

**LaSalle Boulevard Corridor Plan and Strategy**  
**Proposed Approach to Zoning By-law Amendment**  
**Planning Services Division**  
**Report Date: June 15, 2020**

**Background**

Council endorsed the City's Nodes and Corridors Strategy in November, 2016 (See Reference 1). The strategy prioritizes study areas to help guide investment and intensification within the community. It will help revitalize and better connect our Downtown, the Town Centres, strategic core areas and corridors of the City. Such a strategy will help create new and distinctive corridors and centres, all featuring mixed uses, public realm improvements and public transit.

In 2017, Council directed staff to proceed with the LaSalle Boulevard Corridor Plan and Strategy (LBCPS – See Reference 2). The LBCPS was completed over 13 months with various check-ins with the community and with Council. The LBCPS has a number of recommendations associated with land use planning to create a new land use framework for the corridor, including integrating high-quality intensification, supporting public transit, and policies for private and public realm improvements.

In July 2018, Council directed staff to commence work on the Official Plan and Zoning amendments. The draft proposed Official Plan Amendment (OPA) was brought to Planning Committee in June 2019 (See Reference 3). The OPA was adopted on April 14, 2020. It is anticipated that the OPA will come into effect on June 18, 2020.

**Purpose**

This report is the first of three reports on the proposed zoning amendments associated with the LaSalle Boulevard Corridor Plan and Strategy (LBCPS). This report describes the approach to the zoning by-law amendment. The second report will include the draft zoning by-law amendment. The third report will include the final zoning by-law presented for consideration at a public hearing under the Planning Act.

Highlights of the proposed zoning framework include “upzoning” most of LaSalle Boulevard to C2 (General Commercial), and establishing build-to line from the Right Of Way. In order to complement that concept, the amendment would introduce a requirement that a certain percentage of the front lot line be occupied by a building.

## **Discussion**

### **New Official Plan Designations**

Official Plan Amendment No. 102 brought in a “more refined and coordinated approach” to the City's corridors (See OPA 102 – Reference 3). The City introduced new designations to the Official Plan, including ‘Secondary Community Nodes’ and ‘Regional Corridors’. Secondary Community Nodes are nodes along the City's strategic corridors with a concentration of uses at a smaller scale than a Regional Centre (e.g. LaSalle Court Mall vs New Sudbury Shopping Centre). These Secondary Community Nodes are located on primary transit corridors and permitted uses include residential, retail, service, institutional, park and community-oriented activities. Given the function and high visibility of these nodes, special attention to sound urban design principle is essential.

Regional Corridors are the primary arterial links connecting the Regional Centres and the Secondary Community Nodes. These corridors are the City's ‘Main Streets’ and permitted uses include medium-density residential, retail, service, institutional, parks, open spaces, office and community-oriented uses at transit-supportive densities in compact, pedestrian-friendly built forms. Sound urban design principles are essential.

The Official Plan was also amended to permit residential uses within Regional Centres as of right, and to introduce parking reduction criteria. Staff provided Council with a report on the City's Commercial Parking Standards review in February, 2020 (See Reference 4). The proposed parking changes are complementary to the proposed zoning by-law changes associated with the LaSalle Corridor Plan and Strategy.

### **Existing Zoning By-Law Framework**

The City of Greater Sudbury's Zoning By-law traditionally recognizes the existing uses that are along the LaSalle Boulevard corridor. The zoning along the western part of the corridor is generally made up of residential zoning, the central part of the corridor is generally made up of commercial zoning, and the eastern part of the corridor is a mix of business industrial, commercial and residential zoning.

There are also numerous site-specific zoning exceptions along the corridor. These are demarcated by the use of a bracket after the Zone category (e.g. C1(14)). For the most part, these represent historic zoning by-law amendment decisions which were tailored to fit the proposed use and local context at the time of decision. Site specific zones typically regulate the exact number of parking spots

required; the number and nature of permitted uses on a property; reduced frontages, front and rear yard requirements; and so on.

LaSalle Boulevard is a secondary arterial and therefore generally requires a 7.5 metre setback for commercial and residential uses, and a 9 metre setback for business industrial uses (See Reference 5 – Tables 7.3 and 8.2 of the City's Zoning By-Law).

Section 2.3.2 of the "LBCPS" calls for "a more refined Mixed Use Structure to be applied to strategic nodes and corridors. Such a zoning framework would regulate land use within those nodes and corridors through added emphasis on incorporating residential uses within the commercial hierarchy to create pedestrian friendly, transit supportive communities along with an added emphasis on built form and urban design."

