with the following provisions for site-specific relief:

1. Permit a maximum of 10 dwelling units for a Row Dwelling, whereas a maximum of 8 dwelling units is permitted;
2. Reduce the front yard setback requirement to 0 m for a retaining wall with a height greater than 2.5 m, whereas the setback requirement is 6 m;
3. Reduce the privacy yard depth to 4 m, whereas 7.5 m is required;
4. Reduce the required side yard setback, abutting PIN 73589-0864, Parts 3 to 6 and 10 and 12, Registered Plan 53R-21641, Lot 7, Con 2, Township of McKim (1253 Martindale Road), to 0.5 m for a retaining wall with a height greater than 2.5 m, whereas the setback requirement is 1.2 m;
5. Increase the height permitted for a retaining wall to 5.5 m whereas a maximum of 5 m is permitted;
6. Reduce planting strip along the rear lot line to 0 m, where 3 m is required; and
7. Reduce planting strip along the side lot line to 0 m, where 1.8 m is required with an opaque fence with minimum height of 1.5 m.

The subject property is designated 'Living Area I' in the City of Greater Sudbury Official Plan and is zoned 'R2-2', Low Density Residential Two in the City of Greater Sudbury Zoning By-law.

The subject property is currently vacant and would be fully serviced by municipal sewer and water and would be accessed from one driveway on Martindale Road.

Surrounding land uses are a mix of low and medium density residential with several commercial uses within walking distance, near the Martindale Road and Regent Street intersection.

A concept plan, planning justification brief and sightline sketch were submitted as part of the application package and are attached to the report. A location map and photos of the subject property are also 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](#)
- [Zoning By-law 2010-100Z](#)

The Provincial Planning Statement, along with municipal Official Plans, provide a policy framework for planning and development in the Province of Ontario. 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 of Ontario's goal of having at least 1.5 million homes built by 2031 and identifies that Ontario will increase the supply and mix of housing options. It states:

*“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 policy sections of the PPS are applicable to the proposed rezoning application for the intended residential use on the subject lands. In general, policy sections 2.1 through 2.3 promote providing for an appropriate range and mix of housing options, densities and complete communities which efficiently use land, resources and infrastructure, particularly in settlement areas.

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 2.2.1 b) further directs that planning authorities shall provide for an appropriate range and mix of housing options, densities and residential intensification to meet projected needs of current and future residents by permitting and facilitating all housing options and types of residential intensification to meet the social, health, economic, well-being requirements and provide a net increase in residential units. Policy 2.2.1 c) promotes densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and supports the use of active transportation.

Policy 2.3.1.2 speaks to how land use patterns should be based on densities and a mix of land uses that:

- a) efficiently uses land and resources;
- b) optimizes existing and planned infrastructure and public service facilities;
- c) supports active transportation; and
- d) are transit supportive.

Policy sections 2.9 and 3.1 mostly speak to reducing greenhouse gas emissions, preparing for the impacts of a changing climate, and efficiently planning for infrastructure and public service facilities.

Policy section 3.5 touches on land use compatibility between sensitive land uses and facilities which generate noise and/or vibrations (such as railways). The policy speaks to requiring buffering and/or separation between these uses to mitigate potential impacts.

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 Official Plan establishes goals, objectives and policies to manage and direct physical change and its effects on the social, economic and natural environment in the next 20 years. It forms the basis of the City of Greater Sudbury Zoning By-law and other land use controls. It guides land use and infrastructure decisions and future planning initiatives.

The subject property is designated as 'Living Area I' in the City of Greater Sudbury Official Plan. This designation includes residential areas in urbanized Communities that are fully serviced by municipal water and sewer. Given the desire to utilize existing sewer and water capacity and to reduce the impacts of un-serviced rural development, areas designated 'Living Area I' are seen as the primary focus of residential development.

Several policy sections of the Official Plan are applicable to the proposed re-zoning for the purpose of constructing a ten (10) unit row dwelling on the subject property.

Policies 2.3.2.1, 2.3.2.2 and 2.3.3 speak to focusing intensification and redevelopment in the settlement area and basing land use patterns on densities and uses that are most efficient regarding land, resources, infrastructure, and public service facilities since this type of intensification minimizes negative impacts on air quality and climate change.

Policy 2.3.3 further describes that the rate and nature of intensification will not be applied uniformly across the city and that the key to intensification is making sure that it is context-specific and compatible with and reinforces the existing and planned character of a given area. Subsequent policies under 2.3.3 further clarify that intensification and development is permitted in established 'Living Area 1' lands and that residential intensification will be assessed so that concerns of the community and the need to provide opportunities for residential intensification are balanced.

