

Title: 1679592 Ontario Inc.

Date: December 8, 2017

STAFF REPORT

Applicant:

1679592 Ontario Inc.

Location:

PINs 02123-0272 & 02123-0273, Parcels 34030 & 12066, Parts 1 to 3, Plan 53R-16350, Parts 1 & 3, Plan 53R-4474 and Part 1, Plan 53R-6951, Lot 3, Concession 5, Township of McKim (761 & 771 Lasalle Boulevard, Sudbury)

Site Description & Surrounding Land Uses:

The subject lands are located on the south side of Lasalle Boulevard between Adanac Gardens to the west and Montrose Avenue to the east in the community of New Sudbury. The lands have a total lot area of approximately 0.53 ha (1.31 acres) with approximately 38.44 m (126.12 ft) of frontage onto Lasalle Boulevard. The westerly portion of the lands contains an existing medical office with a parking area in front of the building. The owner intends to remove the existing residential dwelling on the easterly portion of the lands in favour of constructing a new one-storey retail store. The existing metal accessory building is proposed to remain on the lands and presently provides personal storage for the owners.

Surrounding uses are generally mixed along the Lasalle Boulevard corridor with a variety of commercial, light industrial, residential and institutional uses. The lands immediately abut a six-storey, multiple residential dwelling to the east and wooded area and rowhouse residential development to the west. Urban residential development in the area is generally a mix of built-forms and densities existing to the north and to the south off of the Lasalle Boulevard corridor. There is a commercial plaza to the immediate north of the lands.

Application:

To amend [By-law 2010-100Z](#) being the Zoning By-law for the City of Greater Sudbury by further changing the zoning classification on a northerly portion of the subject lands from "C3(20)", Limited General Commercial Special and "R3-1", Medium Density Residential to "C3(S)", Limited General Commercial Special.

Proposal:

The application would add a personal service shop as a permitted use on the subject lands. There is a previous conditional rezoning approval from Council (File # 751-6/17-6) applicable to the lands which would continue to permit office uses on a portion of the subject lands and facilitate the expansion and development of an adjacent retail store that would be accessory to the existing medical office use. The request for rezoning pertains to adding a further use in the form of a personal service shop to the conditionally approved retail store use.

Departmental/Agency Circulation:

The Drainage Section, the Nickel District Conservation Authority and Roads, Traffic and Transportation have each advised that they no concerns from respective areas of interest.

Building Services has reiterated their comments from the previous rezoning application in terms of the relief required in the amending zoning by-law once conditions of approval are satisfied.

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Development Engineering have no concerns with the added permitted use of a personal service shop and that detailed comments will be provided further during the site planning process.

Neighbourhood Consultation:

The statutory notice of the public hearing was provided by newspaper along with an initial courtesy mail-out to landowners and tenants within a minimum of 120 m (400 ft) of the subject lands. The owner was advised of the City's policy recommending that applicants consult with their neighbours, ward councilor and key stakeholders to inform area residents of the application prior to the public hearing. The agent for the owner indicated to staff that no public consultation was planned with abutting landowners as the previous rezoning application did so and the current rezoning application is minor in comparison as only a personal service shop is being proposed as a further additional permitted land use. At the time of writing this report, no phone calls and no written submissions with respect to this application have been received by the Planning Services Division.

Planning Considerations:

The subject lands are the subject of previously approved applications for Official Plan Amendment and Zoning By-law Amendment (Files # 701-6/17-3 & 751-6/17-6). At the time of writing this report, both the Official Plan Amendment and amending zoning by-law applicable to the above noted approvals have not been enacted by Council. The rezoning portion of the prior approvals included conditions that the existing site plan control agreement be amended and that all outstanding building permits be finalized and further that any new building permits be applied for to the satisfaction of the Chief Building Official prior to enactment of the amending zoning by-law.

Staff notes that the prior application to rezone the lands did not include a request to permit a personal service shop in addition to a retail store on the easterly portion of the lands being rezoned. The owner's agent was advised of this and subsequently applied to add a personal service shop to the land use permissions that would be applicable to the lands. Staff has reviewed the request to also include a personal service shop as a permitted use in the amending zoning by-law and has no concerns with the request. Staff is recommending that once the amending zoning by-law is passed with respect to the rezoning application that was approved prior that a personal service shop also be included in said amending zoning by-law at that time. Staff further notes and advises the owner that the previous rezoning application that was approved included conditions which remain outstanding and an amending zoning by-law cannot be passed by Council until those conditions are satisfied.

Planning Services and Building Services staff have also noted that the new sketch submitted with the application now depicts a 3.2 m (10.50 ft) driveway aisle width between the existing building and proposed new building whereas the sketch provided with the first rezoning application depicted a 6 m (19.69 ft) two-way driveway aisle width. The reduced driveway aisle width would not sufficiently provide for a two-way driveway aisle to the parking area located in the rear and staff does not support any relief from the Zoning By-law standard requiring a two-way driveway aisle given the commercial nature of the proposed uses and parking layout that is proposed on the lands.

A copy of the [previous report](#) to Planning Committee is available online and also attached to this report for reference purposes, along with a copy of the minutes which outlines the resolution approving the former applications.

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Summary:

Staff has reviewed the development proposal and is satisfied that the further amendment to the Zoning By-law conforms to the [Official Plan](#). The development proposal is also consistent with the land use planning policy directions identified in PPS. Staff continues to have no concerns with the requested zone category and has noted in the previous rezoning report those site-specific provisions which should be included in the amending zoning by-law. This rezoning application should it be approved would add a personal service shop as a permitted use to the previous rezoning approval received from Planning Committee and Council. The Planning Services Division therefore recommends that the additional rezoning application be approved subject to the conditions outlined in the resolution portion of this report.