

Request for Decision

3557 Errington Avenue, Chelmsford

Presented To:	Planning Committee
Presented:	Monday, Feb 22, 2021
Report Date	Monday, Feb 01, 2021
Type:	Public Hearings
File Number:	751-5/20-05

Resolution

THAT the City of Greater Sudbury approves the application by 1905066 Ontario Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification from “C6(1)”, Downtown Commercial Special to a revised “C6 -Special”, Downtown Commercial Special on lands described as PINs 73349-0576 & 73349-1719, Parcels 815 & 22322 S.W.S., Part 1, Plan 53R-4440 in Lot 2, Concession 3, Township of Balfour, as outlined in the report entitled “3557 Errington Avenue, Chelmsford,” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on February 22, 2021, subject to the following conditions:

- a) In addition to the uses permitted in the C6(1) zone, a veterinary clinic shall also be permitted;
- b) That prior to the adoption of the amending by-law, the owner shall install a Precast Test Maintenance Hole (GSSD-1001.030) or Maintenance Access Chamber (GSSD-1001.040) on the sanitary sewer service on the private property side of the property line to the satisfaction of the Director or Planning Services; and,
- c) Conditional approval shall lapse on March 9, 2023 unless Condition b) above has been met or an extension has been granted by Council.

Relationship to the Strategic Plan / Health Impact Assessment

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding. The proposal aligns with the Strategic Plan by supporting business retention and growth within the municipality.

Report Summary

Signed By

Report Prepared By

Mauro Manzon
Senior Planner
Digitally Signed Feb 1, 21

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Feb 1, 21

Recommended by the Division

Alex Singbush
Manager of Development Approvals
Digitally Signed Feb 1, 21

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Feb 3, 21

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Feb 3, 21

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Feb 5, 21

An application for rezoning has been submitted in order to permit a veterinary clinic within the existing building on the property municipally known as 3557 Errington Avenue, Chelmsford. The subject land is zoned "C6(1)", Downtown Commercial Special and is located in the Town Centre of Chelmsford. Staff support the application as the proposed use forms a good fit with the mixed-use character of the Town Centre and demonstrates conformity with the Official Plan, Provincial Policy Statement, and the Growth Plan for Northern Ontario. The installation of a test manhole is recommended as a condition of approval.

Financial Implications

There are no financial implications associated with this report.

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Date: January 25, 2021

Staff Report

Proposal:

Site-specific application for rezoning in order to permit a veterinary clinic within the existing building located at 3557 Errington Avenue, Chelmsford.

Existing Zoning: "C6(1)", Downtown Commercial Special

The C6(1) special zoning is applied to the Town Centre designations identified in the Official Plan, including the subject lands, which are located in the Town Centre of Chelmsford. A broad range of commercial and residential use is permitted. There are no parking requirements for non-residential uses.

Requested Zoning: Revised "C6 Special", Downtown Commercial Special

The owner is seeking to add a veterinary clinic to the uses permitted under the existing C6(1) zone.

Location and Site Description:

PINs 73349-0576 & 73349-1719, Parcels 815 & 22322 S.W.S., Part 1, Plan 53R-4440 in Lot 2, Concession 3, Township of Balfour (3557 Errington Avenue, Chelmsford)

The subject properties form interior lots located on Errington Avenue in Chelmsford. The area is fully serviced by municipal water and sanitary sewer. Errington Avenue is designated as a Collector Road and is constructed to an urban standard at this location. The closest public transit stop is located on the west side of Errington Avenue, just south of the subject lands (Route 104).

Total site area is 0.26 ha, with 47.7 metres of road frontage. The southerly lot is occupied by a one-storey, 1,076 m² commercial building with almost full lot coverage. The northerly lot comprises a parking area that can accommodate 30 vehicles based on the rezoning sketch. There are two driveway entrances to accommodate access.

An office building and single detached dwellings on William Street abut the southerly limit of the subject land. A single detached dwelling and commercial properties that front onto Main Street are located to the north. The remainder of the area comprises a mixed-use district with residential and commercial uses typical of a Town Centre location.

Surrounding Land Uses:

The area surrounding the site includes:

North: single detached dwelling (3569 Errington Ave), retail use (12 Main St East) and vacant lot (18 Main St East)

East: commercial strip mall (24 Main St East)

South: office building (3449 Errington Ave); single detached dwellings (9 & 11 William St)

West: tavern (3560 Errington Ave)

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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 applicant 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.