Objectives under policy section '3.0 – Living Areas', speak to meeting all housing needs, including those for the elderly, low-income individuals and families, students, and those with disabilities by way of encouraging an adequate supply of affordable rentals and ownership and special needs housing in 'Living Areas'. Further objectives encourage the development of a mix of residential uses and focusing residential development in areas that have sufficient infrastructure and public service capacity, particularly in communities designated as 'Living Area 1'. Additional policies under this section specifically address the development of medium density housing and how it is permitted in all 'Living Area 1' designations, where full municipal services are available.

Subsequent direction under this policy section expresses that medium density development should be in proximity to arterial roads, public transit, employment and commercial areas, open space areas and community/recreational services. These policies also speak to development being compatible with the existing character of the established neighbourhood, with consideration being given to size and configuration of lots, the existing built form, building setbacks and heights, and adequate landscaping and amenity features.

Policy 3.2.1.5 directly addresses items to be considered when a rezoning application is brought forward for lands designated 'Living Area 1', it reads:

*"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.”

Policy sections 11 and 12 address transportation and utilities, respectively. Regarding transportation in the case of residential intensification, policies that encourage higher densities in the existing built-up area, as referenced above, support the expansion of public transit services and increased ridership. Policy 11.3.2.2 requires that development proposals are reviewed to ensure efficient transit routing so that all dwellings in the development are ideally within 500 meters walking of a bus stop. Similarly, policy 11.7.2 requires that development proposals are reviewed to ensure that there is adequate pedestrian access in new developments.

Policies under section 12 require that the City’s water and sewer capacities are adequate to service new developments. Alternatively, proponents of the development must upgrade, at their own expense, the existing sewage and water systems to ensure adequate delivery and treatment facilities consistent with City standards, including adequate fire flows. Section 12.2.2.2 further states that: official plan amendments, rezonings, severances, subdivision approvals, minor variances and building permits will be denied if water or sewage facility problems exists.

Policy section 14 address urban design in the case of residential intensification. The City of Greater Sudbury requires high quality urban design in the review of all *Planning Act* applications, which include applications for rezonings, such as the one proposed. Policies under section 14 are used to evaluate matters that include but are not limited to: patterns of movement and the physical and social connections between people and places, interrelationships between the built and unbuilt spaces on private developments, creating appropriate transitions in scale to neighbouring existing or planned buildings, providing adequate landscaping and buffering between properties, providing safe pedestrian routes and landscaped areas within surface parking lots and providing bicycle parking facilities and, where appropriate, public transit infrastructure within the development site.

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.

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

The subject lands are zoned ‘R2-2’, Low Density Residential Two within the City’s Zoning By-law.

The development standards for the proposed *Row Dwelling* in the requested zone, being the ‘R3’ Medium Density Residential Zone are as follows:

- Min. lot area of 150 m<sup>2</sup> per dwelling unit
- Max. of 8 dwelling units permitted for row dwelling structures
- Min. lot frontage of 18 m
- Min. lot depth of 30 m
- Min. front yard setback of 6 m
- Min. rear yard setback of 7.5 m
- Min. interior side yard setback of 1.2 m for one storey, additional 0.6 m for each full storey above the first storey
- Max. lot coverage of 45%
- A min. privacy yard depth of 7.5 m abutting the full length of at least one exterior wall of each dwelling unit
- Min. landscaped open space of 30%
- Max. building height of 11 m
- Min. 1.5 parking spaces per unit, for a total of 15 spaces required
- Min. 1 accessible/barrier free parking space when 10 or more standard parking spaces are required
- Min. 0.5 bicycle parking spaces per unit, for a total of 4 spaces required

In addition to the above, landscaping provisions require a 3 m wide planting strip along the entire length of the lot line where a medium density zone abuts a low-density zone. Alternatively, the 3 m wide planting strip can be reduced to 1.8 m where an opaque fence with a min. height of 1.5 m is also installed along the length of the applicable lot line.

It is also worth noting that the Zoning By-law considers any retaining wall above 1 m in height to be a structure, as defined in the Zoning By law. Thus, retaining walls surpassing this height need to meet requirements for an accessory structure (ex. setbacks).

### **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 February 12, 2026. The statutory Notice of Public Hearing was provided to the public by newspaper on April 4, 2026 and to nearby landowners and tenants located within 122 m (400 ft) of the subject lands on April 2, 2026.

