

Title: Normand and Ronald Thibert

Date: August 19, 2020

STAFF REPORT

PROPOSAL:

The applications for Zoning By-law Amendment and Draft Plan of Subdivision together would result in four separate zones being applied to the lands along with the development of an urban residential plan of subdivision on a middle portion of the subject lands.

The rezoning of the lands as proposed by the owner is intended to achieve four land use planning outcomes. Firstly, a middle portion of the lands are proposed to be rezoned in order to permit one single-detached dwelling to be constructed on the balance of the lands not contemplated for development at this time (ie. "FD(S)"). Secondly, a southerly portion of the lands are proposed to be rezoned in order to facilitate the development of eight single-detached dwellings by way of a plan of subdivision to the west of, and to be access from, St. Isidore Street (ie. "R1-5"). Thirdly, a further southerly portion of the lands would be rezoned in order to permit medium density residential uses which would be accessed from Municipal Road #80 (ie. "R3"). And fourthly, to rezone a northerly portion of the land in order to facilitate a lot consolidation with a rural lot to the north which has frontage on Gravel Drive (ie. "RU").

The proposed subdivision of a middle portion of the subject lands would specifically facilitate the creation of eight single-detached dwellings and would involve the extension of St. Isidore Street for access purposes along with a temporary turnaround until such time as further urban residential development occurs.

The above noted rezoning application was submitted to the City initially on January 5, 2016, while the draft plan of subdivision application was later and subsequently filed with the City of October 16, 2017. The owner also then subsequently submitted an application for pre-consultation bringing clarity to the overall development proposal that was considered by the Sudbury Planning Application Review Team (SPART) on May 2, 2018 (File # PC2018-028). The owner met with staff following the SPART Meeting and signed their Pre-Consultation Understanding Agreement (PCUA) on May 14, 2018. The consideration of the development proposal at SPART was considered appropriate as the original rezoning application preceded the establishment of SPART and after reviewing both development applications it was determined that a comprehensive review from agencies and departments would be appropriate prior to proceeding with further processing of the applications. The applications were finally deemed to be complete on October 29, 2019 following the submission of requested storm-water design information.

The owner has submitted a Concept Plan and a Storm-water Management Design Brief in support of the proposed rezoning and draft plan of subdivision that would result in four separate zones being applied to the lands along with the development of an urban residential plan of subdivision on a middle portion of the subject lands. Staff notes that the Concept Plan has been amended on several occasions prior to the public hearing, however the overall development proposal has remained generally the same. Details with respect to the owner's public consultation strategy ahead of a public hearing at the Planning Committee was not explicitly included at the time of submission, however the owner and agent did advise they would be exploring options with respect to consulting with nearby residents prior to bringing the applications before the City's Planning Committee.

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Existing Zoning: “FD”, Future Development

The “FD” Zone permits limited land uses in the form of a single-detached dwelling provided it is located on a legal existing lot and/or a park.

Requested Zoning: “FD(S)”, Future Development Special, “R1-5”, Low Density Residential One, “R3”, Medium Density Residential and “RU” Rural

The proposed rezoning to “FD(S)”, Future Development Special would allow for the construction of one single-detached dwelling on a lot to be created as a result of the related proposed urban residential development and rural lot addition. The “R1-5” Zone permits a bed and breakfast establishment within a single-detached dwelling only and having a maximum of two guest rooms, a group home type 1 within a single-detached dwelling only and having a maximum of ten beds, a private home daycare and a single-detached dwelling. The “R3” Zone permits a bed and breakfast establishment within a single-detached dwelling only and having a maximum of two guest rooms, not more than one convenience store and one personal service shop not exceeding 150 m² (1,614.59 ft²) in total net floor area, a day care centre, a duplex dwelling, a group home type 1 within a single-detached dwelling only and having a maximum of ten beds, linked dwelling, multiple dwelling, a private home daycare, a row dwelling, shared housing in certain locations, a semi-detached dwelling, a single-detached dwelling and a street townhouse dwelling. The “RU” Zone permits a range of rural non-residential and rural residential land uses however staff notes the intention of the owner in this case is to zone this portion of the lands to “RU” in order to facilitate a lot addition with existing rural lands to the north having frontage on Gravel Drive.

