

Title: Saint Vincent de Paul – St. Kevin’s Conference, Application for Official Plan Amendment & Rezoning, 2496 Highway 69 North, Val Caron

Date: December 13, 2019

STAFF REPORT

PROPOSAL:

The applications proposes to amend the City’s Official Plan and By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, to permit a scoped list of uses permitted in the ‘C2’, General Commercial zone.

The site is currently being used by the Society of Saint Vincent de Paul – St. Kevin’s Conference as an office and meeting place, and has previously been used as a soup kitchen.

The site is functionally related to the lands adjacent to the north, which are zoned C2 and are being used for a thrift store, and are also owned by the applicant. The lands subject to the applications are intended to provide office and meeting space, a food bank, workshop, soup kitchen, and general storage. The applicant has therefore requested a scoped list of commercial uses be permitted on the site to reflect their needs, specifically a bake shop, business office, convenience store, institutional use, restaurant, and service shop

The applicant intends to demolish the existing structure on the site. The applicant’s site sketch shows the location of the newly proposed building on the site, parking spaces and drive aisles, and landscaped areas.

Existing Zoning: R1-5, Low Density Residential One

The R1-5 zone permits a limited range of residential uses.

Requested Zoning: C2(S), General Commercial Special

The proposed C2 zone would permit a scoped list of uses including a bake shop, business office, convenience store, institutional use, restaurant and service shop. Site specific relief is also requested to eliminate the required 3 m wide planting strip adjacent to the southerly residential zone and 3 m landscaped area along Highway 69 North, and to enable parking in these areas.

Location and Site Description:

The subject property is described as PIN 73502-0558, Parcel 18419 SES, Lot 57, Plan M-285, Lot 6, Concession 5, Township of Blezard, Val Caron. The subject lands are located on the east side of Highway 69 North, and are municipally known as 2496 Highway 69 North, Val Caron. The subject lands are 0.13 ha in size with approximately 22.86 m of frontage on Highway 69 North.

The lands are currently serviced with municipal water and sanitary sewer. They are accessed via Highway 69 N, which consists of five lanes including a centre left-turn lane at this location. There is a transit stop on both sides of Highway 69 N within 70 m to the north of the subject lands. There is an existing structure on the site which will be removed prior to development.

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Surrounding Land Uses:

The area surrounding the site includes:

North: Commercial thrift store (also owned by St. Vincent de Paul)
East: Golf course (Monte Vista)
South: Residential use
West: Highway 69 North, residential use

The existing zoning & location map indicates the location of the subject lands to be rezoned and the zoning in the immediate area.

Site photos show the existing structure on the subject lands, as well as the commercial and residential uses along this section of Highway 69 North in the community of Val Caron.

Public Consultation:

Notice of Complete Application was circulated to the public and surrounding property owners on October 21, 2019. Notice of Public Hearing was circulated to the public and surrounding property owners on January 2, 2020. The owner 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 applications prior to the public hearing. As of the date of this report, one letter has been received from the adjacent residential property owner to the south raising concerns regarding drainage and general impacts on the use of their backyard.

POLICY & REGULATORY FRAMEWORK:

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

- [2014 Provincial Policy Statement](#)
- [2011 Growth Plan for Northern Ontario](#)
- [Official Plan for the City of Greater Sudbury, 2006](#)
- [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 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.

Section 1.1.3 of the PPS directs that settlement areas shall be the focus of growth and development.

Planning authorities shall also identify appropriate locations for redevelopment taking into account existing building stock. The need for the unjustified and/or uneconomical expansion of services shall be avoided.

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Section 1.3.1 of the PPS is requires planning authorities to promote economic development and competitiveness by providing for an appropriate mix and range of employment uses to meet long-term needs, and maintaining a range and choice of suitable sites which take into account the needs of existing and future businesses.

Section 1.7.1 (a) & (b) state that long-term economic prosperity should be supported by promoting opportunities for economic development and community investment-readiness, and by optimizing the use of land and infrastructure. Section 1.6.7 regarding transportation systems further emphasizes that efficient use shall be made of existing infrastructure.

