

Staff Report

Proposal:

The application for Zoning By-law Amendment seeks to permit two accessory dwelling units within the existing buildings situated on the subject lands that have frontage on Lasalle Boulevard in New Sudbury. No additions to existing buildings or new buildings are proposed at this time. In order to accommodate the proposed two accessory dwelling units as a permitted use, the proposed rezoning would change the zoning classification of the subject lands from “C3(20)”, Limited General Commercial Special to an amended “C3(20)”, Limited General Commercial Special.

As background, the owners had previously submitted two applications for pre-consultation for consideration by the Sudbury Planning Application Review Team (SPART) on March 8, 2017 and September 20, 2017 respectively (Files # PC2017-020 & PC2017-104). The first pre-consultation led to application submissions for Official Plan Amendment and Zoning By-law Amendment, which resulted in the re-designation of the lands to Mixed Use Commercial in the City’s Official Plan and rezoned in order to permit business and professional offices, medical offices and a retail store (Files # 701-6/17-3 & 751-6/17-6). The second pre-consultation was for a further rezoning of the lands, which resulted in a rezoning of the lands to permit personal service shops in addition to business and professional offices, medical offices and a retail store (File # 751-6/17-23). No pre-consultation was required for the third application to rezone the subject lands, as there have been no discernible changes to the lands since the last two rezoning applications were considered by SPART.

The current rezoning application was submitted to the City on October 29, 2020, and deemed complete on November 17, 2020 following the submission of the requisite application fee along with additional information that was requested by staff from the owner’s agent. The application included the submission of a Concept Plan in support of their request to rezone the lands. Details with respect to the owner’s public consultation strategy ahead of a public hearing at the City’s Planning Committee was also provided.

Existing Zoning: “C3(20)”, Limited General Commercial Special

The “C3(20)” Zone is site-specific to the subject lands and only permits business and professional offices, medical offices, retail stores and personal service shops. Site-specific development standards pertaining to the recognition of an existing building on the lands along with minimum yard setback requirements for a second building are included in the “C3(20)” Zone. The “C3(20)” Zone also establishes site-specific minimum planting strip and minimum parking space development standards. The development standards under the standard “C3” Zone and more specifically under Section 7.3 – Table 7.3 – Standards for Commercial Zones are otherwise applicable within the “C3(17)” Zone.

Requested Zoning: “C3(20)”, Limited General Commercial Special (Amended)

The proposed rezoning to an amended “C3(20)” is intended to permit two accessory dwelling units within the existing buildings situated on the subject lands. No additions to existing buildings or new buildings are proposed at this time. The owner has not requested any site-specific relief in order to accommodate the proposed additional residential land uses.

Title: Julie & Sandro DeSimone

Date: January 4, 2021

Location and Site Description:

The subject lands are located on the south side of Lasalle Boulevard between Starlight Street to the west and Montrose Avenue to the east in the community of New Sudbury. The lands to be rezoned have a total lot area of approximately 0.53 ha (1.31 acres) along with approximately 38 m (124.67 ft) of lot frontage on Lasalle Boulevard. The lands presently contain two main buildings (i.e. DeSimone Foot & Ankle Centre) along with an accessory detached garage. The rear of the lands to the south of the existing detached garage contains mature vegetation.

Surrounding Land Uses:

- North: General commercial land uses (i.e. Montrose Mall) and low-density urban residential land uses with the pre-dominant built-form being single-detached dwellings.
- East: Urban residential and commercial land uses having a mix of built-forms and densities along the Lasalle Boulevard and a large tract of vacant land having mature vegetation to the west of Arthur Street.
- South: Large tracts of vacant land, Junction Creek and the Ponderosa Provincially Significant Wetland (PSW).
- West: Urban residential and commercial land uses having a mix of built-forms and densities along the Lasalle Boulevard, vacant urban residential land, and an elementary school (i.e. École Félix Ricard).

Attached to this report are the existing zoning and location map, which together indicate the location of the lands subject to the Zoning By-law Amendment request, as well as the applicable zoning on other parcels of land in the immediate area.

Public Consultation:

The statutory Notice of Application was provided to the public by newspaper and to nearby landowners and tenants located within 120 m (400 ft) of the subject lands on November 17, 2020. The statutory Notice of Public Hearing dated January 21, 2021, was provided to the public by newspaper and to nearby landowners and tenants located within 120 m (400 ft) of the subject lands.

The owners and agent were 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 application prior to the public hearing. Staff understands that the owners or their agent intended on sending letters to landowners within 500 m (1,640.42 ft) of the subject lands to inform them of their intention to rezone the lands in order to permit two accessory dwelling units within the existing buildings situated on the lands. There was no formal in-person public meeting held by the owners or their agent since submitting the rezoning application due to the ongoing COVID-19 global pandemic.

At the time of writing this report, the Planning Services Division has not received any phone calls, emails or letter submissions with respect to the development proposal.

Title: Julie & Sandro DeSimone

Date: January 4, 2021

Policy and Regulatory Framework:

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

- [2020 Provincial Policy Statement \(PPS\)](#);
- [2011 Growth Plan for Northern Ontario](#);
- [Official Plan for the City of Greater Sudbury](#); and,
- [Zoning By-law 2010-100Z](#).