### **Proposed Zoning By-Law Framework Changes**

The recent changes to the Official Plan to implement the LBCPS guide the more detailed proposed changes to the City's Zoning By-law. Pursuant to the Planning Act, the zoning by-law must conform to the Official Plan.

The following section of the report details the conceptual framework proposed to rezone the properties fronting onto LaSalle Blvd. from Notre Dame to Falconbridge Road. The proposed framework would also encompass some properties on the west side of Notre Dame Avenue as shown on Attachments B and C. Specifically, the report explains the rationale of the proposed approach to addressing each zone classification, including several classes of site-specific zones.

The conceptual zoning framework achieves the outcome recommended in the LBCPS, using a different approach. The LBCPS' recommended changes are outlined in Attachment A along with Staff comment and recommendations.

### **Upzoning to C2**

The LBCPS recommended that the City introduce a series of new Mixed Use Zones (e.g. MU1, MU2, MU3) based on existing land use permissions and definitions. Through a detailed review of LaSalle Blvd., staff has determined that the simplest way to realize the recommendations of the LBCPS and OPA 102 is to upzone the majority of the properties to C2 – General Commercial (See Attachment C – Conceptual Rezoning of LaSalle). Keeping the existing zoning classifications of Zoning By-law 2010-100Z would be more familiar to citizens and easier to implement.

The C2 Zone is the most permissive commercial zone in the City's Zoning By-law. It allows for most commercial uses except for Camping Grounds, Carnivals,

Commercial Tourist Facilities and Marinas. It also permits any dwelling containing not more than 2 dwelling units, multiple dwelling, private home daycares and shared housing (along the corridors only).

### C1 Zone

There are several properties zoned C1 (Local Commercial) along the corridor. C1 permits a limited set of uses that are local in nature (e.g. convenience stores, pharmacy, pet grooming establishment, etc), and generally restricted to a maximum net floor area of 150 sq metres.

Upzoning these properties to C2 would permit more uses along the corridor. However, most of the C1 properties along the corridor do not meet the lot area requirements of the C2 zone where lots need to be a minimum of 1,350 sq metres in size. One option could be to introduce a Holding Zone to these properties, conditional upon a site plan agreement being entered into with the City. Further to the newly-adopted Official Plan policies, the City could use the Holding Provision and site plan control to “discourage small lot rezoning” and to “promote land assembly for consolidated development.” Land assembly could “reduce the need for additional driveways along arterials and can be used to promote a more consistent streetscape.”

### C3 Zone

C3 (Limited General Commercial) permits fewer uses than the C2 Zoning. It allows for outdoor display and sales, business offices, convenience stores, day care centres, financial institutions, medical offices, personal service shops, pharmacies, professional offices, restaurants and retail stores. Rezoning these lands to C2 would permit more commercial uses along the corridor. Similar to those lots in C1, there are some undersized lots in the C3 zone, where a holding zone could be applied.

### C5 Zone

C5 (Shopping Centre Commercial) allows for uses typically associated with malls and big box centres. Staff recommends that those lands remain C5. However, staff recommends adding residential uses as a permitted use in a C5 Zone, per Official Plan Amendment No. 102. Staff recommends that these residential uses include multiple dwelling only.

### I Zone

The City's I (Institutional) Zone permits cemeteries, day care centres, libraries, museums, parks, private clubs, recreation and community centres, and refreshment pavilions and restaurants accessory to a park use. The zone also permits an Institutional Use which is more broadly defined as “A children's home,

a day care centre, a place of worship, a hospital, a private club, a non-profit or charitable institution, a group home type 1, a group home type 2, a special needs facility, a recreation and community centre, an arena, a public museum, a public library, a public business, a public fire hall, a public or private school other than a trade school, or any public use other than a public utility.”

The City's C2 zone also permits an 'Institutional Use'. It is therefore recommended that some uses along the corridor be rezoned from I to C2 (e.g. some churches, community centres and dance studios) in order to facilitate the adaptive reuse of these institutional buildings in the future. Other Institutional could remain as institutional (e.g. schools, cemeteries) as these uses are not anticipated to change over the medium to long term. Doing so would minimize the Legal Non-Conformity situations that may arise (see separate section below).

### M1-1 and M1 Zones

The City's M1-1 and M1-1 Zones are Business Industrial and Mixed Light Industrial Zones, respectively. The M1-1 Zone occurs only once in the defined corridor – it is located on Auger Avenue. The M1 Zones along LaSalle are mostly concentrated east of Auger. Both C2 and M1 permit many uses. Attachment E compares the differences between permitted non-residential uses of the three zones. It should be noted that the M1 zone does not permit residential uses.

