

Date: December 13, 2019

STAFF REPORT

PROPOSAL:

The application proposes to amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury to permit a row dwelling building with four (4) units. A reduction in the number of required parking spaces and the required front yard has also been requested.

The applicant's site sketch shows the location of the proposed row dwelling and parking on the subject lands. The elevation plan shows the proposed 1-storey building and the internal layout. Each unit is proposed to be approximately 133 m² (1426 ft²) in size, including an attached 1-car garage.

Existing Zoning: R1-5, Low Density Residential One

The R1-5 zone permits a limited range of low density residential uses including single detached dwellings, a home daycare, group home (type 1), and a bed and breakfast establishment.

Requested Zoning: R3(S), Medium Density Residential Special

The proposed R3(S) zone would permit an additional range of residential uses beyond those permitted in the R1-5 zone, including semi-detached, duplex, row dwellings and multiple dwellings. Specific relief from the following development standards has been requested to enable the development of a row dwelling building with four (4) units:

- A minimum 10 m front yard where 15 m is required;
- A minimum 2.81 m rear yard where 7.5 m is required, with eave projecting 0.46m into the rear yard (note that, though requested, relief is not required for the eave);
- A minimum of four parking spaces where six are required; and
- While not specifically requested, relief is also needed to permit the proposed 1.8 m fence shown in the corner side yard where a maximum of 1 m is permitted.

Location and Site Description:

The subject property is described as PIN 73496-0220, Parcel 15892, Lot 2, Plan M-252, Lot 9, Concession 1, Township of Garson. The subject lands are located at the northeast corner of Falconbridge Road and Carr Avenue, and are municipally known as 2165 Falconbridge Road. The subject lands are 0.14ha in size with approximately 22.86 m of frontage. The lands are currently serviced with municipal water and sanitary sewer. There is a City transit stop on both sides of Falconbridge Road 40 m to the east of the subject lands. The existing residential structure on the subject land is intended to be demolished.

Surrounding Land Uses:

The area surrounding the site includes:

North:	Residential use, single detached dwelling
East:	Residential use, single detached dwelling
South:	Falconbridge Road and commercial use (Northern RV)
West:	Carr Avenue, residential use, single detached dwelling

Title: Tj Herault, Application for Zoning By-law Amendment, 2165 Falconbridge Road, Garson

Date: December 13, 2019

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 single detached dwellings along Carr Avenue and the north side of Falconbridge Road in this area. Carr Avenue terminates to the north at the Cedar Green Golf Club.

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 December 19, 2019. The applicant advised that they would canvass residents in the area. As of the date of this report two phone calls have been received regarding this application, raising concerns regarding how the change in use may impact the existing character of the neighbourhood with respect to congestion and noise, and a specific request for a fence to be required as part of the planting strip along the east property line.

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 1.1.3.1 and 1.4.1 of the PPS are relevant to the application. Section 1.1.3.1 identifies that settlement areas are to be the focus of growth and their vitality and regeneration is to be promoted. Section 1.4.1 requires municipalities 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 needs are to be encouraged.

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. There are no policies that are relevant to this application, therefore the application is considered to conform to the Growth Plan.

Date: December 13, 2019

Official Plan for the City of Greater Sudbury:

The subject property is designated as Living Area 1 in the City of Greater Sudbury Official Plan. Policies 3.2(2), 3.2.1(4) and 3.2.1(5) provide direction regarding the location of medium density housing. Medium density housing is permitted where full municipal services with adequate capacity are available, and 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.

Policies 3.2(3) and 3.2.1(5) state that sites should be of a suitable size to provide adequate landscaping and amenity features, and that new residential development must be compatible with the existing physical character of established neighbourhoods, 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.

Policies 3.2.1(6) establishes the following criteria to be considered when rezoning lands in the Living Area 1 designation:

- 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.

Section 2.3.3 encourages all forms of intensification and establishes a 20% residential intensification target. Intensification applications are to be evaluated with respect to criteria including site suitability, compatibility with neighbourhood character and proposed mitigation measures, availability of infrastructure and public service facilities, and traffic impacts.

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 development standards for the requested zone permits a maximum height of 11 m. The minimum required front yard is 15 m, the minimum required rear yard is 7.5 m, the minimum required interior side yard is 1.2 m, and the minimum required corner side yard is 4.5 m. The maximum lot coverage is 40%.

Parking is not permitted in the front or corner side yard. Parking for a row dwelling is required to be provided at a rate of 1.5 spaces per unit. The minimum driveway width is 3 m.

The minimum landscaped open space requirement is 30%, and a minimum of 50% the required front yard is to be maintained as landscaped open space. A 3.0 m wide planting strip adjacent to the full length of the lot line is required abutting any residential zone, being both the northerly and easterly lot lines. The planting strip width may be reduced to 1.8 m where an opaque fence 1.5 m in height is provided.

Title: Tj Herault, Application for Zoning By-law Amendment, 2165 Falconbridge Road, Garson

Date: December 13, 2019

Site Plan Control:

A Site Plan Control Application is not required for this development. Multiple dwellings not exceeding four units are excluded from site plan control.