The PPS and the Growth Plan for Northern Ontario, along with the City's Official Plan, provide a policy framework for land use planning and development in the City of Greater Sudbury. This framework is implemented through a range of land use planning controls such as, but not limited to, zoning by-laws, plans of subdivision and site plans.

2020 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 2020 PPS. The following PPS policies are pertinent to the application for Zoning By-law Amendment:

1. With respect to Settlement Area policies, Section 1.1.3.1 outlines that settlement areas shall be the focus of growth and development;
2. Section 1.1.3.2 outlines that land use patterns within settlement areas shall have a mix of densities and land uses that efficiently uses land and resources, are appropriate for and efficiently use the infrastructure and public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomical expansion, minimize negative impacts to air quality and climate change and promote energy efficiency, prepare for the impacts of a changing climate, are supportive of active transportation, are transit-supportive where transit is planned, exists or may be developed, and are freight-supportive;
3. Section 1.1.3.2 further outlines that land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment;
4. Section 1.1.3.3 outlines that municipalities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs;
5. Section 1.1.3.4 outlines that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety;
6. Section 1.1.3.5 outlines that local municipalities are to establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions;
7. Section 1.1.3.6 outlines that 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;

8. With respect to Housing Policies, Section 1.4 generally requires municipalities to provide for an appropriate range and mix of housing options and densities to meet projected requirements for current and future residents of the regional market area. This is to be achieved in part by maintaining at all times a three year supply of residential units with servicing capacity that are suitably zoned to facilitate residential intensification and redevelopment. This is also applicable to lands within draft approved or registered plans of subdivision;
9. Section 1.4.3 further outlines that municipalities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:
 - a) Permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities, as well as all types of residential intensification, including additional residential units, and redevelopment;
 - b) Directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
 - c) Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of active transportation and transit in areas where it exists or is to be developed;
 - d) Requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and,
 - e) Establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety;
10. Section 1.6.6.2 outlines that municipal water and sanitary sewer infrastructure are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety, and further that within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services;
11. Section 1.6.7.4 outlines that land use patterns, densities and mixing of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation;
12. Section 1.7.1 outlines that long term economic prosperity should be supported by:
 - a) Encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;
 - b) Maintaining and, where possible, enhancing the vitality and viability of downtowns and main-streets;
 - c) Minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and,
 - d) Encouraging a sense of place, by promoting well designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.

13. Section 1.8.1 outlines that municipalities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions and prepare for the impacts of a changing climate through good land use and development patterns that:
- a) Promote compact form and a structure of nodes and corridors;
 - b) Promote the use of active transportation and transit in and between residential, employment and institutional uses and other areas; and,
 - c) Encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion.

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. Staff has reviewed the planning matters contained within the Growth Plan for Northern Ontario and are satisfied that the application for Zoning By-law Amendment conforms to and does not conflict with the Growth Plan for Northern Ontario.

Official Plan for the City of Greater Sudbury:

The subject lands are designated Secondary Community Node in the Official Plan for the City of Greater Sudbury. There is a further rear portion of the lands that are not included in the rezoning application that are designated Parks and Open Space in the City's Official Plan.

The Secondary Community Node land use designation includes lands intended to meet a variety of needs by providing for a broad range and mix of uses in areas having transit-supportive densities. Secondary Community Nodes are generally situated along the City's strategic corridors where there are a concentration of land uses at a smaller scale than a Regional Centre. More specifically, Secondary Community Nodes are located on primary transit corridors and are to be planned to promote a local identity and a sense of place unique to a particular node and its surrounding community.

Section 4.2.3(1) of the Official Plan notes that permitted uses in the Secondary Community Node designation include residential, retail, office, service, institutional, recreational, entertainment, parks and community-oriented activities land uses. Section 4.2.3(2) further notes that the mixing of land uses should be in the form of mixed-use buildings having ground-oriented commercial and institutional uses and residential uses above the second-storey, or through the mixing of different land uses and buildings on the same lot.

Section 4.2.3(4) of the Official Plan states that Secondary Community Nodes shall be planned to:

- 1. Encourage a cycling and pedestrian-friendly built form by locating commercial and other active non-residential uses at grade;
- 2. Be the focal point for expression of community heritage and character;
- 3. Develop at transit-supportive densities;
- 4. Provide residential development primarily in the form of medium and high density buildings, and discouraging single-detached dwellings;
- 5. Provide for a mix of housing types, tenures and affordability;
- 6. Include, where appropriate, open spaces that are either parks and/or plazas accessible to the public;

7. Be designed to implement appropriate transitions of density and uses to facilitate compatibility with surrounding existing lower density neighbourhoods; and,
8. Provide mobility choices and associated facilities to encourage alternative active transportation options.

Section 4.2.3(5) states that reductions in parking shall be considered in order to promote a greater mix of land uses and a more compact, cycling and pedestrian-friendly built form. The submission of a Traffic Impact Study and/or Transportation Demand Management Plan may be required in support of any request to reduce parking requirements.