The applicant was also advised of the City's policy recommending that applicants consult with neighbours, ward councilor, and key stakeholders to inform area residents of the application prior to the public hearing.

At the time of writing this report, Planning Services has received two (2) written submissions and one (1) phone call regarding the application. The following concerns were identified: overall elevation of subject property and associated stormwater management, increased traffic and safety issues, potential parking 'spillover' and reduced privacy.

See complete public comments attached to this report.

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

The application and relevant accompanying materials have been circulated to all applicable departments and external agencies. Responses received from departments and agencies have been used to assist in evaluating the application and to inform and identify appropriate development standards regarding amending the City's Zoning By-law, should the application be approved.

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

Development Engineering had no objections to the proposed development but offered the following:

- The site is not presently serviced with municipal water or sanitary sewer. A capacity analysis was performed, and the results show that there is sufficient infrastructure capacity for this development.
- The developer's concept site plan shows extensive work at the entrance to Martindale Road. As such, a plan will be required prior to the building permit that details the entrance surface works, sanitary test maintenance hole on the sanitary service (existing or new), the connection of the proposed catch basins to the City storm sewer system, details of the relocation of the hydro pole within the entrance must also be shown (with applicable Municipal Consent request supplied by GSU), along with the required lot grading plan showing all lot grading throughout the lot.

Building Services had no concerns but noted that all future construction, including proposed retaining walls, will require building permit (s) and any required supporting documentation.

Strategic and Environmental Planning had no concerns but advises the applicant 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.

Environmental Services offered the following:

- Multi-Unit residential properties are required to source separate recyclable materials in compliance with provincial legislation O. Reg 103/94. and should also consider requirements for organics diversion as per Ontario's Food and Organic Waste Policy.
- High density residential properties (7 or more residential units) can receive City waste collection services via an agreement for an annual fee per unit or can choose to receive waste collection via a private waste hauler. Whether the service is provided by the municipality or a private hauler, waste collection vehicles must be able to enter and exit the property in a forward-facing motion. Adequate space must be provided to accommodate the required turn radius to ensure the waste collection vehicles can maneuver effectively on-site (including obstacles such as parked cars).
- The turn radius for a waste collection vehicle is 13.5 meters. Outdoor waste storage/collection areas must be free of overhead obstructions and must be screened from view if visible from a public street or land, or residential properties.
- Based on the conceptual plan it would appear that the waste collection vehicle would block driveway egress for units 6-10 while servicing the bins. It would also appear that there is only 6.0 meters of space for the truck to attempt to turn around.

Financial Services had no concerns but provided general taxation information. These comments are reflected under the 'Financial Implications' heading on page 2 of this report.

All other City departments or agencies either had no concerns or did not provide comments. See a copy of department and outside agencies' comments, attached to this report for complete comments.

### **PLANNING ANALYSIS:**

The proposal is for the medium scale intensification of an existing underutilized residential parcel through the construction of a ten (10) unit, two-storey row dwelling.

The Provincial Planning Statement (PPS, 2024), the Growth Plan for Northern Ontario (GPNO, 2011), and the City of Greater Sudbury Official Plan were reviewed in their entirety. The following section provides a planning analysis of the application with respect to the applicable policies, including issues raised through agency and department circulation.

The PPS and the City of Greater Sudbury Official Plan both encourage appropriate growth and residential intensification to occur within settlement areas on full municipal services. The subject property is in a settlement area and is not currently serviced by municipal sewer and water. However, the results from a completed service capacity analysis show that there is sufficient infrastructure servicing capacity for the proposed development.

The subject property is in a mixed-use area with low and medium density residential, commercial & institutional uses, many of which are within walking distance. Notable commercial and institutional uses include but are not limited to several restaurants, an animal hospital, places of worship, several health-related uses and schools. The general area is well served by sidewalk infrastructure and public transit stops along Martindale Road are less than 200 m from the subject property. The proposed development would help to support climate change mitigation, adaptation, and the reduction of greenhouse gases by adding housing that contributes to compact and complete communities that are transit supportive. The applicant is also proposing to include a concrete sidewalk/pathway on the subject property which would connect to the existing sidewalk infrastructure on Martindale Road.

