

Title: C. Enfield Inc.

Date: December 9, 2020

Staff Report

Proposal:

The applications for Official Plan Amendment and Zoning By-law Amendment together would facilitate the development of a new two-storey multiple dwelling containing four residential dwelling units in addition to the existing two-storey multiple dwelling containing five residential dwelling units.

The application to amend the City's Official Plan proposes to provide for a site specific exception to Section 4.2.3(3) of the Official Plan in order to permit a maximum net residential density of 144 units per hectare whereas a maximum net residential density of 60 units per hectare is permitted in the Town Centre land use designation.

The proposed rezoning is intended to change the zoning classification of the subject lands from "C6(1)", Downtown Commercial Special to "C6(S)", Downtown Commercial Special. The rezoning of the lands is also proposed to include site-specific relief with respect to recognizing the location of the existing multiple dwelling on the lands, overall site residential density, parking rates, planting strips, minimum court distances between two multiple dwellings with opposing walls, and to allow for parking areas to be situated and immediately abutting Main Street East.

The owner submitted an application for pre-consultation that was considered by the Sudbury Planning Application Review Team (SPART) on November 27, 2019 (File # PC2019-084). The owner met with staff following the SPART Meeting and signed their Pre-Consultation Understanding Agreement (PCUA) on December 20, 2019, and the owner's agent has subsequently now submitted Official Plan Amendment and Zoning By-law Amendment applications to the City for consideration.

The above noted applications were submitted to the City on August 7, 2020, and deemed to be complete on September 25, 2020 following the submission of additional required information. The applications included a Planning Justification Report and a Concept Plan. Details with respect to the owner's public consultation strategy ahead of a public hearing at the Planning Committee was also provided.

Existing Official Plan Designation: Town Centre

The Town Centre designation permits retail, offices, institutional and other related community services and activities. Medium density residential uses up to a maximum of 30 residential dwelling units per building may be permitted, provided that the net residential density does not exceed 60 residential dwelling units per hectare subject to servicing capacity.

Requested Official Plan Designation: Exception to Town Centre – Permitted Residential Use Policy

The development proposal seeks an exception from Town Centre residential density policy contained within the City's Official Plan as described above and found under Section 4.2.3(3) in order to facilitate development of a new two-storey multiple dwelling containing four residential dwelling units in addition to the existing multiple dwelling containing five residential dwelling units that already exists on the subject lands. The resulting net residential density on the subject lands would be 144 residential dwelling units per hectare representing an increase of 84 residential dwelling units per hectare.

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Existing Zoning: “C6(1)”, Downtown Commercial Special

The “C6(1)” Zone permits a multiple dwelling limited to a maximum of 30 residential dwelling units per building and a maximum net residential density of 60 residential dwelling units per hectare with or without permitted non-residential uses provided that the lot is a fully serviced lot. Boarding houses are not permitted. The “C6(1)” Zone also has no minimum building height and a maximum building height of 15 m (49.21 ft) and a maximum gross floor area per lot of two times the lot area. Mixed use buildings in the “C6(1)” Zone must also have residential uses located above non-residential uses. Section 5.5.2(b) with respect to the conversion of a building, or part thereof, in the standard “C6” Zone that is five years of age or older to dwelling units, boarding house dwellings or shared housing not requiring any parking spaces is also not applicable within the “C6(1)” Zone.

Based on the above density provisions, the existing “C6(1)” Zone applicable to the subject lands would permit a multiple dwelling having three residential dwelling units, which would result in a net residential density of approximately 47 residential dwelling units per hectare. To provide context, a multiple dwelling having four residential dwelling units would yield an approximate net residential density of 62 residential dwelling units per hectare. The existing multiple dwelling having five residential dwelling units therefore currently yields a legal non-complying net residential density of approximately 78 residential dwelling units per hectare.