The subject lands are situated within both a Settlement Area and the City's Built Boundary as delineated in Schedule 3 – Settlement Area and Built Boundary. Section 2.3.2 of the City's Official Plan notes that Settlement Area land use patterns are to be based on densities and land uses that make the most efficient use of land, resources, infrastructure and public service facilities, minimize negative impacts on air quality and climate change, promote energy efficiency, and support public transit, active transportation and the efficient movement of goods. Intensification and development within the Built Boundary is to be encouraged, while development outside of the Built Boundary may be considered in accordance with the policies of the Official Plan.

Section 2.3.3 of the Official Plan generally acknowledges that intensification of a property at a higher density than what currently exists through the development of vacant or underutilized lots is encouraged throughout the City. Intensification is considered to be essential to completing communities, making the most efficient use of land, resources, infrastructure and public service facilities, minimizing negative impacts on air quality and climate change, promoting energy efficiency and supporting public transit, active transportation and the efficient movement of goods. In particular, Secondary Community Nodes identify as being areas where higher rates of intensification and change expect to occur. The key to intensification is to ensure that it occurs in a context sensitive manner. Intensification must be compatible with and reinforced the existing and planned character of an area.

Specifically, Section 2.3.3 includes the following applicable intensification policies:

1. All forms of intensification are encouraged in accordance with the policies of the Official Plan;
2. The City will aim to accommodate 20% of future residential growth and development through intensification within the Built Boundary;
3. Large scale intensification and development is permitted in strategic core areas such as the Downtown, Regional Centres and major public institutions, in accordance with the policies of the Official Plan;
4. Medium scale intensification and development is permitted in Town Centres, Secondary Community Nodes, Regional Corridors and Mixed Use Commercial corridors, in accordance with the policies of the Official Plan;
5. Intensification and development is permitted in established Living Area 1 lands, in accordance with the policies of the Official Plan;
6. Intensification will be encouraged on sites that are no longer viable for the purpose for which they were intended, such as former commercial, industrial and institutional sites. It will also be encouraged where the present use is maintained but the addition of residential uses can be added in a complementary manner;
7. Intensification will be encouraged on sites with suitable existing or planned infrastructure and public service facilities;

8. Intensification will be compatible with the existing and planned character of an area in terms of the size and shape of the lot, as well as the siting, coverage, massing, height, traffic, parking, servicing, landscaping and amenity areas of the proposal;
9. The following criteria, amongst other matters, may be used to evaluate applications for intensification:
 - a. The suitability of the site in terms of size and shape of the lot, soil conditions, topography and drainage;
 - b. The compatibility proposed development on the existing and planned character of the area;
 - c. The provision of on -site landscaping, fencing, planting and other measures to lessen any impact the proposed development may have on the character of the area;
 - d. The availability of existing and planned infrastructure and public service facilities;
 - e. The provision of adequate ingress/egress, off street parking and loading facilities, and safe and convenient vehicular circulation;
 - f. The impact of traffic generated by the proposed development on the road network and surrounding land uses;
 - g. The availability of existing or planned, or potential to enhance, public transit and active transportation infrastructure;
 - h. The level of sun -shadowing and wind impact on the surrounding public realm;
 - i. Impacts of the proposed development of surrounding natural features and areas and cultural heritage resources;
 - j. The relationship between the proposed development and any natural or man-made hazards;
 - k. The provision of any facilities, services and matters if the application is made pursuant to Section 37 of the Planning Act. Where applicable, applications for intensification of difficult sites may be subject to Section 19.7; and,
 - l. Residential intensification proposals will be assessed so that the concerns of the community and the need to provide opportunities for residential intensification are balanced.

Section 17.2 of the Official Plan generally encourages diversity in housing types and forms. Specifically, Section 17.2.2 encourages a greater mix of housing types and tenure through applicable housing policies:

1. To encourage a wide range of housing types and forms suitable to meet the housing needs of all current and future residents;
2. To encourage production of smaller (i.e. one and two bedroom) units to accommodate the growing number of smaller households;
3. To promote a range of housing types suitable to the needs of senior citizens;
4. Discourage downzoning to support increased diversity of housing options; and,
5. Support new development that is planned, designated, zoned and designed in a manner that contributes to creating complete communities designed to have a mix of land uses, supportive of transit development, the provision of a full range of housing including affordable housing, inclusive of all ages and abilities, and meet the daily and lifetime needs of all residents.

Title: Julie & Sandro DeSimone

Date: January 4, 2021

Zoning By-law 2010-100Z:

The owner is requesting that the subject lands be rezoned to an amended "C3(20)", Limited General Commercial Special in order to permit two accessory dwelling units within the existing buildings situated on the subject lands. No additions to existing buildings or new buildings are proposed at this time. As noted previously in this report, the owner has not requested any site-specific relief in order to accommodate the proposed additional residential land uses.

Department/Agency Review:

The application including relevant accompanying materials has been circulated to all appropriate agencies and departments. Responses received from agencies and departments have been used to assist in evaluating the application and to inform and identify appropriate development standards in an amending zoning by-law should the application be approved.

During the review of the proposal, comments provided by circulated agencies and departments included the following:

Active Transportation, the City's Drainage Section, Fire Services, Operations, Roads, Traffic and Transportation, Site Plan Control, and Transit Services have each advised that they have no concerns from their respective areas of interest.