The lands zoned M1-1 and M1 along LaSalle have recently been redesignated to “Regional Corridor” with OPA 102 (once the OPA is in effect). Per the City's Official Plan, permitted uses in Regional Corridors may include medium density residential, retail, service, institutional, recreational, entertainment, parks, open spaces, office and community-oriented uses at transit supportive densities in compact, cycling and pedestrian-friendly built forms.

The permitted uses in C2 (including residential) are more in keeping with the Regional Corridor Designation. It is therefore recommended that the M1 properties be rezoned to C2.

### Residential Zones

There are a number of Residential Zones along LaSalle. These include R1-5 and R2-2 (Low Density Residential One and Two, respectively), R3 and R3-1 (Medium Density Residential), and R4 (High Density Residential).

OPA 102 introduced the Secondary Community Node designation which states that “the mixing of uses should be in the form of either mixed use buildings with ground oriented commercial and institutional uses and residential uses above the second storey, or a mix of uses and buildings on the same development site.” The Secondary Community Nodes “shall be planned to provide residential

development primarily in the form of medium and high density buildings, and discouraging single-detached dwellings.”

The new Regional Corridor designation “shall be planned to provide residential development primarily in the form of medium density buildings.”

Staff recommends that the R1 and R2 zones be rezoned to C2 with a H or holding designation. Legally existing single, semi-detached, duplex, group homes (type 1), row dwellings and linked dwellings would enjoy legal non-conforming status. Undersized lots would be placed in a Holding Zone, subject to lot consolidation and site plan control.

A comparison of R3, R3-1, R4 and C2 is provided in Attachment F. The majority of the R3 and R3-1 properties could be rezoned to C2 in order to discourage single-detached, duplex, semi-detached, linked dwellings, etc (See Attachment C – Map 2 – Option 1). Alternatively, these properties could remain as they are currently zoned (See Attachment D – Map 2 – Option 2). City-owned properties such as Place Hurtubise, McCormack Court, and Keewatin Court should remain as is. The R4 zone should remain as is. Other legally existing residential uses would enjoy legal non-conforming status.

### **Overlay Zone**

In order to implement the built form recommendations of the LBCPS, staff recommends the establishment of an overlay zone, specific only to the LaSalle Corridor (See Attachment B). Lands within the overlay zone would be subject to additional provisions, including a new build-to line, a percentage of front lot line occupied by a building, minimum building heights, and a prohibition of uses including commercial parking lots, single and semi-detached dwellings.

#### **Establishment of a Build-To Line based on 30M Right of way**

The current minimum setback for commercial uses along LaSalle is 7.5m, and 9.0 metres for business industrial uses. In order to promote a more consistent streetscape, introduce sound urban design, and to make the corridor friendlier to all users, staff is proposing to introduce a build-to line to the corridor. A build-to line would bring buildings closer to the street, and would direct the parking to the rear of the buildings.

The build-to line would require new buildings to be set back from 0m (minimum) to 4.5m (maximum) of the desired Right-of-Way as expressed in the City’s Official Plan (which is 30 metres for LaSalle Boulevard). The Right of Way is the City’s long-term vision for a road, and includes the space required for travelling lanes, the curb, sidewalk, and associated amenities.

## Establishment of Percentage of Lot Line Occupied by Building

This tool is typically used to ensure that the front of the building is located along the front lot line of the street. Should the City adopt a build-to standard for building, there is a risk that new buildings would be turned to their side and the flank of the building would front onto LaSalle.

Attachment G illustrates several examples that can be found along LaSalle. At 40% or lower, the lot appears to be dominated by parking, while at 80%, the lot appears to be dominated by building. Staff recommends that a percentage between these two ranges be set as the minimum standard be used along LaSalle.

## Minimum Building Heights

The LBCPS recommends that the City establish a minimum height of 11 metres along the corridor. It also recommends that the City consider a height overlay schedule to accommodate varied standards along the corridor.

Only the Downtown Commercial (C6 Zone) contains a minimum height in the City's Zoning By-law. It is 8 metres. The C2 and C3 zones currently have maximum height provisions of 15 metres and 8 metres, respectively. A two-storey minimum could be introduced along the corridor.

## Prohibition of Some C2 Uses along LaSalle

Not all permitted C2 uses meet the new vision of LaSalle as expressed in the Official Plan. Staff recommends that standalone parking lots not be permitted in the corridor in order to encourage the development of these properties to increase assessment. This would be done to encourage sound urban design and community-oriented uses at transit-supportive densities in compact, pedestrian-friendly built forms.

Staff further recommends prohibiting future single detached and semi-detached dwellings along LaSalle in order to encourage higher densities and mixed-uses along the corridor. Those legally existing dwellings would have legal non-conforming status.