Department/Agency Review:

The application, together with the applicable reports noted above, has been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate zoning by-law standards.

Building Services has advised that a demolition permit would be required for the existing dwelling, and drawings prepared by a qualified designer will be required for the new row dwelling.

Drainage Section staff have indicated that the lot is low-lying in comparison to neighbouring lots and adjacent roads. Development Engineering has advised that they have no concerns with the rezoning if a lot grading plan showing paired driveways, planting strips and the current location of the community mailbox is provided. They also note that the current water and sewer service connections may require upgrading.

These comments have been addressed to the satisfaction of reviewing department and agencies.

PLANNING ANALYSIS:

Planning staff circulated the development application to internal departments and external agencies in May, 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 application in respect of the applicable policies, including issues raised through agency circulation.

The application to permit a row dwelling building on the subject lands is consistent with the PPS direction to direct development to fully serviced settlement areas. The Official Plan encourages all forms of intensification.

Both the PPS and the Official Plan encourage municipalities to provide a range and mix of housing types and densities. The Official Plan 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 the production of smaller (one and two bedroom) units to accommodate the growing number of smaller households. The building form in this part of Garson consists mainly of single-detached dwellings, and the proposal to construct row dwellings in this location represents an opportunity to provide an alternative form of housing.

Given the location on Falconbridge Road, the subject property is an appropriate location for intensification to medium density. There are full municipal services with adequate capacity, the site is adjacent to Falconbridge which is an Arterial Road, and public transit stops are close to the site (40 m to the east). Employment opportunities, commercial areas, and community services are available within relatively close proximity in the community of Garson.

The site itself is relatively large and has sufficient area to accommodate a four-unit row dwelling including adequate landscaping and a privacy yard for each unit. A lot area of 350 m² per unit is proposed, where a minimum of 110 m² is required.

The proposed reduction in the required front yard is considered to be minor, and would be in keeping with

Title: Tj Herault, Application for Zoning By-law Amendment, 2165 Falconbridge Road, Garson

Date: December 13, 2019

the setbacks on the adjacent residential property fronting on Falconbridge Road.

Given the proposed orientation of the building, the reduction in the rear yard to 2.81 m where 7 m is required is considered to be appropriate considering the required 7.5 m privacy yard can be accommodated in the interior yard instead.

Traffic is not expected to be impacted by this proposal. It is recommended that the driveways be paired and centred at the common wall to minimize the impact of multiple driveway entrances. The proposal to reduce the number of parking spaces to one (1) per unit is expected to be adequate given the scale of the development and the nearby location of transit stops.

In terms of the proposed density and compatibility with adjacent lands, it is noted that the majority of the residential lands in this part of Garson are zoned R1-5 and consist of single-detached dwellings. There is one building to the west that is zoned R3 and permits a multiple dwelling of up to 10 units. The proposed four units would represent a net density of approximately 28 units per hectare, which is still considered to be relatively low. For example, the combined density of the three single-detached homes across the street on Carr Avenue would represent a density of approximately 17 units per hectare. The majority of development in Garson is very low density given that most of the lots for single-detached dwellings are relatively large.

To promote compatibility with adjacent low-density residential uses, the applicant has proposed 1.8 m fence be incorporated in the required planting strip along the rear property line. It is recommended that the fence height be stepped down to 1 m in the corner side yard, in order to protect sightlines along the road as well as the character of the neighbourhood. The applicant's sketch demonstrates there is adequate room on the site to provide a 3 m planting strip along the interior property line. It is recommended that the building form be restricted to a four unit row dwelling with a maximum height of one storey to ensure the density and built form are scaled to promote compatibility with the adjacent residential neighbourhood.

Further to comments received from development engineering, a lot grading plan is recommended to be provided prior to passing the by-law. This will ensure the site is suitable from a draining perspective and will help avoid flooding, ponding, and related issues.

CONCLUSION:

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

The following are the principles of the proposed site specific zoning by-law:

- To rezone the lands from R1-5 to R3, with site-specific relief to enable the development of a row dwelling building with four (4) dwelling units.

The development of the subject lands achieves a number of policy directives related to intensification and the provision of a range and mix of housing types. Staff have considered, amongst other matters, a full range of factors through a detailed review when forming the recommendation of approval for this application.

Title: Tj Herault, Application for Zoning By-law Amendment, 2165 Falconbridge Road, Garson

Date: December 13, 2019

Staff is satisfied that the application is consistent with the PPS and conforms to the Growth Plan and the Official Plan. Staff are of the opinion that the proposed zoning by-law amendment is appropriate based on the following:

- The proposed row will contribute to the range and mix of housing available in the area.
- The site is suitable for the proposed density and building form.
- The proposal has been evaluated in the context of the surrounding and future land uses and is considered appropriate.
- Adequate parking, landscaping and amenity areas can be provided.
- The impact on local streets will be minimal.

Staff recommend 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.