Building Services notes that site-specific relief appears to be required with respect to required parking spaces for the proposed two accessory dwelling units. Building Services also notes that building permits are required for the proposed two accessory dwelling units to the satisfaction of the Chief Building Official.

Conservation Sudbury notes that a Provincially Significant Wetland (i.e. Ponderosa PSW) is located to the south of the lands and a small portion of the subject lands is situated within an identified floodplain. The portion of the lands containing the Ponderosa PSW and floodplain are regulated under [Ontario Regulation 156/06](#). Conservation Sudbury further notes however that they have no concerns with the proposed rezoning as no development appears to be proposed within the above noted regulated areas.

Development Engineering has no concerns with the application and has noted that the subject lands are serviced with municipal water and sanitary sewer infrastructure.

Planning Analysis:

The 2020 PPS, the 2011 Growth Plan, and the City of 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 with respect to the applicable policies, including issues raised through agency and department circulation.

The proposed rezoning is consistent with the PPS for the following reasons:

1. The community of New Sudbury is an identified settlement area in the City's Official Plan. The development of two accessory dwelling units within the existing buildings situated on the subject lands that have frontage on Lasalle Boulevard in New Sudbury should be promoted and is considered to be good land use planning;

2. Staff is of the opinion that the proposed development contributes positively to improving the mix of densities and land uses that would be permitted along this particular portion of the Lasalle Boulevard corridor in the community of New Sudbury. Development Engineering has noted that the subject lands including the existing buildings on the lands are serviced with municipal water and sanitary sewer infrastructure. With respect to active transportation and public transit, staff notes that there are sidewalks on both sides of Lasalle Boulevard and several public transit routes are available along Lasalle Boulevard (i.e. Route 1 – Main Line, Route 11 – Donovan & College Boreal, and Route 22 – Grandview Local). The closest public transit stops in both directions are directly to the east at a distance of approximately 30 to 40 m (100 to 130 ft) from the easterly side lot line of the subject lands. Furthermore, the New Sudbury Mobility Hub is located to the east of the subject lands at the New Sudbury Centre. The proposed Junction Creek Waterway Park (JCWP) trail system is also located to the east of the subject lands closer to Arthur Street. Should the rezoning be approved, staff is also of the opinion that the introduction of two accessory dwelling units in this location along the Lasalle Boulevard corridor and in the New Sudbury settlement area offers an opportunity to minimize or mitigate negative impacts associated with air quality and climate change and to promote development that is energy efficient;
3. Staff is of the opinion that the development proposal seeking to permit two accessory dwelling units within the existing buildings at the density proposed will improve the mix of land use patterns in the general area. It will also serve to encourage and provide for increased opportunities in terms of promoting intensification within the New Sudbury settlement area, particularly on a Secondary Community Node along the Lasalle Boulevard corridor. The lands represent a somewhat underutilized lot within this context and the opportunity for the reasonable intensification of the lands is apparent. Staff is also of the opinion that the introduction of accessory dwelling units in this location can be complimentary to the main commercial uses that are present already on the subject lands;
4. Staff is of the opinion that the development proposal will promote and be supportive of existing active transportation and public transit options that exist in the area. It would also provide for a better mix of housing options through intensification, while taking into account the existing building stock and the general character of the area and it would balance these competing forces against each other. The existing and available municipal infrastructure is suitable and capable of supporting the proposed two accessory dwelling units and access to public services that could be or are already located along the Lasalle Boulevard corridor would be improved as more people would have the opportunity to live nearby;
5. Staff is of the opinion that appropriate development standards can be utilized through the rezoning process that facilitates intensification and compact built-form, while avoiding or mitigating risks to public health and safety. Specifically, the amending zoning by-law is proposed to limit development to that of two accessory dwelling units along with the existing use permissions of business and professional office, medical office, retail store and personal service shop. Staff notes that site-specific development standards relating to the minimum number of parking spaces that are required for each of the above uses, apart from the proposed new accessory dwelling units, are already incorporated into the existing “C3(20)” Zone. Staff is satisfied that the rezoning process can be properly utilized in order to ensure that the two accessory dwelling units are added and developed in a manner that balances the desire to accommodate intensification in New Sudbury with the existing character and mix of uses that presently exists along Lasalle Boulevard corridor. In addition, staff would note the existing development on the lands was recently subject to site plan control and staff is confident that the lands are capable of supporting the proposed new residential uses without requiring any formal amendments to the site plan control agreement that was registered against the lands on May 9, 2018 (File # SPCA 2017-019);