Requested Zoning: “C6(S)”, Downtown Commercial Special

The proposed rezoning to “C6(S)” is intended to facilitate the development of a new two-storey multiple dwelling containing four residential dwelling units in addition to the existing two-storey multiple dwelling containing five residential dwelling units. The rezoning of the lands is also proposed to include site-specific relief with respect to the following development standards:

1. To recognize the location of the existing multiple dwelling on the lands as being permitted;
2. To permit 144 residential dwelling units per hectare whereas 60 residential dwelling units per hectare is permitted;
3. To permit 0.66 parking spaces per residential dwelling unit whereas 1 parking space per residential dwelling unit is required;
4. To permit a minimum court of 12 m (39.37 ft) between the two opposing walls of the multiple dwellings whereas 15 m (49.21 ft) is required;
5. To permit no landscape strip along the rear lot line for a length of 8.88 m (29.13 ft) beginning from the easterly extent of the rear lot line whereas a 3 m (9.84 ft) planting strip is required where a non-residential lot abuts a residential lot or residential zone; and,
6. To permit a parking area to be situated within 0 m (0 ft) of a public road having a width of more than 10 m (32.81 ft) whereas no parking areas within 3 m (9.84 ft) is permitted.

Location and Site Description:

The subject lands are located on the north side of Main Street East and to the east of Errington Avenue in the community of Chelmsford. The lands have a total lot area of approximately 647 m² (6,969 ft²) with approximately 30 m (98.43 ft) of public road frontage on Main Street East. The easterly portion of the lands contain an existing two-storey multiple dwelling containing five residential dwelling units. The portion of the lands to the west of the existing multiple dwelling consists of a gravel-surfaced parking area. The existing driveway access onto the lands is situated to the west of the existing multiple dwelling.

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Surrounding Land Uses:

- North: Low density urban residential land uses with the predominant built form being single-detached dwellings, a mixed use commercial and medium density residential building at Errington Avenue and Lorne Street, and an elementary school.
- East: General commercial uses consisting of retail and office uses fronting Main Street East with some buildings containing urban residential dwelling units on second floors, low and medium density urban residential land uses further to the east, and a small “tot-lot” park use to the east of Lawrence Street.
- South: General commercial uses consisting of retail and office uses fronting Main Street East and Errington Avenue, and low density urban residential land uses further to the south fronting local streets to the east of Errington Avenue.
- West: Institutional use (i.e. church), general commercial uses at the intersection of Errington Avenue and Main Street East, a mix of low and medium density residential land uses, the Whitson River and a municipal park and trail.

The existing zoning and location map are attached to this report and together indicate the location of the lands subject to the Official Plan Amendment and 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 September 25, 2020. The statutory Notice of Public Hearing dated December 9, 2020, 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 applications prior to the public hearing. Staff understand from the owner’s agent that no public consultation ahead of the public hearing before the City’s Planning Committee was conducted; however, staff do acknowledge that it was not advisable to hold in-person public meeting held by the owner due to the ongoing Covid-19 global pandemic.

At the time of writing this report, the Planning Services Division has received several phone calls seeking clarification on the development proposal. Staff can advise that in general there were no positions of support or opposition expressed or offered by said residents who did place phone calls to the Planning Services Division.

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;](#)
- [Nodes and Corridors Strategy;](#)
- [Chelmsford Community Improvement Plan;](#)
- [Zoning By-law 2010-100Z.](#)

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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 applicable to the applications for Official Plan Amendment and 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 use 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 intensification is to be promoted and opportunities for transit-supportive development, accommodating for a supply and range of housing options through intensification while taking into account existing building stock or areas, and the availability of suitable existing or planned infrastructure and public service facilities to accommodate needs are encouraged;
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 1.5.1 outlines that healthy and active communities should be promoted by planning public streets, spaces and facilities to be safe, that meet the needs of pedestrians, that foster social interaction and that facilitate active transportation and community connectivity;
11. Section 1.6.6.1 outlines that planning for sewer and water services shall accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing municipal water and sanitary sewer infrastructure;
12. Section 1.6.6.2 further 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;
13. 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; and,
14. Section 1.7.1 outlines that long term economic prosperity should be supported by:
- a) Promoting opportunities for economic development and community investment-readiness;
 - b) Encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;
 - c) Optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;
 - d) Maintaining and, where possible, enhancing the vitality and viability of downtowns and main-streets; and,
 - e) 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.

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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 applications for Official Plan Amendment and 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 application to amend the City's Official Plan seeks a site specific exception to Section 4.2.3(3) of the Official Plan in order to permit a maximum net residential density of 144 units per hectare whereas a maximum net residential density of 60 units per hectare is permitted in the Town Centre land use designation. Those policies in the Official Plan that are relevant in considering the above noted request are outlined below.