No additional neighbourhood consultation was proposed beyond the statutory notice requirements for the public hearing.

As of the date of this report, one (1) phone call seeking additional information has been received.

Policy & Regulatory Framework:

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

- [2020 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. The following Provincial policy areas are directly applicable to this file:

- Section 1.1.1, Land Use Patterns: municipalities shall accommodate an appropriate range and mix of employment uses to meet long-term needs, including transit-supportive development;
- Section 1.1.3.6, Settlement Areas: new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities; and,
- Section 1.3, Employment Uses: Planning authorities shall promote economic development and competitiveness by providing for an appropriate mix and range of employment uses and provide opportunities for a diversified economic base.

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.

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Under the GPNO, Greater Sudbury is designated as an Economic and Service Hub, where a diverse mix and range of land uses are promoted. More specifically, strategic core areas shall be identified in the Official Plan in support of the City's role as a regional centre. Strategic core areas are defined as delineated medium-to-high density areas within identified municipalities that are priority areas for long-term revitalization, intensification and investment. These areas may consist of downtown areas, and other key nodes and significant corridors.

Municipalities that contain strategic core areas are encouraged to plan for these areas to function as vibrant, walkable, mixed-use districts that can:

- a) attract employment uses and clusters, including office and retail;
- b) accommodate higher densities; and,
- c) provide a broad range of amenities accessible to residents and visitors including vibrant streetscapes, shopping, entertainment, transportation connections, lodging, and educational, health, social and cultural services.

Strategic core areas with a revitalization strategy in place and incorporated into an official plan should be the preferred location for major capital investments in:

- a) postsecondary education and training;
- b) regional hospitals and/or specialized health care;
- c) major redevelopment projects;
- d) research and innovation centres;
- e) major cultural institutions and entertainment facilities; and,
- f) integrated public transportation systems.

Official Plan for the City of Greater Sudbury:

Strategic Core Areas include the Downtown, Town Centres, Regional Centres, and the major public institutions listed in Section 4.4 of the Official Plan. Policies related to strategic core areas are outlined in their respective sections.

In this case, the lands are designated as Town Centre and are subject to the following policies under Section 4.2.3:

1. Town Centres will be planned to include a diverse mix of land uses, an appropriate range of housing types, high quality public spaces and the provision of easy access to stores, services and recreational opportunities. Town centres will be planned as high quality areas that support active transportation and transit as outlined in Sections 11.3.2 and 11.8, and Chapter 14.0, Urban Design.
2. Permitted uses in Town Centres may include retail, offices, institutional and other related community services and activities, with the exception of the Valley East Town Centre which is addressed in Section 21.3.2.
3. Medium density residential uses up to a maximum of 30 units per building may be permitted, provided that the net residential density does not exceed 60 units per hectare subject to servicing capacity.
4. When considering rezoning applications for new or expanded uses in Town Centres, the City will ensure that the proposed use preserves the character of the area and is harmonious with adjacent uses and their buildings. The City will also have regard to parking requirements if applicable, traffic impacts and road access. Sewer and water services must be adequate for the site.

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5. Town Centres may also be appropriate locations for light industrial uses. Outside storage for the display and sale of goods is permitted. Proper landscaping and buffering must also be established for light industrial uses.
6. Parking requirements for new development in Town Centres may be reduced where off-street municipal or privately owned communal parking facilities already exist and can accommodate additional automobiles.

Zoning By-law 2010-100Z:

Site-specific relief is not required to accommodate the proposed use.

Site Plan Control:

The property is subject to a Site Plan Control Agreement dated September 2, 1975. An amendment is not required at this time due to the nature of the proposal, which mainly involves interior renovations of an existing building.

Department/Agency Review:

Development Engineering advised that a test manhole is required as a condition of approval.

Building Services indicated that a building permit is required for any construction related to renovation of the building. The installation of x-ray equipment will require approval from the Ministry of Labour, Training and Skills Development.

Planning Analysis:

Land use compatibility

There are sensitive land uses that abut the subject land in the form of single detached dwellings on Errington Avenue and William Street. However, there are no concerns related to land use compatibility, as the proposed use will be limited to the indoors of the existing building and no major redevelopment of the site is proposed. The owner is advised that a kennel is not permitted under the C6(1) zoning, nor is it permitted as an accessory use to a veterinary clinic.

