

Title: Thomas Groves

Date: December 7, 2020

Staff Report

Proposal:

An application for rezoning has been submitted in order to permit the conversion of a former place of worship into a single detached dwelling. Site-specific relief is required for a parking space within the required front yard.

Existing Zoning: "I", Institutional

The existing zoning allows all institutional uses as follows:

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.

Requested Zoning: "R1-5", Low Density Residential One

R1-5 zoning permits a single detached dwelling and related accessory uses. A secondary dwelling unit may also be permitted subject to the provisions of Section 4.2.10 of the Zoning By-law. The R1-5 zone also permits private home daycare, group home type 1, and accessory guest room accommodation.

Location and Site Description:

PIN 73599-0239, Parcel 40878 S.E.S., Lot 12, Plan M-1025 in Lot 12, Concession 2, Township of McKim (12 Collins Drive, Copper Cliff)

The subject property comprises the former St. Timothy's Lutheran Church on Collins Drive in Copper Cliff. The area is fully serviced by municipal sewer and water. The closest public transit stop is located on Balsam Street, which is an approximate 150-metre walking distance.

Total lot area is 809 m², with 22.86 metres of frontage and a depth of approximately 42 metres. The site is occupied by a former place of worship with 579 m² of gross floor area on two levels. There is one (1) parking space located in the southeast corner of the lot within the required front yard.

The surrounding residential area is essentially low density in character, with singles and duplexes being the predominant housing types. The subject property is located outside the regulated area of Conservation Sudbury associated with Finland Creek to the south.

Surrounding Land Uses:

The area surrounding the site includes:

North: single detached dwelling (13 Power Street)

East: single detached dwelling (8 Collins Drive)

South: single detached dwellings (7 & 9 Collins Drive)

West: duplex dwelling (14 Collins Drive)

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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.

The applicant advised that adjacent residents were canvassed and contact information was provided for questions.

As of the date of this report, no phone calls or written submissions have been received by Planning Services.

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.

Under Section 1.1 of the PPS, Planning authorities shall accommodate an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons). Intensification is defined in part as the conversion of existing buildings, including surplus institutional properties. The location of residential intensification shall be appropriate based on the availability of existing and planned infrastructure and the proximity to community services.

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.

Section 4.3.3 of the GPNO encourages an appropriate range and mix of housing types in Economic and Service Hubs, which includes Greater Sudbury and other major centres in Northern Ontario.

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Official Plan for the City of Greater Sudbury:

Living Area 1

The proposal is a form of adaptive reuse wherein the proposed residential use aligns with the underlying land use designation. For rezoning applications in Living Area 1, the following criteria under Section 3.2.1 of the Official Plan are to be considered:

- a. the site is suitable in terms of size and shape to accommodate the proposed density and building form;
- b. the proposed development is compatible with the surrounding neighbourhood in terms of scale, massing, height, siting, setbacks, and the location of parking and amenity areas;
- c. adequate on-site parking, lighting, landscaping and amenity areas are provided; and,
- d. the impact of traffic on local streets is minimal.

Residential intensification

Although minor in scale, the application can be construed as residential intensification given the conversion of the former institutional building to a residential use. Under Section 2.3.3 of the Plan, 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.

The following criteria, amongst other matters, may be used to evaluate applications for intensification:

- a. the suitability of the site in terms of the size and shape of the lot, soil conditions, topography and drainage;
- b. compatibility with 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 on surrounding natural features and areas and cultural heritage resources;
- j. the relationship between the proposed development and any natural or man-made hazards; and,
- k. the provision of any facilities, services and matters if the application is made pursuant to Section 37 of the Planning Act.

Zoning By-law 2010-100Z:

The former place of worship was constructed in 1955 and pre-dates the implementation of zoning in 1976. The property has legal non-complying elements, including the lack of parking and the height and location of the existing building, which has a non-complying front yard setback and may exceed the maximum building height. Site-specific relief is therefore required for the proposed change in use.

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Site Plan Control:

Site plan control is not implemented for a single residential use on a non-waterfront lot.

Department/Agency Review:

Commenting departments and agencies generally have no concerns. Building Services advised that a permit will be required for the conversion of the building. A Record of Site Condition is not required given recent amendments to the Environmental Protection Act. Roads Section indicated no concerns related to the non-complying parking space.

Planning Analysis:

Land Use Compatibility

There are no concerns related to compatibility, as the proposed residential use forms a good fit with the existing and planned character of the neighbourhood, where singles and duplexes are the predominant housing types. Building additions that would expand the footprint of the building and potentially bring it further out of conformity are not proposed. It is recommended that the height and location of the legal existing building be recognized as a site-specific zoning provision.

Suitability of site

The main consideration relates to the lack of on-site parking. The owner is proposing to have an informal parking area along the east side of the building recognized as the one (1) parking space required for a single residential use. The parking space encroaches into the front yard and is directly adjacent to the sidewalk, which requires site-specific relief as part of the amending by-law. Staff have no concerns given that there is sufficient area to accommodate one (1) vehicle, which would not overhang the sidewalk. This is generally viewed as an improvement over the previous situation, where the parking requirement for a place of worship was much higher and only on-street parking was available for congregants.

The conversion will include the installation of habitable living area in the basement, including bedrooms. However, there are no concerns related to flooding hazards, as the subject lot is located outside the flood plain associated with Finland Creek to the south. Conservation Sudbury indicated no concerns related to this application.

Official Plan

The application presents conformity with Official Plan policies applied to residential intensification in Living Areas. The adaptive reuse of surplus institutional buildings is encouraged as an alternative to demolition and possible dereliction if an alternative use cannot be found. There are no servicing concerns and the proposed use is less intensive than the previous institutional use, which generated more local traffic and off-site parking impacts.

The preservation of the existing structure also reinforces the historical context of the area, being a small church in a residential setting that serves as a neighbourhood landmark and creates diversity in terms of its built form.

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2020 Provincial Policy Statement & 2011 Growth Plan for Northern Ontario

The subject land is located within a fully serviced urban area that offers proximity to services including public transit on Balsam Street. The scale of development is minor and considered appropriate based on the low density character of the area. The adaptive reuse project is a form of residential intensification that is encouraged under Provincial policies applied to urban areas. The application is consistent with the 2020 PPS.

There is no conflict with the GPNO, as the proposal aligns with the housing policies applied to Economic and Service Hubs.

Conclusion:

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