Location and Site Description:

The subject lands are located on the north side of Municipal Road #80 and to the east of Centennial Drive and to west of Notre Dame Avenue in the community of Hanmer. The lands have a total lot area of approximately 19.25 ha (47.58 acres) with existing lot frontages of approximately 101 m (331.36 ft) onto Municipal Road #80 and approximately 20 m (65.62 ft) onto both St. Isidore Street and Collette Street. The lands are well vegetated and presently contain a number of trails in the middle and rear portions of the lands. The lands also at present contain an existing single-detached dwelling with an access driveway onto Municipal Road #80.

Surrounding Land Uses:

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| North: | Rural residential land uses and the Valley East Cemetery. |
| East: | Urban residential land uses, general commercial uses with frontage on Municipal Road #80, a public park and the Valley East Lion’s Club. |
| South: | Urban residential land uses, École Notre-Dame, several large vacant and well vegetated rural lots, and a large future development block of land. |
| West: | Urban residential land uses, general commercial uses with frontage on Municipal Road #80. |

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

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Site photos depict the subject lands containing the existing single-detached located in the front yard being accessed from the Municipal Road #80. Photos of the immediately surrounding residential area are also included and illustrate the generally lower density residential nature of the general 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 October 29, 2019. The statutory Notice of Public Hearing dated September 3, 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 is not aware of any public consultation having been conducted by the owners or the agent in the local community prior to bringing this report forward to the City's Planning Committee for a statutory public hearing under the Planning Act.

At the time of writing this report, no emails or letter submissions with respect to the development proposal have been received by the Planning Services Division. Staff has received several phone calls from area residents seeking clarification as it relates to the development that is being proposed by the owners.

POLICY AND REGULATORY FRAMEWORK:

The applications that have been submitted are 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 Provincial Policy Statement (PPS). The following PPS policies are applicable to the applications for Zoning By-law Amendment and a Draft Plan of Subdivision:

1. With respect to Settlement Area policies, Section 1.1.3.1 in general 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 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 1.1.3.6 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;
7. Section 1.1.3.7 outlines that municipalities should establish and implement phasing policies that ensures new development occurs within designated growth areas in an orderly progression with regard for the timely provision of the infrastructure and public service facilities required to meet current and future needs;
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 by maintaining at all times a three year supply of residential units with servicing capacity that are suitably zoned to facilitate residential development. This is also applicable to lands within draft approved or registered plans of subdivision; and,
9. Section 1.4.3 outlines that municipalities shall permit and facilitate:
 - a. 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;
 - b. All types of residential intensification, including additional residential units, and redevelopment in accordance with the PPS;
 - c. 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;
 - d. 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;
 - e. Requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and,
 - f. 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.

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 to 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 conform to and does not conflict with the Growth Plan for Northern Ontario.

Official Plan for the City of Greater Sudbury:

The subject lands are predominantly designated Living Area 1 in the Official Plan for the City of Greater Sudbury. Living Area 1 includes residential areas that are fully serviced by municipal water and sewer and are to be the primary focus of residential development. Living Area 1 is seen as areas of primary focus for residential development given the desire to utilize existing sewer and water capacity and reduce the impacts of un-serviced rural development. New residential development must be compatible with the existing physical character of established neighborhoods, with consideration given to the size and configuration of lots, predominant built form, building setbacks, building heights and other provisions applied to nearby properties in the City's Zoning By-law.

Section 3.2.1.6 of the Official Plan specifically outlines those matters to be reviewed when considering applications to rezone lands within the Living Area 1 designation:

- a) The site is suitable in terms of size and shape to accommodate the proposed density and built 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.

Section 2.3.2 notes that the subject lands are within a Settlement Area and immediately abutting the 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.