The PPS and Official Plan also promote residential intensification and encourage a wide range of housing forms to accommodate current and future housing needs. The proposed development would align with the Official Plan housing goal to encourage a greater mix of housing types and tenure. Official Plan policies further encourage the production of smaller (one and two bedroom units). The applicant has specified that it is the intent for the development to provide two (2) bedroom units through this development. The proposal presents an opportunity to increase the net rental housing stock in the City of Sudbury.

Additionally, this proposal supports the City's Municipal Housing Pledge to achieve the target of 3,800 new homes constructed by 2031. The City's Housing Supply and Demand Analysis (N. Barry Lyon Consultants Ltd., 2024) identified that 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 112 additional rental units per year for the next 30 years to meet anticipated demand. This proposal would help to contribute to the diverse range of housing options and rental unit housing targets.

As addressed earlier in the report, the applicant is requesting several site-specific provisions for the proposed development. These include permitting ten (10) units for a row dwelling where eight (8) is permitted, reducing setback provisions for several retaining walls, increasing the height for one (1) retaining wall, reducing planting strip and privacy yard requirements and reducing the rear yard setback.

The subject property, as it exists today, is significantly higher when compared to Martindale Road. The proposed development includes the construction of several retaining walls and/or engineered rock faces along several edges of the property. As shown earlier throughout the Staff Report, several special provision requests are required for these proposed retaining walls and/or engineered rock faces. The applicant has clarified that the proposed development and access driveway would be sited at a lower elevation than the surrounding dwellings. As such, this would not result in overlooking onto adjacent residential properties.

The applicant will also be required to develop the property in accordance with the City's [Builders' Bulletin](#) which would require, among other items: a servicing plan review, a driveway permit, slope and rock face review and certification, lot grading and storm water management. As part of the storm water management requirements, they will also be required to direct the storm water from the developed/impervious portion of the site to the existing municipal storm sewer on Martindale Road.

Staff has identified that the concept plan provided with the application does not identify the required bicycle parking spaces for the development. The City's Zoning By-law requires a minimum of 0.5 bicycle parking spaces per unit, for a total of 4 spaces. Bicycle parking spaces need to be adjacent to a structural element, in a secure rack or in a dedicated lockable enclosed storage space. The applicant has stated that the intent would be for future tenants to store bicycles within their individual units. The intent of the City's bicycle parking policies is for dedicated outdoor storage space or dedicated interior storage space. The applicant's proposal for bicycle storage space within tenants' individual units would not comply with the Zoning By-law. The developer would be required to include the required bicycle parking, as defined in the Zoning By-law at the Building Permit stage.

Regarding refuse storage, the concept plan identifies the potential use of an underground waste storage system (commonly known as the brand name 'Molock'). These systems require waste haulers to pick up material with a mechanical arm from the side of the vehicle, as opposed to a front-loaded mechanism. The concept plan also shows a path which demonstrates that the waste hauler could back into an available parking space to exit the site in a forward-facing motion. Planning Services and Environmental Services Staff are of the opinion that this form of turn-around option would only be functional and appropriate if a dedicated turn-around space for waste haulers were provided.

The applicant has since provided an updated version of the concept plan showing a dedicated space for a waste hauler turn-around. The addition of the proposed dedicated turn-around space required the reconfiguration of two (2) vehicle parking spaces from along the proposed building to the opposite side of the driveway. Environmental Services Staff reviewed the updated concept plan with dedicated a waste hauler turn-around space and suggested that it would be preferable, if possible, to keep the turn-around space separate from vehicle parking areas to reduce the potential of property damage. Planning Staff is of the opinion that regardless of the final approach taken by the applicant for refuse storage and pickup, there is sufficient space on the subject property to provide a dedicated turn-around space for waste haulers to enter and exit the site in a forward-facing motion.

The subject property is in the City's settlement area and has access to the full range of municipal services. The proposed re-development on the subject property for a ten (10) unit row dwelling and would result in an efficient use of land, resources, infrastructure and public service facilities.

Staff have evaluated the proposal and are of the opinion that the built form is compatible with the abutting lower density residential uses in terms of size, shape and siting of the subject property, height, traffic, parking, servicing, and landscaping/amenity space.

### **CONCLUSION:**

Overall, staff is satisfied that the site has been designed with sound urban design principles including required retaining walls and rock faces, fencing and landscaping, parking located no closer to the road than the proposed structure, and pedestrian connectivity. The subject property is in a location that is suitable for medium density development and would be well served by public transit, sidewalks, and is within walking distance to several commercial uses. The development would also help to diversify the housing supply, which is consistent with the Province of Ontario's goal of reaching 1.5 million homes built by 2031.

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