

Presented To:	Planning Committee
Presented:	Monday, Apr 25, 2016
Report Date	Tuesday, Apr 05, 2016
Type:	Public Hearings
File Number:	751-6/16-1

## Request for Decision

**996401 Ontario Inc. - Application for re-zoning in order to permit the development of two (2) row dwellings having a total of eight (8) dwelling units, 1838 Bancroft Drive, Sudbury**

### Resolution

THAT the City of Greater Sudbury approves the application by 996401 Ontario Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification from "R1-5", Low Density Residential One to "R3(S)", Medium Density Residential Special in order to permit development of two (2) row dwellings with each containing four (4) dwelling units for a total of eight (8) dwelling units on those lands described as PIN 73578-0074, Parcel 8295 S.E.S., Lot 12, Concession 3, Township of Neelon subject to the following conditions:

A) That the amending zoning by-law contain the following site-specific provisions:

- i. That a maximum of two (2) row dwellings containing four (4) dwelling units within each having a maximum building height of one-storey shall be permitted;
- ii. That a privacy yard be provided for each dwelling unit having a minimum depth of 3.5 m and a 1.5 m high opaque fence along those portions of the easterly lot line which abuts any privacy yard;
- iii. That no landscape planting strip be required along the easterly or westerly lot lines;
- iv. That a 1.5 m high opaque fence be provided along the length of the portion of the westerly lot line which abuts any parking aisles, parking areas or parking spaces;
- v. That a minimum 12 m westerly interior side yard setback and a minimum 3.5 m easterly interior side yard setback be required; and,
- vi. That a minimum 210 m rear yard setback be required.

### 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*

### STAFF REPORT

**Applicant:**

996401 Ontario Inc.

**Location:**

PIN 73578-0074, Parcel 8295 S.E.S., Lot 12, Concession 3, Township of Neelon (1838 Bancroft Drive, Sudbury)

**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 "R1-5", Low Density Residential One to "R3(S)", Medium Density Residential Special.

**Proposal:**

The application is to permit the development of two (2) row dwellings with each containing four (4) dwelling units for a total of eight (8) dwelling units on the subject lands.

**Official Plan Conformity:**

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. Medium density residential built-forms are permitted provided that new residential development is compatible with the existing physical character of the neighbourhood, 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 By-law.

Section 3.2.1.4 and 3.2.1.5 of the Official Plan address the locating of medium density residential housing within the Living Area 1 designation:

- a) Medium density housing should be located on sites in close proximity to Arterial Roads, public transit, main employment and commercial areas, open space areas and community/recreational services; and,
- b) Medium density housing is to be located in areas with adequate servicing capacity and a road system that can accommodate growth. Sites should be of a suitable size to provide adequate landscaping and amenity features.

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.

Section 18.2 of the Official Plan respecting housing, encourages a greater mix of house types and tenures. Providing for a wide range of housing types and forms suitable to meet the housing needs of the City is to be encouraged. Innovative forms of multiple housing may also involve alternative development standards where considered to be appropriate.

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 located on the north side of Bancroft Drive and to the west of First Avenue in the community of Minnow Lake. Ramsey Lake is located to the south of the subject lands. The lands have a total lot area of approximately 0.93 ha (2.30 acres) with approximately 30 m (100 ft) of frontage onto Bancroft Drive. The lands presently contain a single-detached dwelling which staff understands is to be removed in favour of the proposed two (2) row dwellings.

Surrounding uses are primarily urban residential in nature with a mix of residential built-forms being located in the neighbourhood. Commercial and institutional land uses exist further to the east at the corner of Bancroft Drive and Second Avenue. There is also a large and vacant tract of future development lands to the immediate north of the lands.

### **Departmental & Agency Comments:**

#### Building Services

No concerns. Building Services would advise of the following:

1. A 3 m landscape buffer is required along the west side lot line adjacent to the "R2-2" Zone, this will reduce the width of the required 6 m driveway to less than the minimum required;
2. This development falls within the IPZ of the Source Water Protection Area. Approval for this development will be required by the Risk Management Office;
3. A 7.5 m privacy yard is required for the sole use of the occupants of each dwelling unit; and,
4. These proposed buildings meet the definition of row dwellings and not multiple dwellings as defined in Zoning By-law 2010-100Z and this application for zoning by-law amendment has been reviewed as such.

#### Development Engineering

This site is serviced with municipal water and sanitary sewer.

A water capacity analysis was conducted for the site. The 375 mm diameter water-main provides sufficient pressures under Maximum Day Demand and under Maximum Hour Demand and provides an adequate fire flow of 424 L/s at a residual pressure of 20.0 psi (Elevation 269.1 m). Detailed clauses and conditions with respect to lot grading, drainage, etc. will be stipulated in the site plan control agreement.

#### Drainage

No concerns.