Section 2.3.2 also notes that the Settlement Area and Built Boundary of the Official Plan is more than adequate for the purposes of meeting short, medium and long term land use needs. It is further outlined that no Official Plan Amendments for the expansion of areas designated Living Area 1 will be considered outside of a comprehensive review of the City's Official Plan. Intensification and development within the Built Boundary is encouraged; however, 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.

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. Intensification and development is permitted in established Living Area 1 lands, in accordance with the policies of this Plan;
4. Intensification will be encouraged on sites with suitable existing or planned infrastructure and public service facilities;
5. 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;
6. 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 17.0 generally includes policies which encourage the provision of adequate and affordable housing for all residents in the City of Greater Sudbury. Section 17.2.1 addresses the achievement of diversity in housing type and form. Those policies under Section 17.2.1 which are relevant to the development proposal include:

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 (ie. one and two bedroom) units to accommodate the growing number of smaller households; and,
3. To promote a range of housing types suitable to the needs of senior citizens.

There is also a small northerly portion of the subject lands designated Rural. These lands are intended in general to be severed and added to an existing rural lot further to the north having frontage on Gravel Drive. Staff addresses an analysis of the land use planning implications of the Rural portion of the lands as it pertains to the overall development proposal later in this report.

Zoning By-law 2010-100Z:

The owner is requesting that the subject lands be rezoned to "FD(S)", Future Development Special, "R1-5", Low Density Residential One, "R3", Medium Density Residential and "RU" Rural achieve four land use planning outcomes. Firstly, a middle portion of the lands are proposed to be rezoned in order to permit one single-detached dwelling to be constructed on the balance of the lands not contemplated for development at this time (ie. "FD(S)"). Secondly, a southerly portion of the lands are proposed to be rezoned in order to facilitate the development of eight single-detached dwellings by way of a plan of subdivision to the west of and to be access from St. Isidore Street (ie."R1-5"). Thirdly, a further southerly portion of the lands would be rezoned in order to permit medium density residential uses which would be accessed from Municipal Road #80 (ie. "R3"). And fourthly, to rezone a northerly portion of the land in order to facilitate a lot consolidation with a rural lot to the north which has frontage on Gravel Drive (ie. "RU").

Department/Agency Review:

The applications, including relevant accompanying materials, have 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 and appropriateness of conditions to that should be imposed through a draft plan of subdivision approval document, 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, Environmental Planning Initiatives, Fire Services, Operations, and Transit Services have each advised that they have no concerns from their respective areas of interest.

Bell Canada has indicated that a 3 m (9.84 ft) wide easement corridor over the frontage of the proposed lots within the draft plan of subdivision is required. Since the easements are required in order to provide service and access to this development, all costs associated with this transfer will be the responsibility of the owner and compensation will be set at a nominal fee for the acquisition of the easement rights.

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Building Services notes that building permits will be required for all proposed residential dwellings. For the draft plan of subdivision, a soils report prepared by a qualified geotechnical professional must be submitted for review to the satisfaction of the Chief Building Official. The soils report shall document construction parameters for residential structures such as soil bearing capacity, frost cover for foundations and ground-water table characteristics effecting sub-soil foundation drainage and sump pump design. A soils caution agreement, if required, shall be registered on-title to the satisfaction of the Chief Building Official.

Development Engineering advises that municipal water and sanitary sewer infrastructure is available within the Municipal Road #80, St. Isidore Street and Collette Street right-of-way and that any required costs associated with the upgrading of municipal water and sewer infrastructure to service the lands will be borne entirely by the owner. The City's standard conditions related to the interests of Development Engineering are otherwise to be imposed in the draft approval documents. Those standard conditions relating to Development Engineering's areas of concern are incorporated into the conditions list outlined in the Resolution section of this report.

The City's Drainage Section has provided technical comments relating to the submitted Storm-water Management Design Brief. These comments will be utilized on a going forward basis as the subdivision proceeds through subdivision agreement and construction phases. The City's standard conditions relating to storm-water management are otherwise to be imposed in the draft approval document.

