

Presented To:	Planning Committee
Presented:	Monday, Apr 25, 2016
Report Date	Tuesday, Apr 05, 2016
Type:	Public Hearings
File Number:	751-8/12-3

Request for Decision

City of Greater Sudbury - Application for rezoning in order to eliminate a series of split-zonings resulting from lot additions of surplus parkland to abutting residential lands, Candlewood Park, Lively

Resolution

THAT the City of Greater Sudbury approves the application to amend Zoning By-law 2010-100Z by changing the zoning classification from "P", Park to "R1-5", Low Density Residential One in order eliminate a series of split-zonings that would result from the addition of surplus park lands to abutting residential properties on those lands described as PIN 73377-1024, Parcel 27273 S.W.S., Part of Block B, Plan M-932, Parts 7 to 9, Plan 53R-8204, Lot 8, Concession 5, Township of Waters.

STAFF REPORT

Applicant:

City of Greater Sudbury

Location:

PIN 73377-1024, Parcel 27273 S.W.S., Part of Block B, Plan M-932, Parts 7 to 9, Plan 53R-8204, Lot 8, Concession 5, Township of Waters (Candlewood Park, Lively)

Application:

To amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury by changing the zoning classification of the subject lands from "P", Park to "R1-5", Low Density Residential One.

Proposal:

The application is intended to eliminate a series of split-zonings that would result from the addition of surplus park lands zoned "P", Park to those abutting residential lands which are currently zoned "R1-5", Low Density Residential One.

Official Plan Conformity:

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed Apr 5, 16

Reviewed By

Eric Taylor
Manager of Development Approvals
Digitally Signed Apr 5, 16

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed Apr 5, 16

Recommended by the Department

Tony Cecutti
General Manager of Infrastructure Services
Digitally Signed Apr 6, 16

Recommended by the C.A.O.

Kevin Fowke
Acting Chief Administrative Officer
Digitally Signed Apr 13, 16

The subject lands are designated Living Area 1 in the Official Plan for the City of Greater Sudbury. Living Area 1 includes residential areas that are fully serviced by municipal water and sewer and are to be the primary focus of residential development.

Section 3.2.1.6 of the Official Plan outlines those matters to be reviewed when considering applications to rezone lands within the Living Area 1 designation:

- a) The site is suitable in terms of size and shape to accommodate the proposed density and built form;
- b) The proposed development is compatible with the surrounding neighbourhood in terms of scale, massing, height, siting, setbacks and the location of parking and amenity areas;
- c) Adequate on-site parking, lighting, landscaping and amenity areas are provided; and,
- d) The impact of traffic on local streets is minimal.

The application conforms to the Official Plan for the City of Greater Sudbury subject to a review of the above noted land use planning considerations.

Site Description & Surrounding Land Uses:

The subject lands are bounded by Third Avenue to the north, Phillip Street to the east and Woodland Avenue to the south-west in the community of Lively. The lands are owned by the City of Greater Sudbury and are known as Candlewood Park. The lands have a total lot area of approximately 2,340 m² (25,198 ft²) with two access points out of the former park to Third Avenue and Woodland Avenue respectively. Municipal Road #24 is located to the east and Highway #17 is located further to the south.

Surrounding uses are primarily urban residential in nature with the predominant built-form being that of single-detached dwellings. There is an existing elementary school to the north of the lands which is accessed from Sixth Avenue further to the north. Anderson Farm Museum is located to the east and is accessed from Municipal Road #24. There is also a large tract of vacant land to the west across Third Avenue which is zoned for future urban residential development.

Background

On February 2, 2010, the Planning Committee considered a report from Real Estate Services regarding declaring Candlewood Park surplus to the City's needs and offering the lands for sale to the abutting property owners.

The report was prepared as a result of a request from the Councillor of the Ward.

In the 2010 staff report, Leisure Services had noted that the City has playground equipment in close proximity at Anderson Farm.

