

## **Staff Report**

### **Proposal:**

An application for rezoning has been submitted in order to permit semi-detached dwellings on three (3) draft approved lots as part of Phase 4 of the Moonlight Ridge subdivision. Phase 4 comprises 16 lots for low density residential use and would be the final phase of this planned subdivision.

#### **Existing 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.

#### **Requested Zoning:** "R2-2 Special", Low Density Residential Two Special

R2-2 zoning permits single detached, semi-detached and duplex dwellings. Site-specific relief for the rear yard setback and lot depth is required for the south part of proposed Lot 7.

#### **Location and Site Description:**

Part of PINs 73575-0516 and 73575-0664, Part of Parts 6 & 9, Plan 53R-19231, Parts 1 to 4, Plan 53R-20294 in Lot 9, Concession 3, Township of Neelon (Moonlight Ridge Subdivision, Sudbury)

The subject property comprises vacant land located within the Moonlight Ridge plan of subdivision. The proposed lots will have frontage on the future southerly extension of Eclipse Crescent. The area is fully serviced by municipal water and sanitary sewer. The closest public transit stop is located on Bancroft Drive at Estelle Street, an approximate 250-metre walking distance.

Total area of the land to be rezoned is 0.28 ha, with 47.8 metres of road frontage. The surrounding area comprises a low density residential subdivision with single and semi-detached dwellings as the predominant housing types.

The subject property is located within a vulnerable area under the Source Protection Plan being Ramsey Lake Intake Protection Zone (IPZ) 3. The property does not fall within the regulated area of Conservation Sudbury.

#### **Surrounding Land Uses:**

The area surrounding the site includes:

North:	undeveloped subdivision lands zoned R2-2
East:	rear yard of a single detached dwelling fronting onto Bancroft Drive
South:	single detached dwellings fronting onto Bancroft Drive
West:	undeveloped subdivision lands zoned R1-5

#### **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 owner issued a letter describing the project with contact information to adjacent property owners and residents utilizing the City's standard mailing radius.

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 (PPS):**

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.

Designated growth areas are defined as undeveloped lands that are designated for growth and located within settlement area boundaries. Under the policies of Section 1.1.3, new development in designated growth areas should occur adjacent to the existing built-up area. A range and mix of housing types is promoted to accommodate all housing needs. Development within settlement areas shall efficiently use the infrastructure and public service facilities, which are planned or available.

Section 2.2.1 addresses water resources. Planning authorities shall protect, improve or restore the quality and quantity of water by protecting all municipal drinking water supplies and designated vulnerable areas.

### **Growth Plan for Northern Ontario (GPNO):**

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.

### **Official Plan for the City of Greater Sudbury:**

#### **Living Area 1**

The subject land is designated as Living Area 1, which permits all forms of low density housing. 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**

The application is a form of residential intensification given the increased density that is proposed. Section 2.3.3 of the Plan addresses residential intensification in settlement areas. 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:**

Site-specific zoning relief is necessitated by the irregular configuration of proposed Lot 7, as the owner was not able to acquire adjacent land to improve the lot fabric. Both variances are for the south part of proposed Lot 7:

- Lot depth of 25.9 metres where 30 metres is required; and,
- Rear yard setback of 3.7 metres where 7.5 metres is required.

### **Site Plan Control:**

Site plan control is not implemented for low density housing types. However, the property will be subject to a subdivision agreement as part of the registration of Phase 4.

### **Department/Agency Review:**

Commenting departments and agencies have no objections related to this application.

## **Planning Analysis:**

### **Land use compatibility**

The Moonlight Ridge plan of subdivision was intended to accommodate a mix of low density housing types, including single and semi-detached dwellings. In this case, there are several blocks of semi-detached dwellings that have already been developed, including both sides of Eclipse Crescent to the north. The owner is proposing to rezone an additional three (3) lots, which would be contiguous with lands already zoned R2-2.

The proposed use forms a good fit with adjacent uses and does not present any land use compatibility concerns. Furthermore, it is generally preferable to group similar housing types together and rezone for semis on a block or part-block basis, as is proposed with this application.

### Proposed lot fabric

The proposed lot fabric has been appropriately configured to accommodate semi-detached dwellings. All lots have sufficient area to meet the minimum requirement of 275 m<sup>2</sup> of lot area per semi-detached unit. It is further noted that the lots have sufficient frontage at the street line to meet the minimum requirement of 6.5 metres for a semi-detached dwelling.

The one exception is proposed Lot 7, as illustrated on Sketch #2. The owner was not able to acquire abutting lands to round out the lot fabric, which results in an irregular lot configuration that requires site-specific zoning relief. The variances can be supported based on the following rationale:

- The resultant lot depth of 25.9 metres where 30 metres is required is considered minor in nature and appropriate in terms of development of the land;
- The rear yard setback of 3.7 metres is considered a technical amendment due to the irregular lot shape, as there remains sufficient area in the rear yard to provide an adequate outdoor amenity area; and,
- Development Engineering advised that the irregular configuration will not constrain proper lot grading and drainage.

Staff recommend that the site-specific relief be implemented as part of the amending by-law.

### Source Protection Plan

Water/Wastewater Services advised that there are no concerns related to the Source Protection Plan. No significant threats have been identified based on the nature of development. The owner is advised that a Section 59 application under the Clean Water Act is required at the building permit stage.

### Official Plan

The proposal conforms to the key policies applied to development in Living Areas, including the criteria applied to residential intensification. Services are adequate for the site as per the approved subdivision plan. The dwelling type is consistent with the existing mix of housing in the adjacent area. The traffic impact on local streets is minimal given the net increase of only three (3) units.

Although minor in scale, the proposal is a form of residential intensification based on the increased density. The lots are suitably sized for the proposed use, which presents compatibility with the existing and planned character of the area. Public transit is within walking distance on Bancroft Drive.

### 2020 Provincial Policy Statement and 2011 Growth Plan for Northern Ontario

The application is aligned with the policies applied to development in settlement areas. The subject site is located in a designated growth area that is directly adjacent to a built up urban area. The proposal will further diversify the mix of housing in the area. As a form of residential intensification, the proposed low density use is deemed appropriate given the predominant character of the area. There are no identified threats related to the source protection area.

The application also conforms to the Growth Plan based on the increased housing capacity that is proposed in support of the City's designation as an Economic and Service Hub.

## **Conclusion:**

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