

Request for Decision

1973696 Ontario Ltd - Application for rezoning in order to permit "M1-1", Business Industrial uses on vacant lands designated Mixed Use Commercial, Cambrian Heights Drive, Sudbury

Presented To:	Planning Committee
Presented:	Wednesday, Feb 19, 2020
Report Date	Thursday, Jan 23, 2020
Type:	Public Hearings
File Number:	751-6/19-17

Resolution

THAT the City of Greater Sudbury approves the application by 1973696 Ontario Ltd to amend Zoning By-law 2010-100Z by changing the zoning classification from "R3", Medium Density Residential to "M1-1", Business Industrial on lands described as PINs 02127-0146, 02127-0219 & 02127-0221, Parcels 48238 & 48257 S.E.S., Part 2, Plan 53R-6294, Part 5, Plan 53R-11457, Parts 2 & 3, Plan 53R-13402, Block B, Plan M-930 in Lot 5, Concession 5, Township of McKim, as outlined in the report entitled "1973696 Ontario Ltd", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on February 19, 2020.

Relationship to the Strategic Plan / Health Impact Assessment

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding. The application contributes towards the goals and objectives of the 2019-2027 City of Greater Sudbury Strategic Plan by supporting business attraction, development and retention.

Report Summary

An application for rezoning has been submitted in order to permit "M1-1", Business Industrial uses on vacant lands designated Mixed Use Commercial on Cambrian Heights Drive. The applicant has provided a concept plan illustrating how a multi-unit business industrial building could be accommodated on the site.

The application is recommended for approval based on conformity with Official Plan policies and consistency with the Provincial Policy Statement, including the centralized location, adequacy of services, transportation linkages, suitability of the site, and appropriate buffering with sensitive land uses.

Signed By

Report Prepared By

Mauro Manzon
Senior Planner
Digitally Signed Jan 23, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Jan 23, 20

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed Jan 24, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Jan 31, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Feb 2, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Feb 5, 20

Financial Implications

Based on the information available, staff is unable to determine the implications for property taxes or development charges for the rezoning of this land.

Title: 1973696 Ontario Ltd.

Date: January 22, 2020

STAFF REPORT

PROPOSAL:

An application for rezoning has been submitted in order to permit "M1-1", Business Industrial uses on vacant lands designated Mixed Use Commercial on Cambrian Heights Drive.

Existing Zoning: "R3", Medium Density Residential

The existing R3 zoning permits a range of residential uses, including singles, semis, duplexes, row dwellings, street townhouses and multiple dwellings. Medium density uses are permitted to a maximum residential density of 90 units per hectare.

Requested Zoning: "M1-1", Business Industrial

M1-1 zoning permits a broad range of uses that are mainly focused on light industrial/service commercial uses. Business, professional and medical office uses and places of worship are also permitted. Accessory outdoor storage of goods and materials is not permitted in M1-1 zones.

Location and Site Description:

PINs 02127-0146, 02127-0219 & 02127-0221, Parcels 48238 & 48257 S.E.S., Part 2, Plan 53R-6294, Part 5, Plan 53R-11457, Parts 2 & 3, Plan 53R-13402, Block B, Plan M-930 in Lot 5, Concession 5, Township of McKim (Cambrian Heights Drive, Sudbury)

The subject lands comprise three (3) vacant parcels under the same ownership on the north side of Cambrian Heights Drive. Total area of all three properties combined is 1.68 ha, with 122 metres of frontage and an approximate depth of 154 metres. The site is not impacted by hazard lands (flood plain) located further to the east.

The area is fully serviced by municipal water and sanitary sewer. Cambrian Heights Drive is designated as a Collector Road and is constructed to an urban standard with a sidewalk on the north side. Public transit is available on Cambrian Heights Drive (Route 24).

Vacant lands abutting to the west and north are owned by Collège Boréal and are zoned "OSP", Open Space Private and "R3-1.D50", Medium Density Residential. Business industrial uses are located further to the east, including an abutting warehouse use (945 Cambrian Heights Drive). A medium density residential use in the form of a row dwelling complex is situated to the southwest (Ashwood Co-operative Homes – 905 Cambrian Heights Drive).

Land opposite the subject property is zoned M1-1 and has also been developed for warehousing (922-928 Cambrian Heights Drive). An institutional use in the form of a place of worship is located further to the southwest (900 Cambrian Heights Drive).

Surrounding Land Uses:

The area surrounding the site includes:

North: vacant open space lands

East: warehousing use

South: warehousing use

West: co-operative housing complex

Title: 1973696 Ontario Ltd.

Date: January 22, 2020

Related Applications:

Since 2013, there have been several applications for the subject lands as follows:

751-6/13-044: rezone the entire property to “M1-1(15)”, Business Industrial Special in order to permit a contractor’s yard on the easterly portion and an institutional use on the westerly portion;

701-6/13-007: concurrent Official Plan amendment to change the land use designation on a portion of the westerly lands from Living Area 1 to Mixed Use Commercial; and,

751-6/16-023: rezone the entire property to “R3”, Medium Density Residential in order to permit a 30-unit row dwelling complex. Subsequent to the rezoning approval, the owner commissioned a Letter of Feasibility, which determined that the row dwelling development is not feasible at this time.

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’s agent advised that a neighbourhood meeting would be conducted prior to the hearing.

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:

- [2014 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:

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.