Roads, Traffic and Transportation have no concerns with the overall development proposal, but have noted that only one driveway access onto Municipal Road #80 will be permitted. It is further noted that there is an existing driveway from Municipal Road #80 providing access to the existing single-detached dwelling.

Water-Wastewater notes that the subject lands are located within a source water protection area and as such are subject to a review under Section 59 of the Clean Water Act. The lands are identified in the City's Source Protection Plan as being within a Vulnerable Area and in close proximity to a Well Head Protection Area. Water-Wastewater has reviewed the applications and advises that no activity or activities engaged in or proposed to be engaged in on the subject lands are considered to be significant drinking water threats. The owner's agent was therefore advised that they may proceed with appropriate land use planning applications and building permit applications as they are neither prohibited nor restricted under Part IV of the Clean Water Act.

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 rezoning and draft plan of subdivision is consistent with the PPS for the following reasons:

1. The community of Hanmer is an identified settlement area in the City's Official Plan. The southerly portion of land to be rezoned for urban residential purposes, including a portion on which the proposed draft plan of subdivision would be applicable, will encourage development to continue to occur and expand within an existing and identified settlement area. The balance of the proposed rezoning would also not negatively impact development opportunities that may exist on the lands. The proposed development in this location and setting 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 along Municipal Road #80 in the community of Hanmer. Development Engineering has noted that municipal water and sanitary sewer infrastructure is available and that the servicing of the lands in part will be facilitated through both the subdivision planning process for the eight single-detached dwelling lots and the site planning process for the medium density residential block of land having frontage onto Municipal Road #80. The mix of residential land uses and densities offers an opportunity to minimize or mitigate negative impacts associated with air quality and climate change and to promote development that is energy efficient. With respect to active transportation and public transit, there is an existing sidewalk on the south side of Municipal Road #80 and the lands are currently serviced by GOVA (ie. Route 105 – Valley);
3. Staff is of the opinion that the applications together 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 of a vacant and therefore underutilized lot located entirely within the identified Hanmer settlement area;
4. Staff is of the opinion that the applications will together provide for a broader range of development options that will contribute positively toward ensuring that public transit along Municipal Road #80 remains viable and it would optimize the public transit infrastructure along the Municipal Road #80 corridor. The requested mix of land uses will also allow for and facilitate the possibility of more compact and mixed-use development opportunities fronting Municipal Road #80 that will positively contribute to the mix of residential housing options within the Hanmer settlement area;
5. Staff is of the opinion that appropriate development standards can be achieved through the rezoning process that will facilitate medium density residential intensification and compact built-form on a portion of the subject lands, while at the same time avoiding or mitigating risks to public health and safety in this location. Specifically, the amending zoning by-law would permit medium density residential development along Municipal Road #80 that would be subject to a site planning process ensuring said development is well integrated into the existing and planned Municipal Road #80 corridor;
6. Staff notes that the subject lands directly abut existing built-up urban areas to the east, west and south. It is noted therefore that the lands are outside of the City's existing built-boundary, but are directly abutting built-up urban areas in Hanmer. Staff is therefore of the opinion that together the rezoning and draft plan of subdivision applications would facilitate and encourage the possibility of development proceeding in this area with a more compact built-form having a mix residential land uses and densities that will use this portion of the subject lands efficiently from a land, infrastructure and public service facilities perspective;
7. Staff advises that the rezoning of the lands for medium and low density urban residential uses along with utilizing a draft plan of subdivision for the eight lower density urban residential lots will act to ensure that development of the lands proceeds in an orderly, timely and phased manner. The middle portion of the lands would also continue to be zoned for future urban residential development that would require a further rezoning in the future. The future development of the subdivision therefore will have regard for the timely provision of the infrastructure and public service facilities required to meet current and future needs. Staff would also note that site plan control will be utilized on the medium density residential portion in order to ensure development proceeds in a timely, well-designed and appropriate manner. Staff is also satisfied that the proposed lot consolidation at the northerly extents of the lands is appropriate and would not compromise future orderly development of the area;