On February 10, 2010 Council ratified the Planning Committee recommendation to declare the lands surplus and that they be offered for sale to the abutting land owners.

Departmental & Agency Comments:

Development Engineering

No concerns. This site is not currently serviced with municipal water and sanitary sewer.

Drainage

1. May 22, 2012

The Drainage Section has been aware of drainage related issues pertaining to the split up and sale of Candlewood Park. We propose the following conditions:

- a) The completion of an engineered lot grading/drainage plan for the subject area;
- b) The implementation of any required drainage infrastructure;
- c) The establishment of any required drainage easements; and,
- d) The registration on title of a drainage agreement to ensure future compliance with the proposed lot grading/drainage plan and infrastructure.

2. March 9, 2016

Further to our comments of May 22, 2012, we advise that City drainage infrastructure has been completed within Candlewood Park. An R-Plan has been prepared for required drainage easements. We have no further comments on the proposed rezoning.

Roads, Traffic & Transportation

No concerns.

Public Consultation:

The statutory notice of the public hearing was provided by newspaper along with a courtesy mail out to property owners and tenants within a minimum of 120 metres of the property. The lands are presently owned by the City and the lands were declared surplus parkland by Council on February 10, 2010. The City's Real Estate Section has since arranged for sale transactions with abutting residential landowners to acquire portions of Candlewood Park for their own private use. At the time of writing this report, no phone calls and no written submissions with respect to this application have been received by the Planning Services Division.

Planning Considerations:

Provincial Policy Statement 2014

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 2014 (PPS). Staff has reviewed the PPS 2014 and is satisfied that no matters of provincial interest are impacted should the rezoning be approved.

Official Plan

Section 3.2.1.6 of the Official Plan outlines those matters to be reviewed when considering applications to rezone lands within the Living Area 1 designation. Staff has reviewed those matters described in Section 3.2.1.6 and has the following comments:

- a) Staff has reviewed the general concept with respect to expanding the rear yards of the residential lots which abut the former park and has no concerns with the size and shape of said residential lot fabric;
- b) The lot additions would not create any issues with respect to scale, massing, height, siting and building setbacks as no buildings are proposed to be constructed and the land subject to the rezoning seeks only to expand the rear yard amenity space of abutting residential properties which already contain single-detached dwellings;
- c) Staff is satisfied that the proposed rezoning would not create any issues with respect to the

provision of adequate on-site parking, open space landscaping and amenity areas; and,

- d) Staff notes that the rezoning would facilitate a series of lot additions to existing and abutting residential properties and there would be no negative traffic impacts on surrounding local streets.

Based on a review of the above matters, staff has no objections to the proposed rezoning which will facilitate a series of lot additions of the surplus parkland to abutting residential land owners in the area.

Zoning By-law

The application seeks to rezone the subject lands from "P", Park to "R1-5", Low Density Residential One under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. Staff has reviewed the requested "R1-5" Zone and advises it would be appropriate given that the abutting residential lands which are to benefit from a series of lot additions are also presently zoned "R1-5" under the Zoning By-law.

Summary

Staff has reviewed the development proposal and is satisfied that it conforms to the Official Plan for the City of Greater Sudbury. Staff is also satisfied that no matters of provincial interest with respect to the PPS. The Planning Services Division therefore recommends that the application to amend By-law 2010-100Z being the City of Greater Sudbury Zoning By-law in order to facilitate the lot additions to abutting residential land owners be approved.

