Sudbury

Presented To:	Planning Committee
Presented:	Monday, Nov 24, 2014
Report Date	Tuesday, Nov 04, 2014
Type:	Public Hearings
File Number:	751-8/14-4

Request for Decision

Application for rezoning in order to facilitate the conversion of a former place of worship building to a single-detached residential dwelling, 10 Mary Avenue, Naughton – Julie Oullette

Signed By

Report Prepared By
Glen Ferguson
Senior Planner
Digitally Signed Nov 4, 14

Reviewed By
Eric Taylor
Manager of Development Approvals
Digitally Signed Nov 4, 14

Recommended by the Division
Mark Simeoni
Acting Director of Planning Services
Digitally Signed Nov 4, 14

Recommended by the Department
Paul Baskcomb
Acting General Manager of Growth & Development
Digitally Signed Nov 4, 14

Recommended by the C.A.O.
Doug Nadorozny
Chief Administrative Officer
Digitally Signed Nov 7, 14

Recommendation

THAT the City of Greater Sudbury approve the application by Julie Ouellette to amend Zoning By-law 2010-100Z by changing the zoning classification from "I", Institutional to "R1-5", Low Density Residential One on those lands described as PIN 73381-0316, Lot 2 & Part of Lot 3, Plan M-427, Parts 1 & 2, Plan 53R-14993, Lot 2, Concession 3, Township of Graham subject to the following conditions:

1. That the owner confirm the location of the existing sanitary sewer connection and enter into an improper servicing agreement if required to the satisfaction of the General Manager of Infrastructure Services prior to the passing of the amending by-law;

2. That the owner provide a Record of Site Condition to the satisfaction of the Chief Building Official prior to the passing of the amending by-law; and,

3. That the amending by-law include a site-specific minimum required rear yard setback to the existing building of 4.5 metres.

STAFF REPORT

Applicant:

Julie Ouellette

Location:

PIN 73381-0316, Lot 2 & Part of Lot 3, Plan M-427, Parts 1 & 2, Plan 53R-14993, Lot 2, Concession 3, Township of Graham (10 Mary Avenue, Naughton)

Application:

To amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury by changing the zoning classification of the subject lands from "I", Institutional to "R1-5", Low Density Residential One.

Proposal:

The application is intended to facilitate the conversion of a former place of worship building to a single-detached residential dwelling.

Official Plan Conformity:

The subject lands are designated Living Area 1 in the Official Plan for the City of Greater of Sudbury. Living Area 1 includes urbanized communities that are fully serviced and are the primary focus of residential development in the City. Low density, medium density and high density residential development is permitted in the Living Area 1 designation subject to densities of 36 units/ha, 90 units/ha and 150 units/ha respectively.

Small scale institutional uses are generally not designated Institutional in the Official Plan but are incorporated within and permitted in the Living Area 1 designation. Rezoning applications related to the conversion of surplus institutional buildings and the rezoning of vacant lands held by institutions shall be considered based on the following criteria:

1. The need for such lands or building for other public uses, and their long-term value to the community;
2. The compatibility of the proposed uses with surrounding land uses and the intent of the policies in the Official Plan with respect to the proposed uses; and,
3. For conversion to residential uses, the appropriateness of the proposed density.

The application conforms to the Official Plan for the City of Greater Sudbury subject to a review of the above noted land use planning considerations.

Site Description & Surrounding Land Uses:

The subject lands are located on the west side of Mary Avenue and to the south of Municipal Road 55 in the community of Naughton. Simon Lake is situated further to the south of the subject lands. The lands have a total lot area of 1,497.27 m^2 (16,117 ft^2) with approximately 48 m (160 ft) of frontage onto Mary Avenue and a lot depth of approximately 30 m (100 ft). The lands presently contain a former place of worship building which the owner has recently purchased and intends to convert into a single-detached residential dwelling. The lands also contain a cleared, gravel surfaced former parking area to the north of the existing building.

Surrounding uses along Mary Avenue are urban residential in nature with the predominant built-form being single-detached dwellings. The Naughton Community Centre is located to the immediate west of the subject lands and is accessed from Municipal Road 55. There is also a more general mix of land uses to the north along Municipal Road 55 including commercial, rural, and open space uses.