No conflicts are envisioned with remaining adjacent uses, including offices, retail uses and a tavern located opposite the subject land. The proposed vet clinic generally forms a good fit with the mixed-use character of the Town Centre.

Site suitability

Although non-residential uses in the C6(1) zone do not require parking, there may be a practical need to provide some on-site parking, as identified by the applicant on the rezoning sketch. The adjacent parking area provides up to 30 parking spaces for clients and employees, which is sufficient based on the location in a Town Centre. The close proximity to residential areas will likely generate walk-in traffic, mitigating the need for additional on-site parking.

From a servicing perspective, sewer and water services are adequate for the site. However, in order to control potential hazardous discharges into the sanitary sewer system, the installation of a test manhole is recommended as a condition of approval. This requirement will bring the property into compliance with the City's Sewer Use By-law 2010-188.

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Official Plan conformity

The application presents conformity with the Official Plan. The proposed use will contribute to the diverse mix of land uses that are desirable in a Town Centre setting, including office uses. Notwithstanding the need for a test manhole, services are adequate and there is no significant traffic impact on the local road network. There are no negative impacts on the physical character of the area, as no major redevelopment is proposed. The proposal is also viewed as transit-supportive given the location on a Collector Road with public transit service.

2020 Provincial Policy Statement

The application addresses the major policy components of the PPS. The subject property is located in a fully serviced settlement area in a centralized location providing an array of services. The proposal utilizes existing infrastructure and is viewed as being transit-supportive. The proposed use will also strengthen the employment base in the Chelmsford Town Centre. The application is consistent with the 2020 Provincial Policy Statement.

2011 Growth Plan for Northern Ontario

The proposal aligns with policies applied to Strategic Core Areas under the GPNO, which encourages an agglomeration of commercial uses in strategic core areas such as Town Centres.

Conclusion:

Planning Services recommends that the application for rezoning be approved subject to the conditions outlined in the Resolution section of this report.

Appendix 1

Departmental & Agency Comments

File: 751-5/20-05

RE: Application for Rezoning – 1905066 Ontario Inc. – PINs 73349-0576 & 73349-1719, Parcels 815 & 22322 S.W.S., Part 1, Plan 53R-4440 in Lot 2, Concession 3, Township of Balfour (3557 Errington Avenue, Chelmsford)

Development Engineering

This site is presently serviced with municipal water and sanitary sewer.

Pursuant to the City's Sewer Use By-law, the owner is required to install a Precast Test Maintenance Hole (GSSD-1001.030) or Maintenance Access Chamber (GSSD-1001.040) on the private property side of the property line.

We have no objection amending the Zoning By-law from "C6(1)", Downtown Commercial Special to a revised "C6(1)", Downtown Commercial Special in order to permit a veterinary clinic within the existing building provided that the test maintenance hole is installed.

Infrastructure Capital Planning Services

No concerns.

Building Services

Building Services can advise that we have no objections to this application other than the following comments:

- 1) Owner to be advised that any construction taking place will require a building permit to the satisfaction of the Chief Building Official.
- 2) Owner to be advised that the installation and use of x-ray equipment is regulated in part, by Regulation 861 – X-ray Safety under the Occupational Health and Safety Act. Before installing and using, all x-ray equipment must be registered and approved by the Radiation Protection Service (RPS) via the Ministry of Labour.