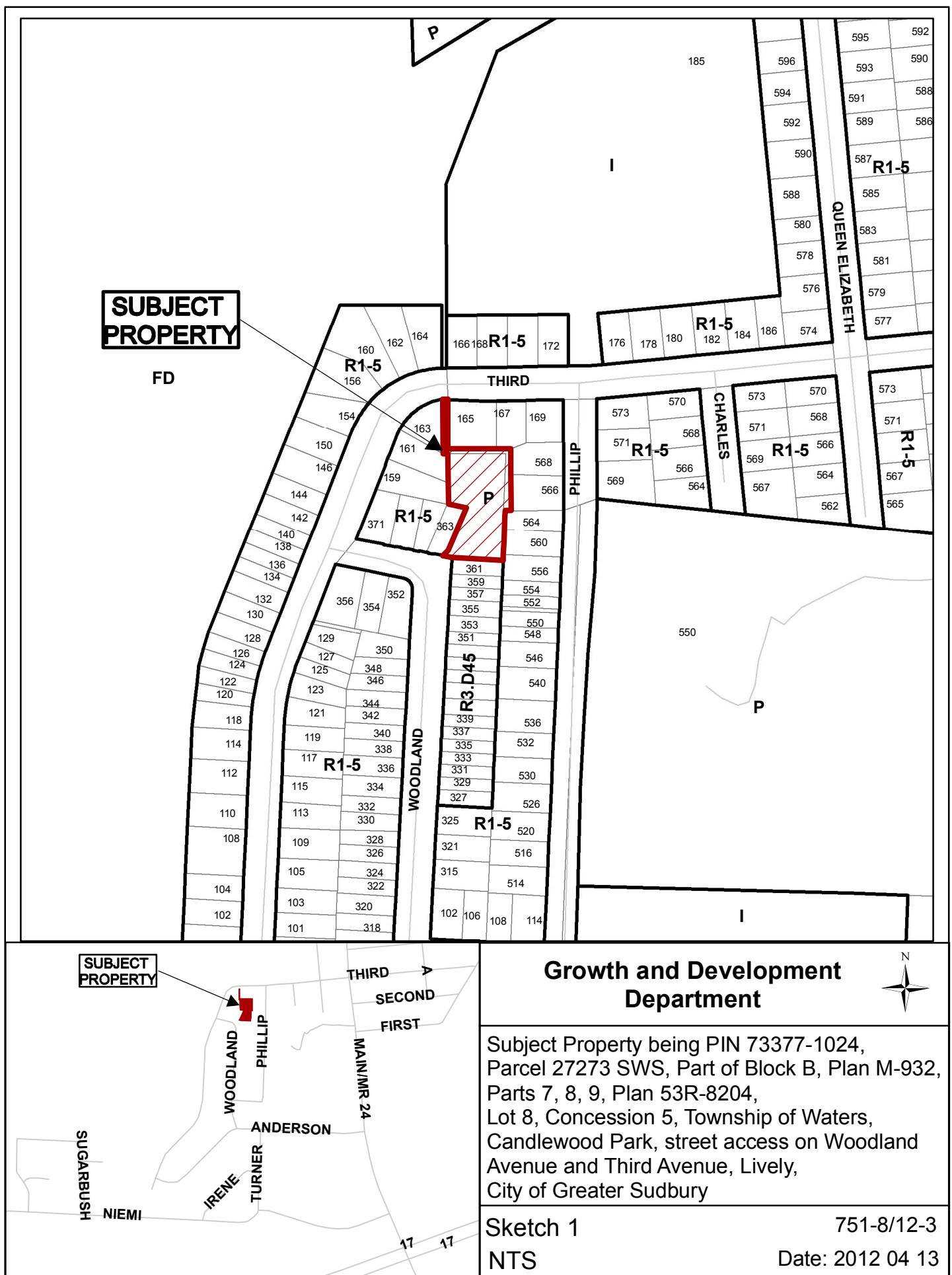




PHOTO 1 SURPLUS PARKLANDS FORMERLY CALLED
CANDLEWOOD PARK AS VIEWED FROM WOODLAND
AVENUE LOOKING NORTH

751-8/12-3 PHOTOGRAPHY MARCH 30, 2016

File: 751-8/12-3
Woodland Ave. and Third Ave.,
Lively
2011 Orthophotography



Subject Property

CHARLES STREET

PHILLIP STREET

WOODLAND AVENUE

THIRD AVENUE