Departmental & Agency Comments:

<u>Building Services</u>

Building Services will require a Record of Site Condition as per the Environmental Protection Act, Ontario

Regulation 153/04 for the proposed change of use.

Development Engineering

No objections. The lands are currently serviced with municipal water and sanitary sewer. The sanitary sewer service appears to be located near the southerly property line. The exact location of the sanitary sewer service is to be confirmed to ensure that it does not encroach on the neighbouring property. Should it be found that the service crosses the neighbouring property, an improper servicing agreement will be required.

Drainage

No concerns.

Leisure Services

No comments.

Roads, Traffic and Transportation

No concerns.

Public Consultation:

The owner 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. At the time of writing this report, no phone calls and no written submission objecting to the application have been received by the Planning Services Division.

Planning Considerations:

Provincial Policy Statement

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters are consistent with the Provincial Policy Statement (PPS). The proposed rezoning is consistent with the PPS for the following reasons:

1. Municipalities are required to identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including the availability of existing infrastructure and public service facilities. The Official Plan for the City of Greater Sudbury has identified that opportunities exist to convert and redevelop surplus institutional buildings subject to certain criteria outlined in the Plan. Staff has reviewed these policies and notes that the subject lands would conform with the above noted policies should a residential use be permitted to establish within the former place of worship building; and,
2. Municipalities are generally encouraged to avoid unjustified or uneconomical expansion of infrastructure. Staff notes that the subject development proposal will make use of existing infrastructure and services that are available along Mary Avenue. The existing building is already connected to existing infrastructure and therefore no new infrastructure is required to be constructed in order to service the proposed converted residential dwelling. The development proposal is therefore consistent with PPS policy with respect to avoiding unjustified or uneconomical expansion

of infrastructure.

Official Plan

Staff has reviewed the applicable policies with respect to rezoning surplus institutional lands that are within the Living Area 1 designation. Staff is generally supportive of the development proposal from an Official Plan policy perspective and would note the following:

1. Staff is satisfied there is no identified need for retaining the subject lands or the existing building for other small-scale public uses;
2. The owner is proposing to convert the existing building to a single-detached residential use, which is in keeping with the predominant residential built-form that presently exists along Mary Avenue. Staff is therefore satisfied that the proposed conversion will not present any issues with respect to neighbourhood compatibility should the conversion be approved; and,
3. Staff is satisfied that the proposed conversion is of an appropriate residential density and said density would not be out of character in this particular neighbourhood.