The Town Centre land use designation recognizes existing and historic commercial areas in local communities. Town Centres provide for the development of commercial uses that service local communities and surrounding residential neighbourhoods and Rural Areas. Town Centres are to 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. Development that is supportive of active transportation and transit are also to be encouraged.

Permitted uses in Town Centre designation may include retail, offices, institutional and other related community services and activities. 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. Servicing capacity must also be available for medium density residential development.

When considering rezoning applications for new or expanded uses in a Town Centre, ensuring that the proposed use preserves the character of the area and is harmonious with adjacent uses and their buildings is of particular importance. Assessment of rezoning applications must also have regard for parking requirements, traffic impacts and road access. Parking requirements for new development in a Town Centre may be reduced where off-street municipal or privately owned communal parking facilities already exist and can accommodate additional automobiles.

Section 2.3.2 notes that the subject lands are within both a Settlement Area and the City's Built Boundary as delineated in Schedule 3 – Settlement Area and Built Boundary. 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. 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.

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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 and Mixed Use Commercial corridors, in accordance with the policies of the Official Plan;
5. 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;
6. Intensification will be encouraged on sites with suitable existing or planned infrastructure and public service facilities;
7. 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;
8. 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; and,
 - 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.

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Section 17.2 of the City's Official Plan generally encourages diversity in housing types and forms. Specifically, Section 17.2.1 more specifically encourages a greater mix of housing types and tenure through the following applicable housing policies:

- a. To encourage a wide range of housing types and forms suitable to meet the housing needs of all current and future residents;
- b. To encourage production of smaller (i.e. one and two bedroom) units to accommodate the growing number of smaller households;
- c. To promote a range of housing types suitable to the needs of senior citizens;
- d. Discourage downzoning to support increased diversity of housing options; and,
- e. 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.

City of Greater Sudbury Nodes and Corridors Study:

The Chelmsford Town Centre Community Improvement Plan that is discussed in further detail below was developed as part of the Nodes and Corridors Strategy, which aims to ensure that Downtown Sudbury is better connected to revitalized Town Centres, other strategic commercial and core areas by allowing for mixed uses, connecting citizens across Greater Sudbury, while providing excellent public transit. The Nodes and Corridors Strategy in other words is therefore intended to help create new and distinctive corridors and centres, all featuring mixed uses, public realm improvements and public transit. The Chelmsford Town Centre was identified as a priority in 2017-2018 and continues to be an area of important focus with respect to the City's desire to encourage revitalization in Town Centres.

Chelmsford Town Centre Community Improvement Plan:

The Chelmsford Town Centre Community Improvement Plan (Chelmsford CIP) was developed and adopted in 2018 and is intended to address challenges facing the Town Centre by introducing strategies to further their economic development, physical improvement and to promote private sector investment. The Chelmsford CIP identifies and provides for a series of goals and actions for the Town Centre, including the provision of good active transportation options, as well as providing for and focusing on redevelopment and streetscape improvement opportunities. In particular, Section 4.0 of the Chelmsford CIP also specifically notes that increasing the amount of housing in Town Centres helps to ensure the availability of a local labour force for all types of commercial activity, supports the retail environment and spurs additional community investment. Having diverse housing opportunities promotes other land use planning goals by helping to curb urban sprawl and support intensification. Development that occurs within existing built up areas where infrastructure is already in place and underutilized can also save taxpayers and residents money.

Zoning By-law 2010-100Z:

The owner is requesting that the subject lands be rezoned to "C6(S)", General Commercial Special in order to facilitate the development of a new two-storey multiple dwelling containing four residential dwelling units in addition to the existing two-storey multiple dwelling containing five residential dwelling units. As previously noted in this report, the rezoning of the lands is also proposed to include site-specific relief with respect to recognizing the location of the existing multiple dwelling, overall residential density, parking rates, planting strips, minimum court distances between two multiple dwellings with opposing walls, and to allow for parking areas to be situated and immediately abutting Main Street East.

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Department/Agency Review:

The applications 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 applications and to inform the content of Official Plan Amendment enactment documents, as well as appropriate development standards in an amending zoning by-law should the applications 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, Leisure Services, Operations, Site Plan Control and Transit Services have each advised that they have no concerns from their respective areas of interest.

The Ministry of Municipal Affairs and Housing was also circulated the application for Official Plan Amendment and have not expressed any concerns.