8. With respect to Housing Policies, staff notes that there are several existing draft approved plans of subdivision to both the east and the west that may be considered to be within the vicinity of the subject lands. The Nature's Haven subdivision to the immediate east has 105 remaining draft approved lots, while the Jean d'Arc Subdivision to the west has 68 remaining draft approved lots. Staff is therefore satisfied that should the applications be approved that a three year supply of residential units with servicing capacity and suitable zoning remains available and would include and not detract from the availability of an appropriate range and mix of housing options in the Hanmer area;
9. Further to the above, staff notes that the City's Growth and Settlement Policy Discussion Paper that was completed as part of the City's Phase 1 – Official Plan Review notes that there is at present an approximate 43 year supply of residential lands in all categories of designated lands that are available to meet future demands under a high growth scenario. Staff is of the opinion that should the overall development proposal be approved that it would produce no negative impacts on residential housing supplies and options in Hanmer; and,
10. Based on the above comments, staff is also satisfied that the development proposal is consistent with and does not conflict with the housing policies under Section 1.4.3 with respect to housing options, residential intensification, directing housing to where appropriate infrastructure is available and promoting densities for new housing that uses land efficiently. The development proposal would also have access to existing public transportation options.

With respect to the City's Official Plan, staff in general is supportive of both the rezoning and draft plan of subdivision requests. Those policies relevant to the development proposal which proposes to permit medium and low density urban residential uses along with continuing to reserve a middle block of land for further and future urban residential development and a northerly lot addition to a rural parcel fronting Gravel Drive are discussed below.

With respect to Section 3.2.1.6, staff is generally satisfied that the lands are suitable in terms of shape and size and would be compatible with the surrounding neighbourhood in terms of scale, massing, height, siting, setbacks and the location of parking and amenity areas. Staff is confident that this would be achieved both through the use of certain development standards across the entirety of the lands, as well as utilizing the site planning process on the medium density residential block of land. It is anticipated that traffic on surrounding local streets would not be negatively impacted should the overall development proposal be approved. Staff would further note here that the lands are presently zoned under the City's Zoning By-law for future residential purposes and any urban residential development that is proposed on the lands requires a rezoning in order to ensure that the above issues are considered from a good land use planning perspective before development would be permitted to proceed.

With respect to Section 2.3.2, staff notes that the subject lands are within the identified Hanmer Settlement Area, but are located outside of the built boundary as depicted on Schedule 3 – Settlement Area and Built Boundary of the City's Official Plan. Staff notes however that the subject lands immediately abut the built boundary to the west generally at Francis Street, to the east at St. Isidore Street and Collette Street, and to the south on the opposite side of Municipal Road #80. Staff acknowledges that intensification and development within the built boundary is encouraged, however, in these circumstances staff is supportive of the applications given that the lands immediately abuts the built boundary on three sides and are situated within a zone which acknowledges that future urban development will occur through the rezoning and related land use planning process (eg. draft plan of subdivision, site planning, etc). The applications for rezoning and a draft plan of subdivision would not have the effect of expanding urban-related land use designations into an area that is outside of an identified Settlement Area.

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With respect to applicable intensification policies set out under Section 2.3.3 of the Official Plan, staff notes that the subject lands form a vacant and underutilized lot within an existing and identified settlement area where all forms of intensification are encouraged. Staff advises that the overall development proposal would facilitate the establishment of a broader range of residential housing options and possibilities for intensification along Municipal Road #80 in the community of Hanmer and is to be encouraged. While the aim to accommodate 20% of future residential growth and development through intensification within the built boundary remains, staff is mindful of the opportunity to facilitate the completion of this particular urban residential community including the provision of residential intensification along Municipal Road #80.