6. Staff notes that with respect to establishing minimum targets for intensification and redevelopment within built-up areas, the City's Official Plan includes a target that 20% of future residential growth and development will be accommodated through intensification within built-up areas. Staff can advise that the development proposal would contribute to this target as the lands are situated along the Lasalle Boulevard corridor and within the built-up New Sudbury settlement area;
7. Staff notes the subject lands are situated within an existing built-up residential and commercial area (i.e. Lasalle Boulevard corridor) and are within an identified Secondary Community Node. The lands themselves already contain two buildings that are at present being used for commercial purposes and the lands are zoned to permit an appropriate range of uses that can reasonably occupy these buildings without creating any negative land use planning impacts on abutting properties. Staff is also of the opinion that the addition of two accessory dwelling units within the existing buildings would be of compact built-form as no new buildings would need to be constructed and the development proposal would provide for the efficient use of the land, as well as available municipal infrastructure and nearby public service facilities;
8. With respect to Housing Policies in the PPS, staff has the following comments:
 - a. Staff is generally of the opinion that the development proposal would increase and contribute positively toward ensuring that an appropriate range and mix of housing options and densities to meet projected requirements is available for current and future residents living in New Sudbury. The development proposal is also responsive to the social, health, economic and well-being needs of current and future residents, including special needs requirements and needs arising from potential demographic changes and employment opportunities;
 - b. Development Engineering has indicated that existing municipal infrastructure can be utilized to service the two accessory dwelling units that are being proposed on the subject lands. Accordingly, staff is satisfied that the development proposal would contribute positively to the City's maintenance of a minimum three year supply of residential units with servicing capacities that are suitably zoned to facilitate residential intensification and redevelopment;
 - c. Staff would advise that the development proposal represents an opportunity to facilitate residential intensification within two existing buildings and by extension provide new housing in an identified settlement area (i.e. New Sudbury) where appropriate infrastructure (e.g. municipal servicing infrastructure and public transit) and public service facilities are available. The development proposal to add two accessory dwelling units is also to be viewed as being transit-supportive given the lands close proximity to several existing public transit routes. Staff therefore advises that in general the residential density that would result on the lands is contextually appropriate in this particular Secondary Community Node setting; and,
 - d. As mentioned above, staff is confident that appropriate development standards can be utilized in an amending zoning by-law that will balance reasonable residential intensification with the existing character and built form that exists along Lasalle Boulevard. Further to this, the use of appropriate development standards would facilitate infill residential development in the form of two accessory dwelling units to the commercial uses already present on the lands. It is expected that said additional residential dwelling units can be expected to contribute toward the identified policy of minimizing the cost of providing new housing and compact built form while maintaining appropriate levels of public health and safety.

9. With respect to Sewage, Water and Storm-water policies in the PPS, staff notes that municipal infrastructure is already being utilized to service the existing two buildings that have frontage on Lasalle Boulevard. Staff advises that the development proposal would contribute positively to the optimized use of existing municipal infrastructure as the two accessory dwelling units would be situated within buildings that are already serviced by municipal infrastructure. Staff is therefore satisfied that the development proposal contributes positively toward protecting the environment and minimizing potential risks to human health and safety;
10. Further to the above, staff notes that the development proposal would contribute positively to existing land use patterns, densities and mixing of uses along Lasalle Boulevard and may act to minimize length and number of vehicle trips for those living in the two accessory dwelling units as the lands do have ready access to active transportation options along the Lasalle Boulevard corridor;
11. With respect to Long-Term Economic Prosperity policies in the PPS, staff has the following comments:
 - a. Staff notes that the addition of two accessory dwelling units within the existing two buildings encourages and is responsive to market-based needs and would improve upon the supply of necessary housing ranges and options along the Lasalle Boulevard corridor. In particular, the two accessory dwelling units offer a unique housing opportunity for those working at nearby commercial buildings, or within the existing two buildings on the lands itself;
 - b. Staff is satisfied that the development proposal maintains and will act to enhance the vitality and viability of the Lasalle Boulevard as a main-street within the larger context of the City of Greater Sudbury. The additional two residential dwelling units may not be directly visible or evident from the Lasalle Boulevard right-of-way, but staff do acknowledge the generally value in adding two residential dwelling units within the existing two buildings given the lands proximity to a range of uses which already exist along this portion of Lasalle Boulevard;
 - c. Staff is satisfied that the development proposal to add two accessory dwelling units within the existing two buildings would not generate any negative impacts on the changing climate or on any ecological features that exist in the area; and,
 - d. Staff is equally satisfied that the development proposal to permit two accessory dwelling units within the existing two buildings would not compromise or discourage existing character-defining or sense of place features, built heritage resources or cultural heritage landscapes along the Lasalle Boulevard corridor.
12. With respect to Energy Conservation, Air Quality and Climate Change policies in the PPS, staff notes that the development proposal to permit two accessory dwelling units are intended to be situated within two existing buildings and the lands have frontage on Lasalle Boulevard, which is an identified corridor in the City's Official Plan. Staff would also note that the development proposal presents an opportunity to promote the use of active transportation and public transit in and between residential, employment and institutional areas in the City. The development proposal would also permit a mixing of housing and employment uses in the area, which presents an opportunity to shorten commute journeys and transportation congestion in the area.

Staff in general has no concerns with respect to the proposed rezoning conforming to the applicable policies in the Official Plan for the City of Greater Sudbury. Those policies relevant to the development proposal that would permit two accessory dwelling units within the existing buildings situated on the subject lands are discussed below.