## **Legal Non-Conforming Uses**

The proposed zoning framework outlined in this report may create a legal non-conforming status for certain uses, lots or buildings. For example, some buildings may not meet the new standards of the proposed build-to line, the percentage of lot occupied by a building, while some industrial uses, single-detached dwellings, etc, may no longer be a permitted use along the corridor. These situations are contemplated by the City's Zoning By-law.

Section 4.24 of the City's Zoning By-law relates to non-conforming uses. Section 4.24.1 allows for the continuation of existing uses, lots, buildings or structures if they were lawfully used for those purposes prior to the effective date of the zoning by-law. Should staff receive direction to prepare a zoning amendment as outlined in the report, staff would return with a more detailed analysis of the impacts of the proposed changes on existing uses, lots and buildings.

### **Special Exception Zones**

As noted above, there are numerous zoning exceptions along the corridor. These are demarcated by the use of a bracket after the Zone category (e.g. C1(14)). These exceptions generally:

- Add additional permitted uses to zone
- Remove permitted uses from a zone
- Provide minimum parking requirements; and/or
- Provide tailored setbacks and building sizes

Most (61%) of these exception zones were introduced prior to the 2010 Zoning By-law, fewer (39%) were established after.

OPA 102 introduces a new vision for the LaSalle Corridor. The City therefore has several options regarding the special exception zones:

- Keep the exception zones as is
- Examine and tailor each exception zone to new proposed standards
- Upzone each exception zone to C2 (i.e. "wiping the slate clean")

The City is currently considering its commercial parking standards, which may aid in this regard (e.g. eliminating the prescribed parking).

The relative merits of these approaches will be considered in the next stages of the analysis. Individual land owners with special exceptions will be consulted as part of this process.

### **PUBLIC CONSULTATION STRATEGY**

Should staff receive direction to prepare a draft amendment to the City Zoning By-law, staff would commence public consultation immediately following the presentation of the amendment in Q3.

The current emergency situation may require some modifications to past City practices regarding public consultation. Per the Official Plan, the City would hold a minimum of two open houses and a public meeting to present the proposed ZBLA. Staff would consider the feedback, propose any necessary changes, and return with the recommended ZBLA for adoption in Q4, 2020.



As part of this process, staff would make use of technology such as virtual meetings. We would send notice of public hearing to all the property owners along LaSalle, including direct communication with corridor stakeholders, publish notices in community newspapers, and make use of the City's social media platforms. The City will also provide citizens the opportunity to comment online via such channels as "Over to You", which was used in the development of LaSalle Boulevard Corridor Plan and Strategy and Official Plan Amendment No. 102.

## **Summary and Recommendations**

This report outlined the background to the LaSalle Boulevard Corridor Plan and Study (LBCPS), and introduced a proposed framework for a draft zoning by-law amendment (ZBLA) that incorporates Official Plan Amendment No. 102 and the LBCPS' land use planning recommendations where appropriate.

Highlights of the proposed zoning approach include "upzoning" most of LaSalle Boulevard to C2 (General Commercial), and establishing a 0-4.5m build-to line from the Right Of Way. In order to complement that concept, the amendments would introduce a requirement that a certain percentage of the front lot line be occupied by a building.

Staff is seeking direction to proceed with a multi-stage approach to the zoning by-law amendment. Staff would present a draft amendment to the zoning by-law in Q3 along with a public consultation strategy. Staff would then return in Q4 with a public hearing on the proposed amendment.

## **References**

1. City-Wide Nodes and Corridor Strategy  
<http://agendasonline.greatersudbury.ca/index.cfm?pg=feed&action=file&agenda=report&itemid=9&id=992>
2. July 9, 2018 Report From the General Manager of Growth and Infrastructure  
<http://agendasonline.greatersudbury.ca/index.cfm?pg=agenda&action=navigator&lang=en&id=1227&itemid=14212>
3. Official Plan Amendment No. 102  
<https://agendasonline.greatersudbury.ca/index.cfm?pg=agenda&action=navigator&id=1444&itemid=18472&lang=en>

4. February 19, 2020 Report "Commercial Parking Standards" From The General Manager of Growth and Infrastructure.

<https://agendasonline.greatersudbury.ca/index.cfm?pg=feed&action=file&agenda=report&itemid=11&id=1443>

5. City of Greater Sudbury Zoning By-law

<https://www.greatersudbury.ca/do-business/zoning/zoning-by-law-2010-100z/>

### **Attachments**

- A. Table 1 – Summary of Recommended Zoning By-law Changes
- B. Proposed Overlay Zone
- C. Proposed Zoning – Option 1
- D. Proposed Zoning - Option 2
- E. C2 to M Zone Comparison Table
- F. C2 to R Zone Comparison Table
- G. % of Front Lot Line Concept