Building Services confirms that the proposed multiple dwelling containing four residential dwelling units will require a building permit. It is further noted that site-specific relief appears to be required in order to permit a density maximum of 144 dwelling units per hectare to provide for a minimum of 6 parking spaces, to allow for parking spaces to be situated within 0 m (0 ft) of the front lot line, to permit a minimum court between opposing building walls of 12 m (39.37 ft) and to permit reduced landscaping strips where the lands abut a low density residential zone.

Development Engineering has no concerns with the application to amend the City's Zoning By-law. The lands are serviced with municipal water and sanitary sewer infrastructure. Development Engineering also notes that the development of the lands are subject to site plan control.

Roads, Traffic and Transportation also note that through site plan control the existing westerly driveway entrance to the lands is to be removed and the curb, sidewalk and boulevard are to be reinstated. It is also noted that the proposed parking area is currently being used by the existing multiple dwelling containing five residential dwelling units. It is further noted that only six parking spaces are shown on the submitted on the Concept Plan and that the rezoning would result in the lands having a total of nine residential dwelling units. Roads, Traffic and Transportation advise that there is short-term parking near the lands (i.e. 4 hours maximum), however, there are no longer term parking available in close proximity to the lands.

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 applications with respect to the applicable policies, including issues raised through agency and department circulation.

The proposed Official Plan Amendment and rezoning is consistent with the PPS for the following reasons:

1. The community of Chelmsford is an identified settlement area in the City's Official Plan. The proposed development of a new two-storey multiple dwelling containing four residential dwelling units in addition to the existing two-storey multiple dwelling containing five residential dwelling units in this location and setting along Main Street East 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 in this particular area to the east of Errington Avenue along Main Street East in the community of Chelmsford. Development Engineering has noted that municipal water and sanitary sewer infrastructure is available on Main Street East and that the servicing of the lands will be further reviewed and facilitated through the site planning process. With respect to active transportation and public transit, staff notes that there are sidewalks on both sides of Main Street East and a public transit route is available along Errington Avenue and Main Street East (i.e. Route 104 – Azilda/Chelmsford). The closest public transit stop is directly to the west at a distance of approximately 12 m (39.37 ft) from the westerly lot line of the subject lands. It should be further noted that the Chelmsford Mobility Hub is located to the south-east of the subject lands at the Place Bonaventure Mall. Should the rezoning be approved, staff are also of the opinion that the larger mix of land uses and densities that would result within the Chelmsford 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 a multiple dwelling containing four residential dwelling units at the density proposed will improve the possible mix of land use patterns in the general area and will serve to encourage and provide for increased opportunities in terms of promoting the intensification within the Chelmsford settlement area and in particular within an area of Chelmsford designated as being the Town Centre. The lands represent an underutilized lot within this context and the opportunity for the reasonable intensification of the lands is apparent;
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 and it would provide for a better mix of housing options through intensification while taking into account existing building stock or areas and balancing these competing forces against each other. The available municipal infrastructure is suitable and capable of supporting the proposed additional multiple dwelling containing four residential dwelling units and access to public services that could be or are already located in the Town Centre 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 multiple dwellings having a total of nine residential dwelling units along with permitted accessory uses. Other site-specific development standards relating to the minimum number of parking space and the location of parking areas would also be utilized to ensure that the lands are developed in a manner that balances the desire to accommodate intensification in the Chelmsford Town Centre with the existing character and mix of uses that presently exists along Main Street East. In addition, staff would note that this further development of the lands would be subject to site plan control and staff is confident that the above can be appropriately addressed in finer detail through the site planning process;
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 within the built-up Chelmsford Town Centre;