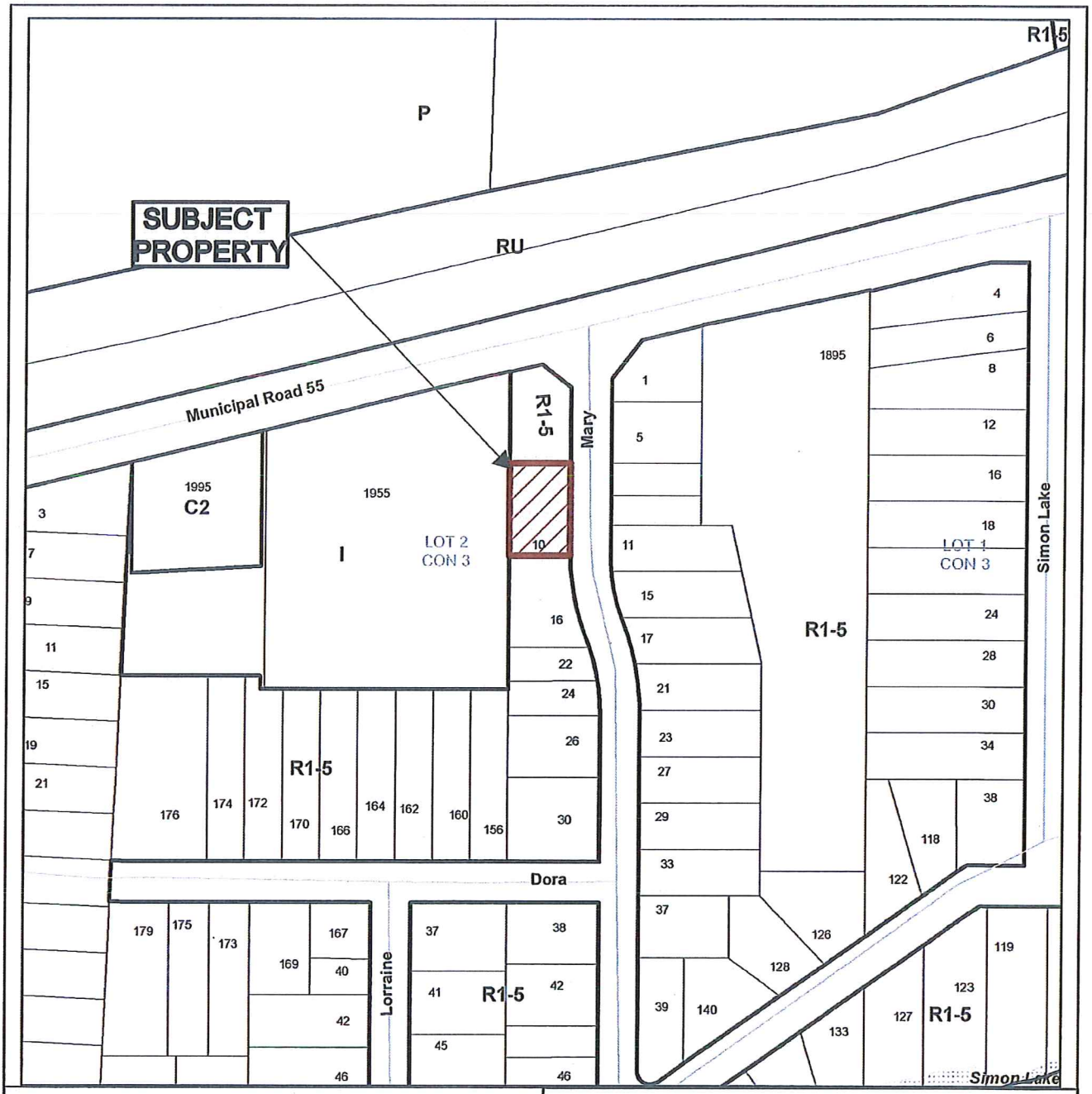
Zoning By-law

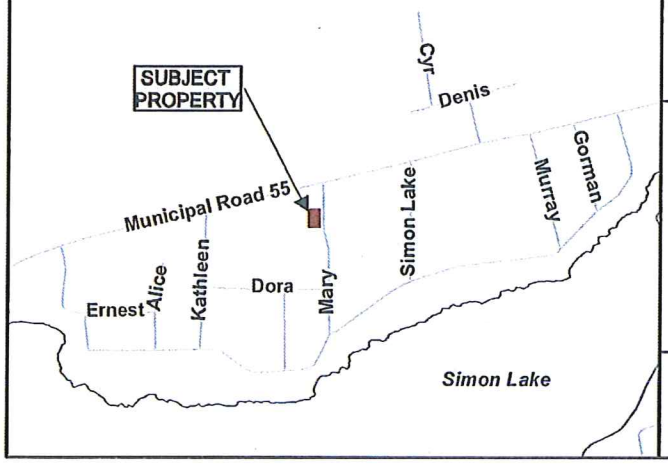
The applicant has requested that the subject lands be rezoned to "R1-5", Low Density Residential One under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. The R1-5 Zone generally requires minimum frontages of 15 m (50 ft) with lot areas of 465 m ^{2} (5,000 ft^2) and lot depths of 30 m (100 ft). Staff has reviewed the submitted sketch and confirms that the existing lot would comply with the development standards noted above. The existing building with a 4.5m setback to the rear lot line does require site-specific relief from the minimum rear yard setback standards of 7.5m in the R1-5 Zone. There is also an existing covered porch providing access to the front of the building. The submitted sketch does not depict a setback dimension to the covered porch.

Table 4.1 of By-law 2010-100Z permits a porch to encroach 2.4 m (7.87 ft) into a required front yard. The porch appears to comply with permitted encroachments into the front yard. The building otherwise appears to comply with yard setback and lot coverage standards. Staff has no concerns with the proposed zone classification and recommends that the amending by-law include site-specific provisions recognizing the location of the existing building.