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 satisfied that the southerly portions of the lands that are to include urban residential land uses are suitable in terms of the size and shape of the block of land, as well as soil conditions, topography and drainage. Staff notes that appropriate and standard draft approval conditions are recommended as it relates to soil conditions, topography and drainage, which will serve to ensure that these lands within the proposed draft plan of subdivision are developed comprehensively with the above matters in mind. It is further noted that site plan control will be applicable to the development of the most southerly portion given the medium density residential land uses that would now be permitted along Municipal Road #80;
2. Staff is satisfied that the transitioning from a medium density residential development fronting Municipal Road #80 toward the existing and predominantly lower density urban residential area to the north is appropriate and good land use planning. The request is not viewed as being excessive or otherwise damaging from a land use planning perspective to the overall planned character of the area;
3. Development Engineering has noted that municipal water and sanitary sewer infrastructure is available in the general area and that the servicing of the lands will be facilitated through both the subdivision planning and site planning process. No concerns were raised in the review of the applications with respect to servicing should the overall development proposal be approved;
4. Staff advises that both the subdivision process for the proposed eight single-detached dwelling lots to the west of St. Isidore Street and the site planning process for the proposed medium density residential block will be utilized to ensure that the provision of appropriate on-site landscaping, fencing, planting and other measures is achieved. Staff is satisfied good land use planning tools will therefore be used to lessen any impacts that the anticipated future development on the subject lands would have on the general area;
5. Staff also has no concerns with respect to the capabilities of both the subdivision and site planning process to address matters such as the provision of adequate ingress/egress, off street parking and loading facilities, and safe and convenient vehicular circulation once any form or type of development proceeds on the lands subject to these applications;
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 did circulate to Transit Services and no concerns were identified with respect to the proposed rezoning and draft plan of subdivision application. Staff can advise however that both active transportation options and access to public transit are available in the general area;

8. Staff is satisfied that no sun-shadowing and wind impacts are of concern at this moment. These are matters typically addressed during the site planning process should sun-shadowing and wind impacts be of concern when specific built-forms have been identified. The City's pre-consultation process would be applicable and the Sudbury Planning Application Review Team (SPART) would analyze the need for this requirement at the point when site planning for the proposed medium density residential development progresses and is further contemplated by the owners;
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 (eg. Section 19.7 – Comprehensive Planned Units Development policies in the City's Official Plan); and,
12. Staff is satisfied that the development proposal collectively represents a reasonable and balanced approach to achieving residential intensification in this particular area that would balance the concerns of the existing residential community with the need to provide opportunities for residential intensification. The increase in density along Municipal Road #80 is not anticipated to have any negative impacts on the surrounding area or the overall development proposal for the lands once it proceeds. The urban residential built-form would transition from medium density along Municipal Road #80 to a lower density and built-form to the north where existing low density urban residential development already exists.

With respect to those housing policies set out in Section 17.2.1, staff is of the opinion that the overall development proposal represents an opportunity to widen the range of housing types and built-forms suitable to meet the housing needs of current and future residents that require housing in Hanmer. Both the low and medium density residential blocks of land would provide opportunity for the production of smaller residential dwelling units that would positively contribute to the providing of appropriate housing for the increasing number of smaller households. In particular, the medium density residential development proposed along Municipal Road #80 would also be an attractive housing option for senior citizens seeking to live in the community of Hanmer.

Based on the above comments, staff is therefore of the opinion that the proposed rezoning and draft plan of subdivision as an overall development proposal conforms to the Official Plan for the City of Greater Sudbury.