7. Staff notes the subject lands directly abut an existing built-up commercial area (i.e. restaurant to the west and a mixed-use building to the east) and are entirely within the identified Chelmsford Town Centre. The lands themselves already contain a two-storey multiple dwelling containing five residential dwelling units. Staff are also of the opinion that the additional multiple dwelling that is being proposed is of compact built-form and 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 to ensuring that an appropriate range and mix of housing options and densities to meet projected requirements for current and future residents living in the Chelmsford Town Centre. 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 additional multiple dwelling that is proposed on the 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 and by extension provide new housing in an identified settlement area (i.e. Chelmsford Town Centre) where appropriate infrastructure (e.g. servicing and public transit) and public service facilities are available. The development can also be viewed as being transit-supportive given the lands close proximity to existing public transit routes. Staff therefore advises that in general the residential density being proposed is contextually appropriate in this particular Town Centre setting; and,
 - d) As mentioned above, staff are 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 Main Street East. Further to this, the use of appropriate development standards will facilitate infill residential development that 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 Public Spaces, Recreation, Parks, Trails and Open Space policies in the PPS, staff would in general note that the development proposal would contribute positively to the identified policy of promoting and supporting health and active communities. The subject land have ready access to commercial shops and services located in the Chelmsford Town Centre, as well as having access to public transit, active transportation options and nearby parks and trails. Staff are of the opinion that the proposed overall development of the lands represents an opportunity to improve the public realm through the lens of promoting a healthy and active Chelmsford Town Centre;
10. With respect to Infrastructure and Public Service Facilities policies in the PPS, staff notes that the subject lands containing the existing multiple dwelling is serviced by existing municipal water and sanitary sewer infrastructure. The proposed new multiple dwelling would also connect to the above noted municipal infrastructure. Development Engineering has no concerns with the new multiple dwelling connecting to the existing municipal infrastructure that exists along Main Street East.

The development proposal would result in the provision of new housing options via residential intensification in the Chelmsford Town Centre, while at the same time making efficient use of existing municipal infrastructure that does not require the uneconomical extension of said municipal infrastructure. Staff would further note that the resulting land use pattern, density and mix of uses in the Chelmsford Town Centre will serve to promote the minimization of length and number of vehicular trips those living in the Town Centre will need to make, while at the same time encouraging the easily accessible use of public transit and active transportation options available from Main Street and Errington Avenue; and,

11. With respect to Long-Term Economic Prosperity policies in the PPS, staff understands that the owner intends on accessing further Chelmsford CIP programs and related interest-free loan programs, and further the proposed additional multiple dwelling containing four residential dwelling units will in part act to promote economic development and community-investments in the Chelmsford Town Centre going forward. Staff is also satisfied that the resulting development of the lands would maintain and enhance the vitality and viability of the Chelmsford Town Centre, which is an identified priority for ensuring long-term economic prosperity. Staff is further of the opinion that the development proposal will act to promote a sense of place and good built residential form in the Chelmsford Town Centre. Additionally, it is noted that through the review of the applications, there are no anticipated negative impacts on any built heritage resources or cultural heritage landscapes. It is also acknowledged in the PPS that encouraging residential uses that respond to housing market needs, supply and options are necessary in terms of attracting and maintaining a diverse workforce in both Chelmsford and other parts of the City of Greater Sudbury.

With respect to the City's Official Plan, staff in general are supportive of both the Official Plan Amendment and Zoning By-law Amendment requests. Those policies relevant to the development proposal that would facilitate the development of a new two-storey multiple dwelling containing four residential dwelling units in addition to the existing two-storey multiple dwelling containing five residential dwelling units on the subject lands are discussed below.

With respect to the Town Centre policies under Section 4.2.3 of the Official Plan, staff notes that a multiple dwelling is a permitted use and would contribute positively to ensuring that a diverse mix of land uses and appropriate range of housing types is available in the Chelmsford Town Centre. The development proposal would also result in two multiple dwellings fronting Main Street East that would have easy access to stores, services and recreational opportunities, as well as active transportation and public transit options that are located in the Chelmsford Town Centre.

Specifically, staff is supportive of the proposed net residential density increase given the unique site context that exists along this portion of Main Street East. The lots to the east of Errington Avenue along Main Street East are of varying lot areas, lot depths and lot frontages, along with a number of irregularly shaped lots. Municipal Property Assessment Corporation (MPAC) data also indicates that the building stock along this portion of Main Street also generally ranges from the 1940s to 1980s. The result being that staff has identified a number of legal non-complying buildings, parking areas, and so on, when set against currently applicable development standards within the standard "C6" and "C6(1)" Zone. Staff is therefore of the opinion that the proposed net residential density increase would not be out of character and would be complimentary to the lots, buildings and land uses that already exist along this portion of Main Street East within the Chelmsford Town Centre.

The above observation is important to keep in mind when considering permitting additional density in a Town Centre in terms of ensuring that the character of the area is preserved and is compatible with adjacent uses and their buildings. The intensification policies contained in the City's Official Plan will be utilized later in this report to provide for an analysis of parking requirements, traffic impacts and road access as it related to the development proposal.