Summary

Staff has reviewed the development proposal and is satisfied that it conforms to the Official Plan for the City of Greater Sudbury, as well as the PPS. Staff is also satisfied that the development proposal to convert the former place of worship building into a single-detached residential dwelling represents good land use planning. Prior to an amending by-law being passed the owner should provide a Record of Site Condition to Building Services and confirm the location of the existing sanitary sewer connection and enter into an improper servicing agreement if required. The Planning Services Division is therefore recommending that the application to rezone the lands be approved subject to the conditions noted in the recommendation section of this report.





Growth and Development Department

N

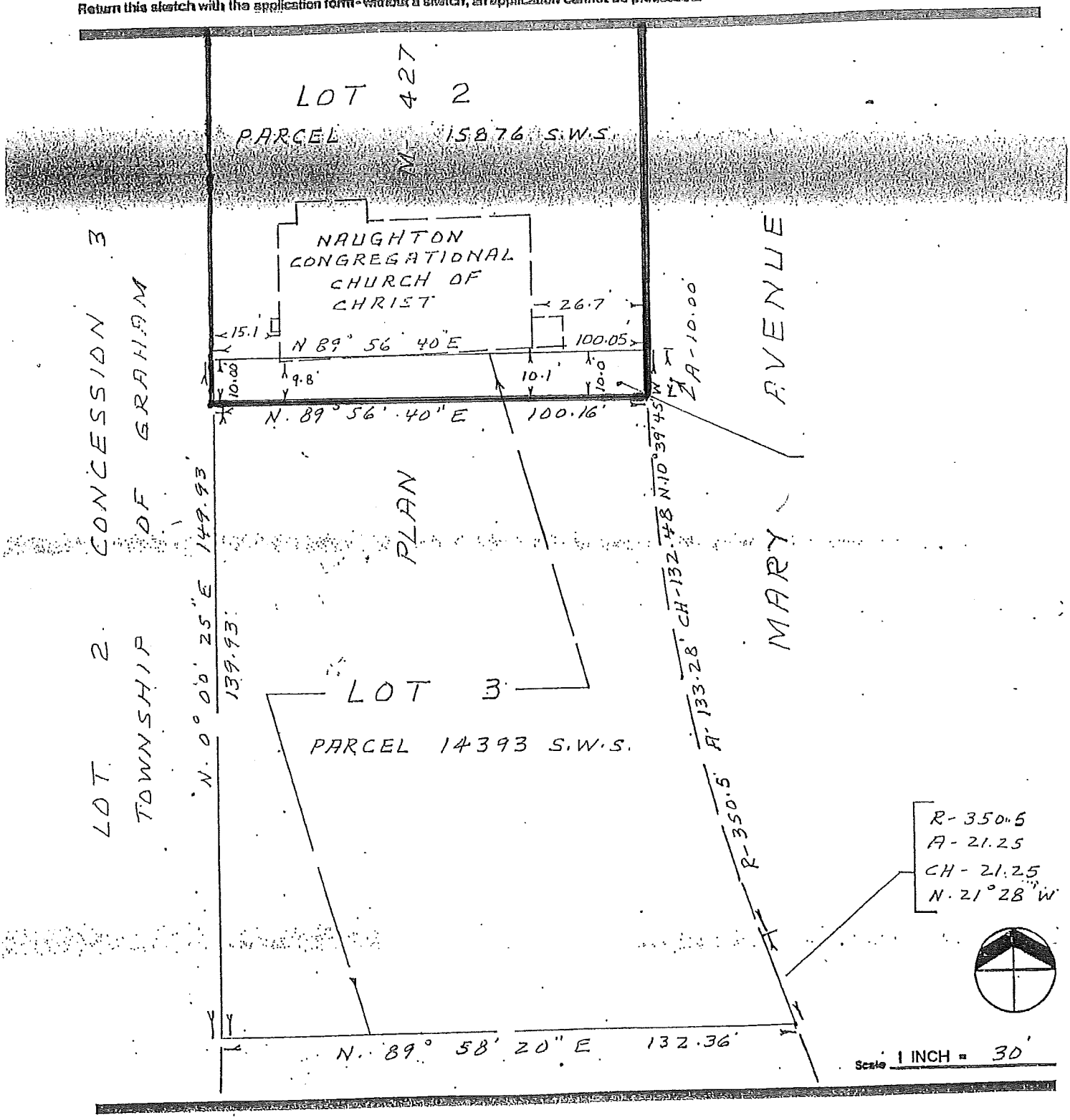
Subject Property being PIN 73381-0316,
Lot 2 & Pt Lot 3, Plan M-427, Parts 1 & 2,
Plan 53R-14993, Lot 2, Con. 3,
Twp. of Graham, 10 Mary Avenue,
Naughton, City of Greater Sudbury

Sketch 1 — 751-8/14-4

NTS — Date: 2014 09 08

Required Sketch

Return this sketch with the application form - without a sketch, an application cannot be processed.