#### Nickel District Conservation Authority

No concerns.

#### Operations

No concerns.

#### Roads, Traffic & Transportation

We ask as a condition of approval that the owner transfer to the City a five (5) metre strip of property along

the entire frontage of Bancroft Drive for road improvements. The City shall be responsible for all survey and legal costs associated with this transfer.

We also note that the proposed driveway is slightly offset from Avalon Road. This may create some conflicts between the turning movements at the intersection. We require that the owner relocate and align the centre of the proposed driveway to be opposite of Avalon Road to improve safety at the intersection.

#### Water/Wastewater Services

No activity or activities proposed to be engaged in on this property are considered to be significant drinking water threats. You may undertake the activity or activities as described in the application and proceed to apply for a building permit or planning approval as they are neither prohibited nor restricted for the purpose of Part IV of the Clean Water Act, 2006.

#### **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 owner was advised of the City's policy recommending that applicants consult with their neighbours, ward councillor and key stakeholders to inform area residents on the application prior to the public hearing. At the time of writing this report, several 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 (PPS). The proposed rezoning is consistent with the PPS for the following reasons:

- a) Settlement areas are to be the focus of growth and their vitality and regeneration is to be promoted. The community of Sudbury is an identified settlement area in the City's Official Plan and the addition of two (2) row dwellings in this urban setting and location should be promoted; and,
- b) Municipalities are required to provide an appropriate range and mix of housing types and densities to meet the needs of current and future residents. Forms of housing which meet social, health and well-being need are to be encouraged. Staff is of the opinion that the subject rezoning would allow for additional housing options for in the urban community of Sudbury.

##### Official Plan

With respect to Section 3.2.1.4 and 3.2.1.5 of the Official Plan, staff notes that the lands are situated along Bancroft Drive which is designated as a Secondary Arterial which is serviced by public transit. Staff is also satisfied that the Bancroft Drive corridor also provides access to main employment and commercial areas as well as open space areas and community and recreational services. Staff is also satisfied that the lands are adequately serviced with municipal infrastructure and the road system in place can accommodate the proposed 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. Staff has reviewed those matters described in Section 3.2.1.6 and has the following comments:

- a) Staff is satisfied that the site is suitable in terms of size and shape to accommodate the proposed density and built form being that of two (2) row dwellings containing a total of eight (8)

dwelling units on the lands. Staff notes that the appearance and orientation of the dwelling units from Bancroft Drive would not look out of place as similar development exists along parts of this corridor. The units are also to be set back 15 m (50 ft) from Bancroft Drive;

b) The scale, massing, height, siting and building setbacks associated with the proposed row dwellings are considered appropriate within the context of the surrounding neighbourhood. Staff would also note that the resulting net residential density on the lands would be approximately nine (9) units per hectare which is in keeping with the low density development maximum of 36 units per hectare in the Official Plan. Low density residential development is permitted in the Living Area 1 designation. It is noted that each of the units would provide for a reduced privacy yard however staff is satisfied that the outdoor amenity space dedicated to each dwelling unit would be functional. There is also sufficient room in the rear of the lands to extend or include additional amenity areas through the site planning process. Staff is satisfied there are no negative impacts with respect to the above noted matters;

c) The lands can support twelve (12) parking spaces which would amount to one (1) parking space per dwelling unit along with sufficient visitor parking spaces. Each of the parking spaces would appear to meet the dimension requirements set out in the zoning by-law and the site planning process will ensure that the spaces are of sufficient dimension. Access to each of the spaces would be appropriate and functional. Staff is therefore satisfied that the lands can support adequate parking for the proposed two row dwellings.

d) Staff is satisfied that the two (2) row dwellings containing a total of eight (8) dwelling units will not have any negative impacts on the overall traffic volume along Bancroft Drive or other surrounding local streets.

With respect to housing policies, staff acknowledges that the development proposal would provide for an alternative form of housing type in this residential neighbourhood and would contribute positively to the mix of housing types and tenures in the area. It is noted that the amending by-law will need to address several site-specific matters in order to accommodate for the row dwellings. The site-specific relief that is required is outlined in detail in the zoning by-law section of this report.

Based on a review of the above matters, staff has no objections to the application to rezone the lands from "R1-5", Low Density Residential One to "R3(S)", Medium Density Residential Special in order to permit the development of two (2) row dwellings with each containing four (4) dwelling units for a total of eight (8) dwelling units on the subject lands.