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Staff would note, however, that at this point that the Town Centre does have shorter-term on-street visitor parking opportunities on Main Street East. The parking reduction being sought also amounts to 0.66 parking spaces per unit whereas 1 parking space per unit is required in the Town Centre through the applicable "C6"(1)" Zone (i.e. Downtown Commercial). Staff is of the opinion that the parking spaces that are proposed balances the need for providing some on-site parking against the site constraints, presence of alternative transportation options, and the character that exists along this portion of Main Street East.

With respect to Section 2.3.2, staff notes that the subject lands are within the identified Chelmsford Settlement Area and located within the Built Boundary as depicted on Schedule 3 – Settlement Area and Built Boundary of the City's Official Plan. Staff are of the opinion that the development proposal proposes an additional residential land use permission in the form of a multiple dwelling containing four residential dwelling units that would make efficient use of the lands given the Town Centre context. The development proposal would also make good use of existing infrastructure and public service facilities, while minimizing negative impacts on air quality and climate change, and promoting energy efficiency and access to available public transit and active transportation options. Staff would also note that Section 2.3.2 encourages intensification and development within the Built Boundary wherever possible. It is also noted that the application for Official Plan Amendment would not have the effect of expanding urban-related land use designations into an area that is outside of an identified Settlement Area.

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 the subject lands represent an underutilized lot within the Town Centre context that exists along Main Street East and are within an existing and identified settlement area where all forms of intensification are encouraged;
2. Staff have previously noted in this report that the development proposal would contribute to the stated target of accommodating 20% of future residential growth through intensification within built-up areas as the lands are situated within the built-up Chelmsford Town Centre;
3. Staff advises that the increased net residential density that is proposed given the site context, along with the rezoning to permit a new multiple dwelling having four residential dwelling units on the westerly portion of the lands would together facilitate a broader range of options and possibilities for intensification in this location and is to be encouraged;
4. Staff is also of the opinion that given the Town Centre context that exists along Main Street East that the applications do not amount to large-scale intensification that would be better directed to the Downtown or Regional Centre land use designation. There would be a total of nine residential dwelling units within two multiple dwellings being two-storeys each in height. Staff notes that given the unit count and the lot fabric and characteristics that exist along Main Street east, it would be better generalized as being medium scale intensification, which is permitted in the Town Centre designation;
5. Staff is generally satisfied that the additional multiple dwelling having four residential dwelling units can be added to the subject lands in a manner that is complimentary to both the lot itself, as well as the immediately surrounding area. There have been no issues identified with respect to providing municipal servicing to the additional multiple dwelling that is proposed. It is also expected that site plan control will positively contribute toward ensuring that the additional use is accommodate properly on the lands in a manner that is complimentary to other uses in the Chelmsford Town Centre; and,

6. The submitted Planning Justification Report did provide some analysis with respect to densities that are already present on other lots in the general area along Main Street East. Staff has reviewed the analysis and agrees that on Main Street East the existing net residential densities range from as low as 39 residential dwelling units per hectare (i.e. 23 Main Street East) up to 130 residential dwelling units per hectare (i.e. 61 Main Street). While the proposed Official Plan Amendment would allow for 144 residential dwelling units per hectare, staff is satisfied that this form of residential intensification will be compatible with the existing character of the Chelmsford Town Centre 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.