#62

PLAN 53R-14993

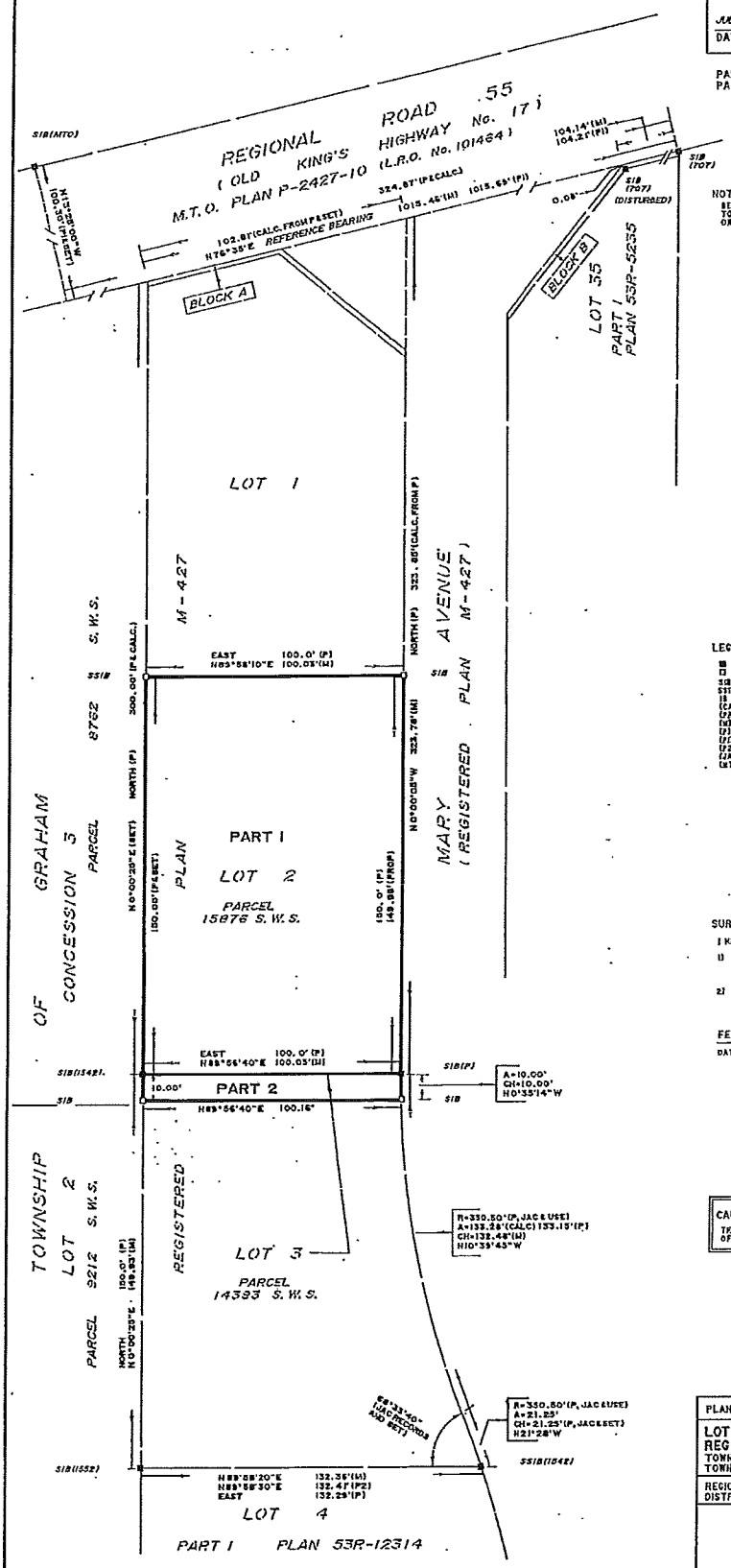
RECEIVED AND DEPOSITED

94-07-08 — Walter Zwerwer
DATE — LAND REGISTRAR FOR THE LAND TITLES DIVISION OF SUDBURY

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

JULY 8, 1994. — R. G. Holder
DATE — ROBERT G. HOLDER, ONTARIO LAND SURVEYOR

PART 1 - ALL OF PARCEL 15876 S.W.S.
PART 2 - PART OF PARCEL 14393 S.W.S.



NOTE
BEARINGS SHOWN HEREON ARE ASTRONOMIC AND ARE REFERRED TO PART OF THE SOUTH LIMIT OF REGIONAL ROAD 55 SHOWN ON M.T.O. PLAN P-2427-10 HAVING A BEARING OF N 76°35' E.

LEGEND

MI	DENOTES MONUMENT FOUND.
□	DENOTES MONUMENT PLANTED.
SIB	DENOTES 1" x 1" x 48" LONG IRON BAR.
SSIB	DENOTES 1" x 1" x 24" LONG IRON BAR.
IB	DENOTES 5/8" x 5/8" x 24" LONG IRON BAR.
(CALC)	DENOTES CALCULATED.
(PROP)	DENOTES PROPORTIONED.
(M)	DENOTES MEASURED.
(P)	DENOTES REGISTERED PLAN M-427.
(P1)	DENOTES PLAN 53R-5235.
(P2)	DENOTES PLAN 53R-12314.
(JAC)	DENOTES J.A. COLE, SURVEYING LTD.
(MTO)	DENOTES MINISTRY OF TRANSPORTATION, ONTARIO.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY:

1) THAT THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE THEREUNDER.

2) THAT THE SURVEY WAS COMPLETED ON THE 28th. DAY OF JANUARY 1994.

FEBRUARY 9, 1994. — R. G. Holder
DATE — ROBERT G. HOLDER, ONTARIO LAND SURVEYOR