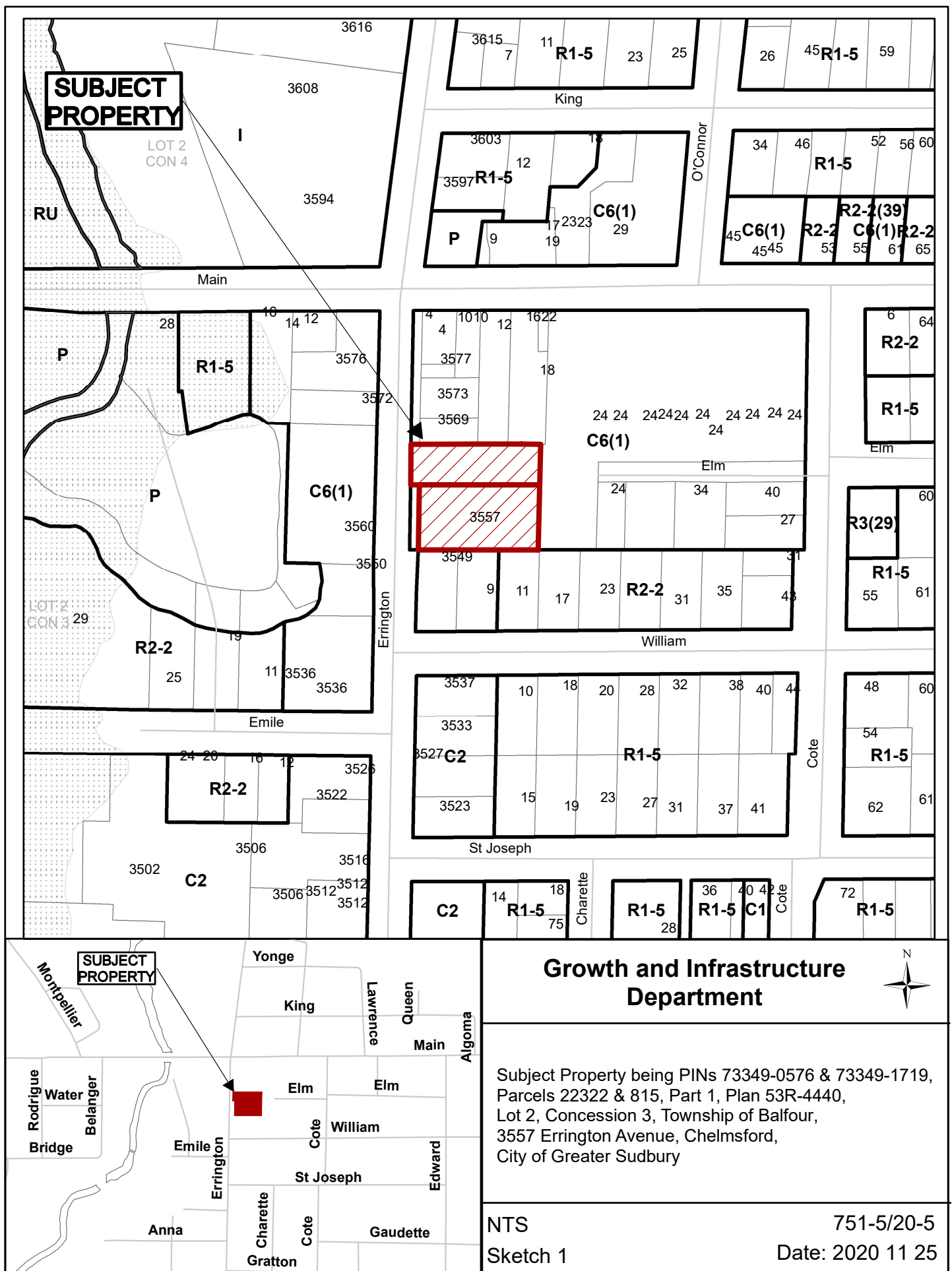




Photo 1: 3557 Errington Avenue, Chelmsford
View of subject property from Errington Avenue
File 751-5/20-5 Photography December 22, 2020



Photo 2: 3557 Errington Avenue, Chelmsford
Interior view of building and parking lot facing west towards Errington Ave
File 751-5/20-5 Photography December 22, 2020



Photo 3: 3557 Errington Avenue, Chelmsford
Interior view of parking lot facing north towards Main Street
File 751-5/20-5 Photography December 22, 2020



Photo 4: 3557 Errington Avenue, Chelmsford
View from parking lot facing east towards Elm Street
File 751-5/20-5 Photography December 22, 2020



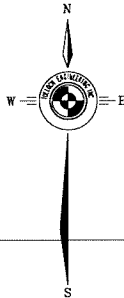
Photo 5: 3549 Errington Avenue, Chelmsford
Office building abutting southerly
File 751-5/20-5 Photography December 22, 2020