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

1. Staff is satisfied that the subject lands can be viewed as being suitable in terms of the size and shape of the lot, as well as soil conditions, topography and drainage for the purposes of accommodating a second multiple dwelling with four additional residential dwelling units within the Chelmsford Town Centre. Staff also has noted that the accommodation of the additional use on the land can reasonably be addressed through the site planning process that would be applicable once the owner chooses to proceed with development;
2. Should the applications be approved, staff is satisfied that the increase in permitted net residential density in this particular site and area context will not negatively affect abutting properties. The request is not viewed as being excessive or otherwise damaging from a good land use planning perspective to the overall planned character of the Chelmsford Town Centre;
3. Staff advises that the site planning process will be utilized to ensure that the provision of appropriate on-site landscaping, fencing, planting and other measures that will lessen any impacts that the resulting two multiple dwelling containing a total of nine residential dwelling units would have on the general area are achieved. Staff notes in particular that the introduction of a new multiple dwelling use on the lands would occur on the westerly portion of the lands and would immediately abut a restaurant use to the west. It should also be noted that portions of the proposed new multiple building would abut a municipally-owned park block of land in the rear and not a residential lot or building;
4. Development Engineering has noted that municipal water and sanitary sewer infrastructure is available on Main Street East, and that the servicing of the lands will be further refined and facilitated through the site planning process. No concerns were raised in the review of the applications with respect to municipal servicing should the increased net residential density be approved as proposed;
5. Staff also have no concerns with respect to the capabilities of the site planning process to address matters such as the provision of adequate ingress/egress, off street parking spaces and areas, and the safe and convenient vehicular circulation that can be accommodated on the lands. Roads, Traffic and Transportation did provide comment that through site plan control the existing westerly driveway entrance to the lands is to be removed and the curb, sidewalk and boulevard are to be reinstated. It was also noted that parking constraints exist on the lands that will require attention;
6. Roads, Traffic and Transportation reviewed the applications and did not express any concerns with respect to negative impacts related to the traffic that would be generated by the proposed development on the road network and surrounding land uses;
7. Staff has noted in this report that the lands are well serviced with both public transit and active transportation options. Staff also circulated the applications to Transit Services and no concerns were raised with respect to the proposed net residential density increase and site-specific zoning permissions that would facilitate the addition of a second multiple dwelling on the lands;

8. Staff are satisfied that no sun shadowing and wind impacts are of concern given the scale of new development that is being proposed is a two-storey multiple dwelling containing four residential dwelling units. The scale of intensification being proposed does not warrant the submission of sun-shadowing or wind impact studies;
9. Staff in their review of the applications 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;
10. Staff in their review of the applications did not identify any areas of concern with respect to negative impacts on any relationships between the proposed development and any natural or man-made hazards;
11. Staff advises the applications do not involve, or have any impacts, on the provision of any facilities, services and matters pursuant to Section 37 of the Planning Act. It is noted for information purposes that Section 37 of the Planning Act permits the City to authorize increases in permitted height and/or density through the zoning by-law in return for community benefits, provided that there are related Official Plan policies in place allowing it to do so (e.g. Section 19.7 – Comprehensive Planned Units Development policies in the City's Official Plan); and,
12. Staff would conclude based on the above review and analysis that this particular residential development proposal does balance the concerns of the local community against the need to provide for opportunities for residential intensification.

With respect to housing policies set out under Section 17.2 of the Official Plan, staff notes that the proposed two-storey multiple dwelling containing four residential dwelling units in general represents an opportunity to provide for a greater mix of housing types and tenure in the community of Chelmsford. Specifically, staff would have the following comments:

1. Staff has noted previously in this report that the development proposal would result in two multiple dwellings having a total of nine residential dwelling units on the subject lands that are situated within Chelmsford's Town Centre. Staff would therefore advise that the additional multiple dwelling would contribute positively to achieving a widened range of housing types and forms suitable to meet the housing needs of all current and future residents living in Chelmsford;
2. Staff understands from the owner that consideration will be given to providing residential dwelling units within the proposed new multiple dwelling that have two bedrooms or less, and as such these dwelling units would be reasonably expected to provide for an attractive housing option for those with smaller household sizes living in Chelmsford;
3. Staff are satisfied that in general the proposed built-form will contribute positively to ensuring that a range of suitable housing types are available to meet the needs of senior citizens living in Chelmsford. Staff would also note that the entrances to each of the proposed residential dwelling units as shown on the Concept Plan appears to be from outside the building and at existing grade;
4. Staff advises that the development proposal does not represent a down-zoning of the residential permissions that exist presently on the lands. The proposed rezoning would in fact have the opposite effect as it would allow for an additional multiple dwelling on the lands and would certainly increase the diversity of housing options available in Chelmsford; and,
5. Overall, staff is satisfied that the development proposal is supportive of and would contribute positively to the planned and designated function of the Chelmsford Town Centre. Staff would add that the development proposal would contribute positively to the notion of creating complete communities that are designed to have a mix of land uses, are supportive of public transit, and that provide for a full range of housing, including affordable housing, inclusive of all ages and abilities.