CAUTION
THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT.

PLAN OF SURVEY OF

LOT 2 AND PART OF LOT 3
REGISTERED PLAN M-427
TOWNSHIP OF GRAHAM
TOWN OF WALDEN

REGIONAL MUNICIPALITY OF SUDBURY
DISTRICT OF SUDBURY

Ogilvie Holder Gossling
SURVEYING MAPPING LAND INFORMATION SERVICES
ONTARIO LAND SURVEYORS - CANADA LANDS SURVEYORS
410 FALCONBRIDGE ROAD - SUDBURY, ONTARIO P3A 4S1
TEL. (705) 524-3131
FAX. (705) 524-1542

DATE: 1994.	PL. BY: MRB	REF. No. 211 M-427 GRAHAM
SCALE: 1" = 30'	CHK'D BY: RGH	W.O.No. 94-021



PHOTO 1 EXISTING BUILDING ON THE SUBJECT LANDS LOOKING WEST FROM MARY AVENUE



PHOTO 2 EXISTING PARKING AREA TO THE NORTH OF THE EXISTING BUILDING LOOKING WEST FROM MARY AVENUE

751-8/14-4 PHOTOGRAPHY OCT 29, 2014



PHOTO 3 REAR YARD OF THE SUBJECT LANDS LOOKING EAST TOWARD MARY AVENUE



PHOTO 4 EXISTING SINGLE DETACHED DWELLING TO THE IMMEDIATE NORTH OF THE SUBJECT LANDS LOOKING NORTH TOWARD MUNICIPAL ROAD 55

751-8/14-4 PHOTOGRAPHY OCT 29, 2014



PHOTO 5 EXISTING SINGLE DETACHED DWELLING TO THE IMMEDIATE NORTH OF THE SUBJECT LANDS LOOKING SOUTH ALONG MARY AVENUE



PHOTO 6 NAUGHTON COMMUNITY CENTRE LOCATED TO THE IMMEDIATE WEST OF THE SUBJECT LANDS VIEWED FROM MARY AVENUE

751-8/14-4 PHOTOGRAPHY OCT 29, 2014