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 to the Growth Plan for Northern Ontario.

Official Plan for the City of Greater Sudbury:

Section 1.3.2 of the Official Plan acknowledges the link between planning, design and economic development, such as by providing a framework to reinforce the urban structure and achieve efficient urban form and use of infrastructure.

The subject lands are proposed to be designated as Mixed Use Commercial in the Official Plan. Section 4 of the Official Plan identifies that the Mixed Use Commercial designation is intended to reflect lands where people presently work and lands where employment opportunities will be provided in the future. These uses are generally concentrated along certain stretches of Arterial Roads.

Given the function and high visibility of these areas, special attention is to be given to sound urban design principles including supporting active transportation and transit.

All uses except Heavy Industrial may be accommodated in the Mixed Use Commercial designation through the rezoning process, subject to the following criteria listed in section 4.3:

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

Zoning By-law 2010-100Z:

Development standards for the requested ‘C2’ zone permit a maximum height of 15 m. The minimum required yard adjacent to Highway 69 North is 15 metres given it is a primary arterial road. The minimum required interior side yard to the north is 0 m given the adjacent non-residential zone. The minimum required interior side yard to the south is 3.0 m plus an additional 0.6 m for each storey in excess of three storeys given the adjacent Residential Zone. The maximum lot coverage is 50%. The minimum landscaped open space required is 5%.

Parking for a bake shop, convenience store, institutional use and service shop is required to be provided at the rate of 1/20m² net floor area. Parking for a business office is 1/30 m² net floor area. Parking for a restaurant is 1/10m² net floor area or 1/3 persons seating capacity, whichever is greater.

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Site Plan Control:

The property is not currently subject to a site plan control agreement. An agreement will be required prior to development of the site.

Department/Agency Review:

The applications have been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the applications. No major concerns have been identified and comments have been addressed to the satisfaction of reviewing departments and agencies.

Building Services has provided a number of comments:

- The lot does not meet the frontage requirement for the C2 zone.
- Recommend including a planting strip adjacent to the proposed building given proximity to neighbouring residence.
- Parking is not permitted closer than 3 m from the front property line and within 3 m of the adjacent residential zone. A barrier-free parking space is required. Bicycle parking is required. A review of the parking requirements and a detailed calculation should be provided to ensure compliance.
- Owner to note that the sidewalk is located beyond the front property line.
- A loading spaces is required should the gross floor area exceed 300 m².
- There appears to be a storage container located on the property, and must be removed.

Infrastructure and Capital Planning Services has estimated the number of vehicle trips that could be generated in the worst case scenario (e.g. if the entire site was used as a restaurant), and expect that there is sufficient capacity within the adjacent road network to support the proposal. There are no concerns as long as sufficient parking spaces are provided to satisfy by-law requirements.

Development Engineering has confirmed this area is serviced with municipal water and sanitary sewer for a single residence. These services may need to be replaced to suit the requested commercial use. A test manhole is required on the sanitary sewer service to the commercial building. There are no concerns as long as development proceeds by way of site plan control to address matters such as water and sanitary sewer servicing, test manhole, and site surface drainage and stormwater control.

PLANNING ANALYSIS:

Planning staff circulated the development applications to internal departments and external agencies in June, 2019. The PPS (2014), the Growth Plan (2011), and Greater Sudbury Official Plan, and other relevant policies and supporting guidelines were reviewed in their entirety. The following section provides a planning analysis of the applications in respect of the applicable policies, including issues raised through agency circulation.

It is acknowledged that the applications have been made by a charitable organization proposing to undertake certain commercial uses on the subject lands in order to fulfill their mandate. The applications would increase the amount of land designated Mixed Use Commercial in Val Caron, and permit the site to be used for a scoped list of C2 uses including a bake shop, business office, convenience store, institutional use, restaurant, and service shop. A conceptual parking layout is proposed which would require relief from landscaping and parking setbacks.