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Staff is therefore supportive of the request to provide for a site-specific exception to Section 4.2.3(3) of the City's Official Plan in order to permit a maximum net residential density of 144 units per hectare whereas a maximum net residential density of 60 units per hectare is permitted in the Town Centre land use designation.

With respect to the Chelmsford CIP, staff have the following comments:

1. Staff advises that the façade of the existing multiple dwelling containing five residential dwelling units on the easterly portion of the lands was renovated in mid-2020 and was funded in part through the City's Main Street Revitalization Initiative; and,
2. Staff further advises that prior to submitting the planning application that are the subject of this report the owner obtained additional approvals through the Chelmsford CIP for a multiple dwelling having three residential dwelling units on the easterly portion of the subject lands. Since this time, the owner has amended their application for additional funding sources potentially made available through the Chelmsford CIP related to developing a multiple dwelling containing four residential dwelling units.

With respect to the City's Zoning By-law, staff in general have no concerns with the requested zone category and have the following comments:

1. The owner is requesting that the lands be rezoned to "C6(S)", Downtown Commercial Special in order to permit two multiple dwellings having a total of nine residential dwelling units. The rezoning is also proposed to include site-specific relief with respect to recognizing the location of the existing multiple dwelling on the lands, overall site residential density, parking rates, minimum court distances between two multiple dwellings with opposing walls, and to allow for parking areas to be situated and immediately abutting Main Street East;
2. In order to provide for the above noted development, staff can advise that the amending zoning by-law should include the follow site-specific development standards:
 - a) That the only permitted uses on the subject lands be two multiple dwellings having a total of nine residential dwelling units along with permitted accessory uses;
 - b) That the location of the existing multiple dwelling on the easterly portion of the lands shall be permitted;
 - c) That a minimum of six parking spaces be provided;
 - d) That a parking area be permitted to be located within 0 m (0 ft) of a public road;
 - e) That a minimum court of 12 m (39.37 ft) be provided between the opposing walls of the two multiple dwellings;
 - f) That no landscaping strip be required along the rear lot line from a point measuring 8.9 m (29.20 ft) from the easterly extent of the rear lot line; and,
 - g) That a privacy fence having a minimum height of 1.5 m (5 ft) be required along the rear lot line where no landscaping strip is provided.
3. Staff would recommend that the minimum required five bicycle parking spaces be provided on the lands given the reduction in vehicular parking spaces that are being proposed. The reduction in vehicular parking spaces is largely supported due to the lands being situated within a Town Centre where active transportation options are available, or where the opportunity exists to encourage active transportation options such as the provision of bicycle parking areas. Staff would further advise that the site planning process will be utilized accordingly to identify the most appropriate location on the lands for bicycle parking spaces, however, they are at present depicted adjacent to the snow storage area on the Concept Plan;

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4. Staff noted that a registered survey plan is not required in order to prepare the amending zoning by-law as the portion of the lands subject to the rezoning are already described legally as PIN 73351-0385, Part of Block A & Part of Lot 14, Plan M-4, Parcel 27303, Lot 2, Concession 4, Township of Balfour.

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.

The following are the principles of the proposed Official Plan Amendment and Zoning By-law Amendment:

- The Official Plan Amendment is site-specific to the lands and would provide for an exception to Section 4.2.3(3) of the Official Plan in order to permit a maximum net residential density of 144 units per hectare whereas a maximum net residential density of 60 units per hectare is permitted in the Town Centre land use designation. The site-specific exception to the above noted policy would be added under Section 21 – Site Specific Policies and also be denoted on Schedule 2c – Site Specific Amendments in the City's Official Plan;
- The amending zoning by-law would contain the following site-specific provisions:
 - That the only permitted uses on the subject lands be two multiple dwellings having a total of nine residential dwelling units along with permitted accessory uses;
 - That the location of the existing multiple dwelling on the easterly portion of the lands shall be permitted;
 - That a minimum of six parking spaces be provided;
 - That a parking area be permitted to be located within 0 m (0 ft) of a public road;
 - That a minimum court of 12 m (39.37 ft) be provided between the opposing walls of the two multiple dwellings;
 - That no landscaping strip be required along the rear lot line from a point measuring 8.9 m (29.20 ft) from the easterly extent of the rear lot line; and,
 - That a privacy fence having a minimum height of 1.5 m (5 ft) be required along the rear lot line where no landscaping strip is provided.

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