Date: January 4, 2021

With respect to general Secondary Community Node policies in the Official Plan that are applicable to the subject lands, staff notes the proposed rezoning would result in an increased residential density on the lands and in the general area, while at the same time broadening the range and mix of permitted land uses on lands that are well served by existing public transit routes. In particular, staff notes that the lands are situated along an identified strategic corridor being that of Lasalle Boulevard and are directly serviced by three GOVA public transit routes. Staff is generally satisfied that the introduction of two accessory dwelling units, in addition to those commercial uses already present on the lands, will act to promote and contribute positively to the existing local identity and sense of place that exists along this portion of the Lasalle Boulevard corridor.

Staff is of the opinion that two accessory dwelling units within the existing buildings on the lands can be considered to be residential land uses that are permitted in the Secondary Community Node designation. The proposed new residential dwelling units would be accessory to existing commercial land uses that are present on the lands and would result in a desirable mixed-use setting that maintains and does not subtract from said existing ground-oriented commercial uses.

With respect to those Secondary Community Node policies set out under Section 4.2.3(4) of the Official Plan, staff have the following comments:

1. Staff understands that the ground-oriented commercial uses on the lands are intended to be maintained as the proposed two accessory dwelling units would be accessory to these main commercial uses already present on the lands. The attractiveness of cycling and pedestrian-related active transportation opportunities to access the commercial uses on the lands is not expected to be negatively impacted;
2. Staff is of the opinion that the subject lands are not an identified focal point of community heritage and character and therefore no negative impacts are anticipated on such features and/or character;
3. Staff acknowledge that the addition of two accessory dwelling units within the existing buildings on the lands will slightly increase residential density in the area in a positive manner that contributes well to the transit-supportive goals associated with the Lasalle Boulevard corridor;
4. Staff notes that the development proposal does not involve construction of single-detached dwellings and the proposed built-form present on the lands would not change as a result of permitting two accessory dwelling units within the existing buildings;
5. Staff have previously noted in this report that the development proposal represents an opportunity to improve upon the mix of housing types, tenures and affordability along this portion of the Lasalle Boulevard corridor and within this particular Secondary Community Node;
6. Staff note that the proposed two accessory dwelling units would be located inside of the existing buildings and therefore no additional open space areas, parks and/or plazas accessible to the public are viewed as being necessary in this context;
7. Staff would advise that the development proposal does not require design considerations around appropriate transitions of density and uses as the proposed two accessory dwelling units would be located inside of the existing buildings already present on the lands. No additions are proposed to the existing buildings at this time; and,
8. Staff notes that the development proposal to permit two accessory dwelling would be located inside of the existing buildings and despite the scale of intensification that is being proposed it should be noted that a small and positive contribution to the improvement of mobility and alternate transportation options in the general area.

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With respect to Section 4.2.3(5), it is noted that the owner is not requesting any site-specific relief from the minimum parking space requirement of one parking space per accessory dwelling unit in the City's Zoning By-law. The proposed two accessory dwelling units would therefore be required to provide an additional two parking spaces beyond the 19 parking spaces that presently exist on the subject lands. However, it is noted that each of the 19 parking spaces provided on the lands already are required for those other commercial uses already present on the lands.

However, staff is of the opinion that a parking reduction of two parking spaces for the proposed two accessory dwelling units can be supported on the basis that a greater mix of land uses would result on the lands. No negative impacts are expected with respect to the policy direction of achieving a more desirable and compact, cycling and pedestrian-friendly built form within Secondary Community Nodes. The above noted parking space reduction is described in further detail later in this report.

Staff further notes that the subject lands are identified as being located within both the Settlement Area (i.e. New Sudbury) and Built Boundary as delineated in Schedule 3 – Settlement Area and Built Boundary to the City's Official Plan. Staff advises that the proposed two accessory dwelling units that would be situated within the existing buildings on the lands represents an opportunity to make efficient use of existing urban land supply and existing infrastructure and other services that are already provided for within the City's Settlement Area and Built Boundary. Staff is satisfied that a site-specific amending zoning by-law can include development standards that would be appropriate and represent good land use planning in terms of accommodating two accessory dwelling units in addition to the existing commercial land uses that are already present within the existing buildings on the lands. Those development standards that would be appropriate are described later in this report.

With respect to applicable intensification policies set out under Section 2.3.3 of the Official Plan, staff has the following comments:

1. Staff notes that in general all forms of residential intensification are encouraged in the City's Official Plan. Staff further advises in this instance that the subject lands contain two existing buildings being utilized for commercial purposes and sufficient area appears to exist within both buildings to accommodate two accessory dwelling units. From this perspective, staff is of the opinion that the lands may be viewed as an underutilized lot within an existing and identified settlement area that are also situated within an identified Secondary Community Node. Provided that appropriate development standards are applied to the lands, staff is of the opinion that this form of residential intensification can be reasonably accommodated on the subject lands;
2. Staff advises that the development proposal to add two accessory dwelling units within the existing buildings on the lands would contribute positively to the City's aim of accommodating 20% of all future residential growth and development through intensification within the Built Boundary;
3. Staff advise that the development proposal does not amount to large-scale intensification that would be otherwise directed to strategic core areas, such as the Downtown or Town Centre land use designations. However, the lands are designated Secondary Community Node and it is noted that medium scale intensification is both encouraged and permitted within this land use designation. Staff is satisfied that the scale of intensification being proposed is appropriate within the context of this particular section of Lasalle Boulevard being within an identified Secondary Community Node;
4. Staff notes that the proposed intensification in the former of would be added in a manner that maintains the existing primary commercial use of the subject two accessory dwelling units within the two existing buildings on the lands. Staff is also satisfied based on their analysis of the rezoning application that the additional uses would be complimentary to and not detract from the existing commercial uses that are present within the two existing buildings;