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

1. The portion of the subject lands that are proposed to be rezoned to "RU" would facilitate a lot addition with a rural property to the north legally described as PIN 73503-1636, known municipally as 177 Gravel Drive. These lands measure 201 m (659.45 ft) by 105 m (344.39 ft) and are depicted as having a lot area of approximately 2.83 ha (6.99 acres). Staff has no concerns with the proposed zone classification, but would advise the owners that a future consent application will be required in order to legally facilitate the transfer of these lands;

2. The lands proposed to be rezoned to "FD(S)" would permit one single-detached dwelling whereas at present the permission for a single-detached dwelling only pertains to a legally existing lot. The subject lands would be rezoned to permit a mix of residential land uses and the proposed draft plan of subdivision would alter the existing lot fabric thereby removing the legally existing lot status. The owners have however expressed interest in developing a single-detached dwelling on the future development block of land that would remain. Staff is supportive of the "FD(S)" request provided that sufficient protection is afforded to the future development potential of this remaining block of land. Staff is therefore recommending that the resulting "FD(S)" Zone permit the construction of one single-detached dwelling in a location that does not compromise future development potential and further that site plan control be applied to the development of said one single-detached dwelling;
3. Staff has reviewed the draft plan of subdivision that was submitted by the owners and note that each of the proposed eight low density urban residential lots would appear to comply with the minimum lot area, minimum lot frontage and minimum lot depth requirements of the "R1-5" Zone that is being proposed. It is also noted that no site-specific relief was requested by the owners. Staff has no concerns therefore with the requested "R1-5" zone classification;
4. Staff has no concerns with the standard "R3" Zone being applied to the southerly portion of the subject lands that have frontage on Municipal Road #80. Staff is of the opinion that the lands are of sufficient size that no site-specific relief from the development standards of the "R3" Zone are warranted at this time; and,
5. Staff notes that the owner must provide the Development Approvals Section with a registered survey plan that legally describes the parts of the lands that are to be rezoned (ie. RU, FD(S), R1-5 and R3). It is noted that an amending zoning by-law cannot be enacted by Council until such time as said registered survey plan is provided by the owner to the Development Approvals Section.

With respect to the proposed draft plan of subdivision, staff has the following comments:

1. As noted previously, the proposed eight single-detached dwelling lots would each appear to comply with the minimum lot area, minimum lot frontage and minimum lot depth requirements of the "R1-5" Zone;
2. Staff notes that the draft plan of subdivision is configured in a manner that is appropriate from the perspective of extending St. Isidore Street in a westerly directly to facilitate urban residential development, while at the same time protecting for and providing a temporary turnaround to the north whereby urban residential development could continue to progress at some point in the future;
3. Staff advises that the City's standard draft approval conditions have been incorporated into the Resolution section of this report. In addition, the following observations are provided for clarification purposes with respect to the recommended draft plan conditions:
 - a. The request from Bell Canada to secure easements across the frontages of the proposed lots is addressed in recommended Conditions #8 and #9;
 - b. Building Services request to address soils conditions and the need for standard geotechnical work on the subject lands is addressed in recommended Condition #7;
 - c. Those comments provided Development Engineering and the City's Drainage Section with respect to servicing the proposed draft plan of subdivision are provided for in the City's standard draft approval conditions; and,
 - d. No further site-specific draft plan approval conditions were requested by any of the circulated agencies and departments.

Title: Normand and Ronald Thibert

Date: August 19, 2020

CONCLUSION:

Staff has reviewed the development proposal and is satisfied that it conforms to 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 Zoning By-law Amendment and Draft Plan of Subdivision:

- That the amending zoning by-law contain the following site-specific provisions:
 - a. That a northerly portion of the lands having a dimension of 201 m (659.45 ft) by 105 m (344.39 ft) and a lot area of approximately 2.83 ha (6.99 acres) be zoned "RU" in order to facilitate a lot addition with those lands to the north described as being PIN 73503-1636, known municipally as 177 Gravel Drive
 - b. That the only permitted use on the lands to be rezoned "FD(S)" be that of one single-detached dwelling and that site plan control be applicable to the lands in order to ensure that the development of a single-detached dwelling on the lands not compromise future urban residential development;
 - c. That the lands intended to be situated within the proposed draft plan of subdivision be zoned "R1-5" and that no site-specific relief be provided; and,
 - d. That the lands to the south of the proposed draft plan of subdivision and having frontage on Municipal Road #80 be zoned "R3" and that no site-specific relief be provided.

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