In Val Caron, there are three distinct nodes of Mixed Use Commercial lands located along Highway 69 North, including two larger areas at the intersections of both Main Street and Yorkshire Drive (majority of lands at Yorkshire are subject to holding provisions related to the need for a traffic study and related

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infrastructure). The subject lands are south of the third, smaller node which has a mix of uses including residential and an automotive use. The intervening lands between the Mixed Use Commercial node and subject lands contain the driveway to the Monte Vista golf course, which is designated Parks & Open Space, as well as the adjacent thrift store which is designated Living Area 1.

It is recommended that the applications conform with the Growth Plan for Northern Ontario in that they align with the general economic policies. The applications are consistent with PPS policies and conform with Official Plan policies that acknowledge the link between land use planning and economic prosperity, and maintaining a range of sites to provide economic opportunities.

The proposed location for the range of uses proposed on this site aligns with the Official Plan direction to locate Mixed Use Commercial areas along Arterial Roads. The proposed designation and zoning would enable uses that would complement the site to the north, which are zoned C2 and are being used for a thrift store. The proposal represents a logical extension of the non-residential uses in this area.

The subject lands are within a fully-serviced settlement area. The application aligns with the PPS as well as Official Plan section 1.3.2 regarding directing development to settlement areas to promote long-term economic prosperity by optimizing the use of land and infrastructure. The application will enable the efficient use of the existing transportation infrastructure, or Arterial Road, being Highway 69 North.

The application meets the specific considerations for a rezoning as listed in policy 4.3 of the Official Plan:

- There are no identified servicing constraints.
- Adequate on-site parking can be provided. The applicant’s sketch indicates the site could accommodate 18 parking spaces, though two spaces are shown in areas where landscaping should be provided. Considering the parking requirements for the range of uses proposed, the most conservative parking requirement would be 18 spaces for a restaurant (based on gross floor area, rather than net floor area). It is expected that the area shown for parking may conceptually meet the requirements for the proposed uses, and there would be room to accommodate more parking in the area identified for landscaping in the rear yard. Detailed parking calculations would be required at the time of a site plan control agreement application.
- There is sufficient traffic carrying capacity available to support the development. Traffic improvements, such as turning lanes are not required to support this development.

A conceptual parking layout is proposed which would require relief from landscaping and parking setbacks. These landscaping and setback requirements are intended to promote compatibility with adjacent uses and enhance the urban environment. The redevelopment of the site including the use of a portion of the rear yard for parking would have the potential to impact the adjacent residential property to the south. The applicants have not proposed any alternative landscaping measures to address compatibility with the residential use to the south, and there would appear to be enough room on the site to accommodate the standard landscaping requirements. It is therefore recommended that these requests for relief be denied, and that the required landscaping and parking setbacks be accommodated on the site.

It is recommended that the zoning by-law recognize the existing deficient frontage of the lot.

It is recommended that a condition be implemented requiring the shipping container on the subject lands be removed, given the shipping container is not permitted.

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CONCLUSION:

The Planning Division undertook a circulation of the applications to ensure that all technical and planning matters have been satisfactorily addressed.

The following are the principles of the proposed site specific Official Plan and Zoning By-law Amendment:

- To enable the lands to be used for a scoped range of uses permitted in the C2 zone, including a bake shop, business office, convenience store, institutional use, restaurant, and service shop.

The development of the subject lands achieves a number of policy directives, including the promotion of economic development in a manner that considers the available servicing and compatibility with adjacent uses. Staff have considered, amongst other matters, a full range of factors through a detailed review when forming the recommendation of approval for these applications.

Staff are of the opinion that the proposed amendments are appropriate based on the following:

- Development in this location aligns with economic policies and directing development to an area with existing infrastructure.
- The proposal has been evaluated in the context of the surrounding and future land uses and is considered appropriate.
- There are no identified servicing constraints and the traffic increase can be accommodated. Adequate on-site parking is provided.
- The site design, including landscaping provisions, will be further addressed through the site plan control agreement process.

Staff recommends approval of the applications 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, have regard for matters of provincial interest, and represent good planning.