5. Staff has noted previously in this report that the lands are already serviced with suitable municipal water and sanitary sewer infrastructure and no expansions would be necessary in order to accommodate the proposed two accessory dwelling units within the two existing buildings on the lands. Staff would advise that intensification at the scale being proposed in this particular setting should be encouraged from a municipal servicing perspective; and,
6. Staff in general have no concerns with respect to the proposed intensification as it relates to compatibility with the existing and planned character of the area in terms of the size and shape of the lot, or the siting, coverage, massing, height, traffic, parking, servicing, landscaping and amenity areas of the development proposal that would facilitate construction of a multiple dwelling containing 38 residential dwelling units with office and community uses on the main floor. It is noted that the intensification being proposed would be accommodated within the existing two buildings on the lands and is of an appropriate scale that is not anticipated to generate any negative impacts with respect to the above noted matters.

In particular, with respect to applicable criteria set out in Section 2.3.3 that are to be considered when evaluating applications that propose intensification, staff has the following comments:

1. Staff is generally of the opinion that the subject lands are of sufficient size and shape to accommodate two accessory dwelling units within the existing two buildings on the subject lands.
2. The application was circulated to Building Services and no concerns were identified with respect to soil conditions on the subject lands. And with respect to drainage and topography, the City's Drainage Section has reviewed the development proposal and have advised that they have no concerns with the proposed rezoning;
3. Staff have noted in this report that surrounding the subject lands are a mix of commercial and residential land uses, including a variety of residential built forms and densities along this particular portion of the Lasalle Boulevard corridor. Staff notes in particular that no additions are proposed to the existing buildings in order to accommodate the proposed residential uses and would therefore be largely unnoticeable from the Lasalle Boulevard street-line. Should the additional uses be approved, staff do not anticipate any negative impacts on abutting properties. It is on this basis that staff is satisfied that the development proposal to permit two accessory dwelling units within the existing two buildings would not present any compatibility issues with respect to the existing and planned mixed use character that exists along the Lasalle Boulevard corridor;
4. Staff is satisfied that no additional on-site landscaping, fencing, planting and/or other measures that would lessen any impacts that the development proposal would have on abutting properties or the existing urban residential character that exists along Lasalle Boulevard are necessary given that the two accessory dwelling units are to be contained within the existing buildings on the lands. Staff would also note here that the lands were recently subject to site plan control when the second commercial building was developed and at that time the above noted areas were considered;
5. The rezoning application was circulated to Development Engineering, which have noted that the lands are serviced with municipal water and sanitary sewer infrastructure that are available along Lasalle Boulevard. Existing public service facilities are also available in the general area and in particular along Lasalle Boulevard;

6. Staff notes that no new driveway entrances are necessary in order to facilitate access to the proposed two accessory dwelling units, as they would be accessed via the existing driveway entrance from Lasalle Boulevard. The submitted Concept Plan depicts 19 parking spaces, which includes one accessible parking space. Staff has acknowledged in this report that some degree of relief from parking space provisions would be appropriate given the site context that exists in this location, such as the lands being situated within a Secondary Community Node that are well-served with public transit routes and viable active transportation options. There is no requirement triggered for a further loading space on the lands given the type of residential use that is being proposed. Staff also have no concerns with respect to safe and convenient vehicular circulation on the lands, as the existing parking areas are not proposed to be altered. It is also noted that the existing parking areas, including the location of parking spaces and parking aisles, were subject previously to the site planning process when the second commercial building was constructed on the lands and there is a registered site plan control agreement against the title of the lands to this effect (File # SPCA 2017-019);
7. Roads, Traffic and Transportation reviewed the rezoning application and did not express any concerns with respect to any negative impacts related to the traffic that would be generated by the proposed development on the local road network and surrounding land uses;
8. As noted previously in this report, the lands are well serviced by public transportation that is available along the Lasalle Boulevard corridor (i.e. Route 1 – Main Line, Route 11 – Donovan & College Boreal, and Route 22 – Grandview Local). The closest public transit stops in both directions are directly to the east at a distance of approximately 30 to 40 m (100 to 130 ft) from the lands. Staff also noted that the New Sudbury Mobility Hub is located to the east of the subject lands at the New Sudbury Centre. There are also sidewalks on both sides of Lasalle Boulevard which provide existing active transportation options for pedestrians who live and/or work in the area;
9. Staff notes that no additions to the two existing buildings are proposed at this time and therefore it is not anticipated that any negative sun-shadowing and/or uncomfortable wind conditions would be generated on surrounding streets, parks and open spaces should the proposed rezoning be approved. It is noted that sun-shadowing and/or uncomfortable wind conditions are not normally associated with residential intensification of this nature;
10. Staff in their review of the application did not identify any areas of concern with respect to negative impacts of the development proposal on surrounding natural features and areas and cultural heritage resources;
11. Staff have no concerns with respect to the relationship between the proposed development of two accessory dwelling units within the two existing buildings on the lands and any nearby identified natural or man-made hazards;
12. There are no facilities, services or other matters associated with the development proposal to add two accessory dwelling units within the two existing buildings on the lands that are subject to Section 37 of the Planning Act; and,
13. Staff generally concludes and would advise that the proposed residential intensification to add two new accessory dwelling units within the two existing buildings on the lands does balance the concerns of the local community with the identified need for providing opportunities for residential intensification.