#### Zoning By-law

The owner is proposing that the lands be rezoned to "R3(S)", Medium Density Residential Special in order to allow for the development of two (2) row dwellings containing a total of eight (8) dwelling units on the subject lands. Staff has reviewed the request and has no concerns with the requested zone category subject to the amending by-law containing the following site-specific provisions:

1. That a maximum of two (2) row dwellings containing four (4) dwelling units within each having a maximum building height of one-storey shall be permitted;
2. That reduced privacy yards be provided for each dwelling unit having a minimum depth of 3.5 m (11.48 ft) and a 1.5 m (5 ft) high opaque fence along those portions of the easterly lot line which abuts any outdoor amenity space areas;
3. That no landscape buffer strip be required along the westerly interior side lot line provided that a 1.5 m (5 ft) high opaque fence be provided along the length of the portion of the westerly lot line which abuts any parking aisles, parking areas or parking spaces;

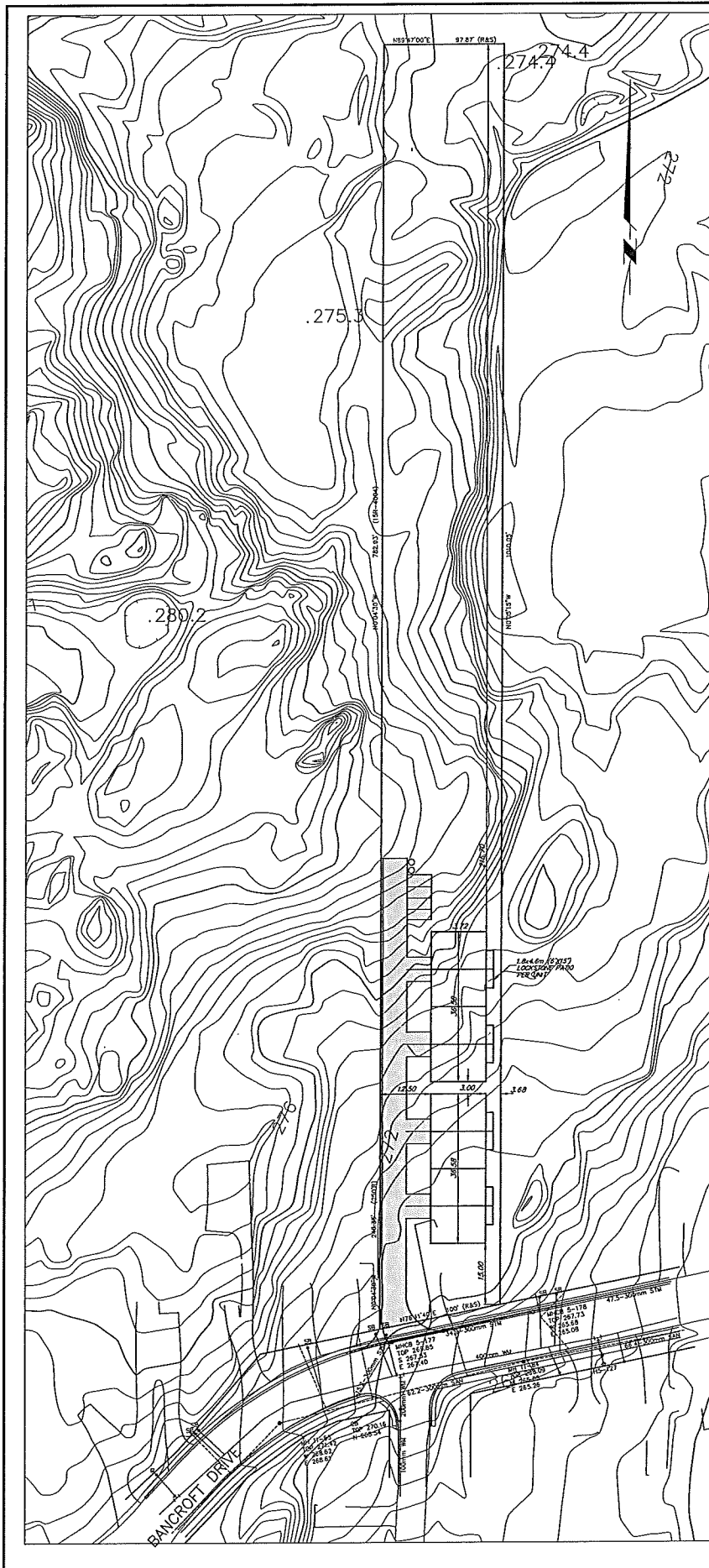
4. That a minimum 12 m (39.37 ft) westerly interior side yard setback and a minimum 3.5 m (11.48 ft) easterly interior side yard setback be required; and,
5. That a minimum 210 m (688.97 ft) rear yard setback be required.

### Summary

Staff has reviewed the development proposal and is satisfied that it conforms to the Official Plan for the City of Greater Sudbury, as well as the PPS. The development proposal to permit two (2) row dwellings containing eight (8) dwelling units in this location generally represents good land use planning and offers an opportunity to improve the mix of housing options in the area. Site plan control will also be applicable to the development of these lands, at which time the alignment of the driveway with Avalon Road and the transfer of a road widening along Bancroft Drive can be addressed.