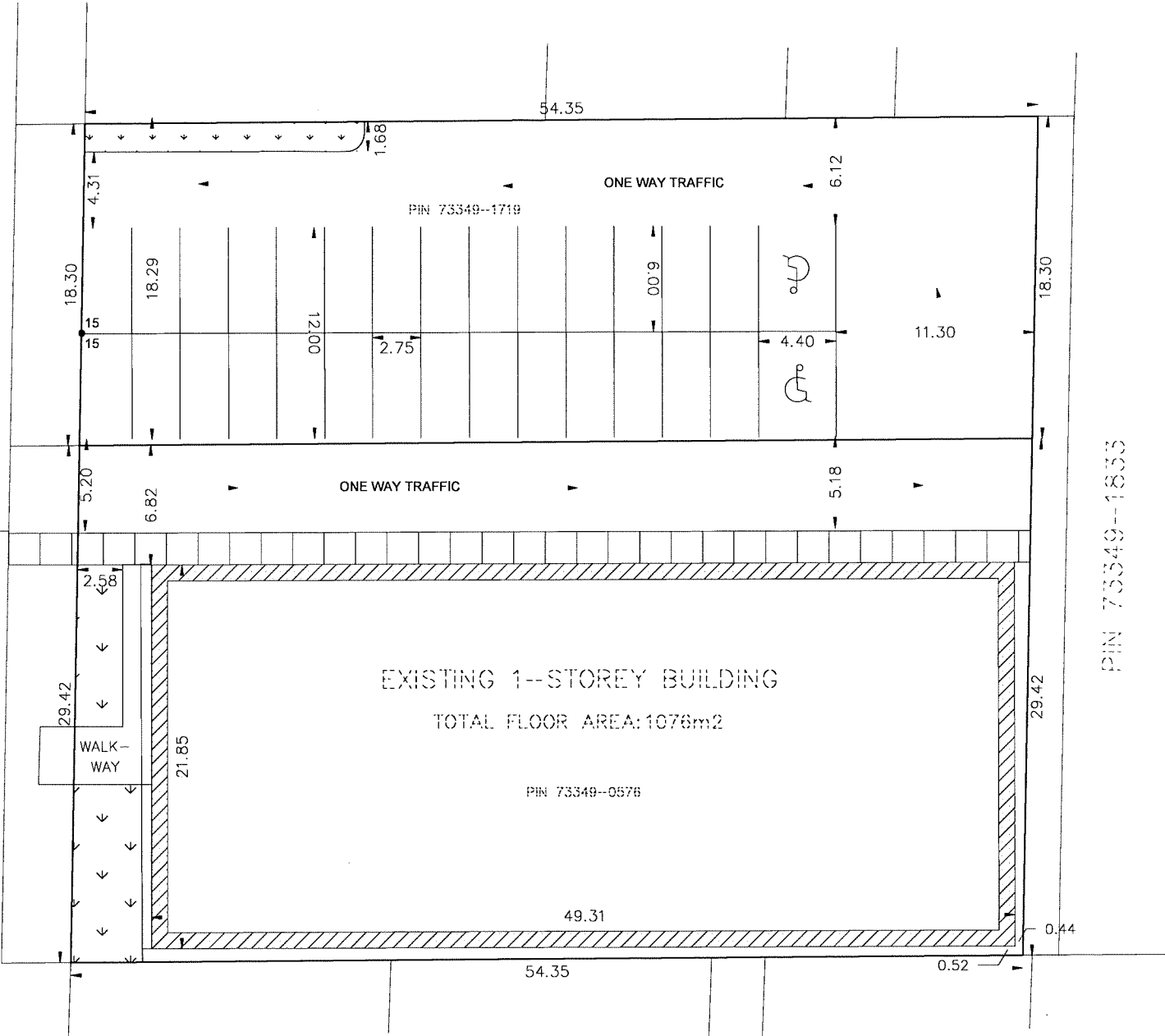
Photo 6: 3569 Errington Avenue, Chelmsford
Single detached dwelling abutting northerly
File 751-5/20-5 Photography December 22, 2020

CONCEPTUAL SKETCH OF
PROPOSED VETERINARIAN CLINIC

3557 ERRINGTON AVENUE
CITY OF GREATER SUDBURY
TULLOCH ENGINEERING INC.
SCALE 1:250



ERRINGTON AVENUE



PIN 73349--1835

CAUTION

THE PROPERTY BOUNDARIES ILLUSTRATED ON THIS PLAN
HAVE BEEN COMPILED FROM REGISTRY PLANS AND HAVE
NOT BEEN CONFIRMED.
THIS SKETCH IS NOT A PLAN OF SURVEY AND SHALL NOT
BE USED EXCEPT FOR THE PURPOSES INDICATED IN THE
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UNIT L P3E 5V5 705-671-2295

DRAWN BY: VS FILE: 20-1572