With respect to housing policies established under Section 17.0 of the Official Plan, staff would note that in general the development proposal would contribute positively to the range of housing types and forms available to both current and future residents of New Sudbury. Staff also understands that the proposed accessory dwelling units would provide for a range of smaller (i.e. one and two bedroom) units that are capable of accommodating smaller households.

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The development proposal may also positively contribute to and provide for an additional housing option for senior citizens living in Sudbury depending on how the accessory dwelling units are integrated into the existing buildings. Staff also advises that the proposed rezoning does not amount to a downzoning of the subject lands. Staff is supportive of the rezoning from a housing perspective on the basis that it would contribute positively to the notion of creating complete communities designed to have a mix of land uses that are supportive of transit development and that offer the opportunity for providing affordable housing to people of all ages and abilities.

Staff is therefore of the opinion that the proposed rezoning conforms to the Official Plan for the City of Greater Sudbury.

With respect to the City's Zoning By-law, the owners are requesting that the existing "C3(20)" Zone be amended to add two accessory dwelling units as permitted uses within the two existing buildings on the lands. The existing "C3(20)" Zone permits only business and professional offices, medical offices, retail store and a personal service shop. As a result, accessory dwelling units as described and permitted under Section 4.40.2 are not permitted at present on the lands.

The owner did not request site-specific relief at the time of submitting the rezoning application to the City. However, staff did communicate to the owner's agent that it would appear that a parking reduction would be required as there are presently 19 parking spaces on the lands and based on the mix of uses that would result there would appear to be a shortage of required parking spaces. The owner's agent later confirmed that a reduction of two required parking spaces would be necessary under Section 5.5.1, Table 5.5 of the City's Zoning By-law (i.e. one parking space per accessory dwelling unit).

For clarity purposes, staff would note that an "accessory dwelling unit" is defined in the City's Zoning By-law as, "a dwelling unit accessory to and located within or attached to a main building used for a permitted non-residential use on the same lot and occupied either by the owner of such lot or by a person employed thereon." Staff understands that the above definition meets the needs of the owners.

Staff in general has no concerns with the requested zone category, but would have the following comments:

1. The amending zoning by-law should add two accessory dwelling units as permitted residential uses without restriction on occupancy within the two existing buildings situated on the subject lands and said permission should be in addition to those uses already permitted in the existing "C3(20)" Zone;
2. Staff advises that the above will act to ensure that the proposed residential intensification of the lands (i.e. two accessory dwelling units) occurs in a well-defined, clear and contextually sensitive manner. Staff is satisfied in this regard with the mix of uses that would be permitted from a good land use planning perspective;
3. The amending zoning by-law should provide relief from the minimum required parking requirements of one parking space per accessory dwelling unit. Staff is of the opinion that the proposed parking space reduction balances the need for providing residential intensification opportunities against the site constraints. There is a presence of alternative transportation options, which include public transit routes and active transportation options, along Lasalle Boulevard. It is noted that during a recent site visit to the lands, bicycle racks have been installed in front of the existing westerly building in accordance with the registered site plan agreement. It is expected that these bicycle spaces will help to some degree in off-setting the above noted parking relief and will encourage cycling as a viable active transportation option for those living in the two accessory dwelling units;

4. Further to the above, staff note that there would appear to be no opportunity to expand the existing parking area in a south-ward direction as there is a bio-swale and naturally vegetated area situated between the existing accessory building in the rear yard and the westerly interior side lot line; and,
5. Staff also notes that a registered survey plan is not required in order to prepare the amending zoning by-law as lands that subject to the rezoning are already described capably and legally as being Part of PIN 02123-0433, Part 1, Plan 53R-4474, Part 1, Plan 53R-6951, Parts 1 to 3, Plan 53R-16350, Lot 3, Concession 5, Township of McKim.

Conclusion:

Staff has reviewed the development proposal and is satisfied that it conforms with the Official Plan for the City of Greater Sudbury. The development proposal is also generally consistent with the land use planning policy directions identified in the PPS. Staff also notes that the application conforms to and does not conflict with the Growth Plan for Northern Ontario. It is further noted that the development proposal addresses an opportunity to provide for residential intensification along the Lasalle Boulevard corridor and is considered good land use planning within an identified Secondary Community Node.

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

- a) That two accessory dwelling units within the two existing buildings situated on the subject lands be added as permitted uses in addition to those uses already permitted in the existing "C3(20)" Zone; and,
- b) That no parking spaces be required for the two accessory dwelling units that are to be accommodated within the existing two buildings on the lands.

The Planning Services Division therefore recommends that the application for Zoning By-law Amendment be approved in accordance with the Resolution section of this report.