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 permit two (2) row dwellings containing a maximum of eight (8) dwelling units be approved subject to the conditions outlined in the recommendation section of this report.





# **SITE PLAN DATA:**

LOT 12, CONCESSION 3  
GEOGRAPHIC TOWNSHIP OF NEELON  
CITY OF GREATER SUDBURY

PROPOSED ZONING USE OF BUILDING	R3 - MEDIUM DENSITY RESIDENTIAL APARTMENT BUILDING (8 UNITS)	
	<u>PROVIDED</u>	<u>REQUIRED</u>
PROPERTY AREA	9,280 sq.m.	1,200 sq.m.
BUILDING COVERAGE	1,004 sq.m. (10.8%)	< 40%
GROSS FLOOR AREA	1,004 sq.m.	N/A
BUILDING HEIGHT	1 STOREY	< 11 m
LANDSCAPED AREA	7,237 sq.m. (79.1%)	> 30%
FRONT YARD SETBACK	15.0m	15.0 m
SIDE YARD SETBACK	3.7m	1.2m (PLUS 0.6m FOR EVERY STOREY)
PRIVACY YARD	3.7m	7.5m (MINOR VARIANCE REQUIRED)
REAR YARD SETBACK	216.7m	7.5 m
PARKING CALCULATION	12	12 1.5 SPACES PER UNIT

PROPERTY USE:  
NORTH - FUTURE DEVELOPMENT (FD)  
EAST - SINGLE FAMILY (RS-S)  
WEST - LOW DENSITY RESIDENTIAL TWO (R2)  
SOUTH - BANCROFT DRIVE

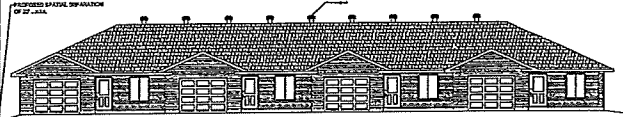
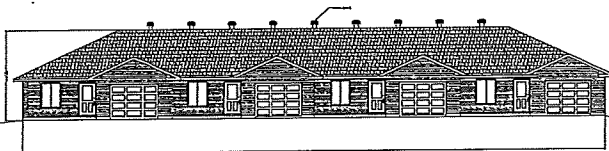
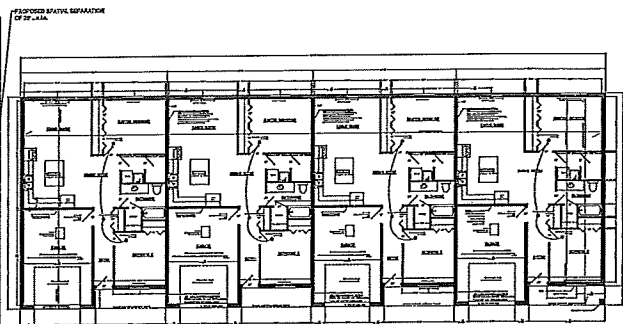
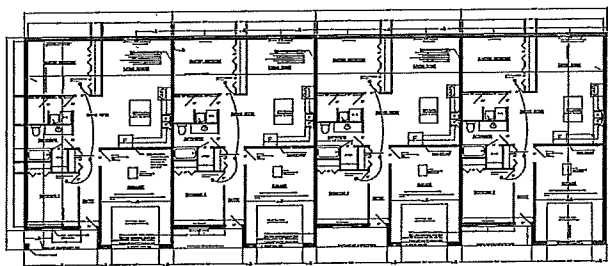
**CONCEPTUAL ONLY  
NOT FOR CONSTRUCTION**

**R.V. Anderson  
Associates Limited**  
Engineering • Architecture • Interiors

**BANCROFT-AVALON APARTMENTS  
CONCEPTUAL SITEPLAN**

1:500 DATE: JANUARY 27, 2016  
C.O.C. JOB NUMBER: 153200





## PROPOSED DUAL 4 PLEX

PROFILES & PLATES FOR  
 Easy Print  
 Standard, Deluxe,  
 Softball  
 Date: Feb 08, 2015  
 SCALE 1/8" = 1'-0"  
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PHOTO 1 SUBJECT LANDS AS VIEWED FROM BANCROFT DRIVE  
LOOKING NORTH



PHOTO 2 SUBJECT LANDS ALONG WITH ABUTTING SINGLE DETACHED  
DWELLINGS TO THE WEST AS VIEWED FROM BANCROFT DRIVE  
LOOKING NORTH



PHOTO 3 SUBJECT LANDS ALONG WITH ABUTTING SINGLE DETACHED DWELLINGS TO THE EAST AS VIEWED FROM BANCROFT DRIVE LOOKING NORTH