Section 1.3 of the PPS addresses employment areas and provides policies intended to support a diversified economic base. Planning authorities shall protect employment areas for current and future uses and ensure that the necessary infrastructure supports current and projected needs. The conversion of employment areas to non-employment uses is only permitted through a comprehensive review of the Official Plan. Employment areas in proximity to major goods movement facilities and corridors shall be protected for employment uses requiring such access.

Title: 1973696 Ontario Ltd.

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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.

The GPNO identifies Greater Sudbury as an Economic and Service Hub, which shall accommodate a significant portion of future population and employment growth and allow a diverse mix of land uses.

Official Plan for the City of Greater Sudbury:

The subject land is designated as Mixed Use Commercial in the Official Plan. The following policies under Section 4.3 are applied:

1. All uses permitted by this Plan except Heavy Industrial may be accommodated in the Mixed Use Commercial designation through the rezoning process.
2. In order to minimize the disruption of traffic flow along Arterial Roads and promote better development, small lot rezoning will be discouraged and land assembly for consolidated development will be promoted.
3. Subject to rezoning, new development may be permitted provided that:
 - a. sewer and water capacities are adequate for the site;
 - b. parking can be adequately provided;
 - c. no new access to Arterial Roads will be permitted where reasonable alternate access is available;
 - d. the traffic carrying capacity of the Arterial Road is not significantly affected;
 - e. traffic improvements, such as turning lanes, where required for a new development, will be provided by the proponent;
 - f. landscaping along the entire length of road frontages and buffering between non-residential and residential uses will be provided; and,
 - g. the proposal meets the policies of Sections 11.3.2 (Land use policies to support transit needs) and 11.8 (Accessibility), and Chapter 14.0, Urban Design.

Zoning By-law 2010-100Z:

The concept plan provided by the applicant demonstrates general conformity with M1-1 zoning provisions. No site-specific relief is required.

Site Plan Control:

Development of the site is subject to Site Plan Control, which will be implemented at the building permit stage.

Department/Agency Review:

Building Services identified various zoning and building standards that shall be addressed as part of the Site Plan Control Agreement, including parking requirements, loading areas, planting strips, and fire protection. Drainage Section advised that stormwater management must be handled on-site.

Title: 1973696 Ontario Ltd.

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PLANNING ANALYSIS:

Suitability of site

The applicant has provided a concept plan illustrating how a typical multi-unit business industrial building could be accommodated on the site. The actual configuration may change at the development stage and would be formalized as part of a Site Plan Control Agreement.

For the purposes of the rezoning process, the proponents have demonstrated that the site is suitable for business industrial uses. There is sufficient land to provide for parking and loading areas, while also maintaining appropriate buffers with sensitive land uses. No site-specific relief is required based a review of the concept plan. The site is not located within the designated flood plain to the east and there are no concerns related to hazard lands.

Land use compatibility

Business industrial uses can be introduced on the site while also maintaining compatibility with adjacent residential uses. The housing co-operative to the west does not directly abut the subject land, which is buffered by vacant land owned by Collège Boréal. A minimum five-metre wide planting strip will also be required along the westerly lot line, to be implemented at the site plan stage.

The proposed zoning is consistent with the zoning applied to adjacent properties on Cambrian Heights Drive, and is viewed as a good fit given the mixed use character of the area. The owner is advised that the outdoor storage of goods and materials is not permitted in M1-1 zones.

Transportation linkages

The site is integrated into the City's transportation network, including public transit, active transportation linkages, and access to a major arterial road (Notre Dame Avenue). In regards to pedestrian access, the street is fully urbanized with a sidewalk on the north side. The central location is ideal for a range of potential employment uses, with residential areas within walking distance of the site. The owner is advised that Cambrian Heights Drive is subject to reduced load restrictions in the spring (typically mid-March through mid-May).

Official Plan

The proposal presents general conformity with Official Plan policies applied to new development in Mixed Use Commercial areas based on the following considerations:

- the proposal involves the consolidation of three (3) properties, which is desirable from a land use perspective;
- the area is fully serviced by municipal sewer and water and no servicing constraints have been identified;
- the site has ample area to accommodate parking and loading facilities;
- Cambrian Heights is a Collector Road which provides convenient access to a Primary Arterial Road via a signalized intersection;
- matters related to driveway access including adequate sight lines will be addressed at site plan stage;
- landscaping requirements including planting strips and street trees will be implemented as part of the site plan agreement;
- public transit is directly accessible on Cambrian Heights Drive.

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2014 Provincial Policy Statement

The proposed zoning aligns with the policies applied to employment areas under the PPS. A broad range of employment uses would be permitted under the M1-1 zoning, including all types of office uses. The central location in a fully serviced area is also consistent with PPS policies applied to development within settlement areas. There is no conflict with policies applied to hazard lands, as the designated flood plain is located further to the east in the vicinity of Notre Dame Avenue.

The application is consistent with the 2014 Provincial Policy Statement.

2011 Growth Plan for Northern Ontario (GPNO)

The proposal will enhance Greater Sudbury's function as a service hub, as promoted under the GPNO, by permitting a range of employment uses in a centralized location. The application conforms to the 2011 Growth Plan for Northern Ontario.

CONCLUSION:

Planning Services recommends that the application for rezoning be approved.

Appendix 1

Departmental & Agency Comments

File: 751-6/19-17

RE: Application for Rezoning – 1973696 Ontario Ltd.
PINs 02127-0146, 02127-0219 & 02127-0221, Parcels 48238 & 48257 S.E.S., Part 2,
Plan 53R-6294, Part 5, Plan 53R-11457, Parts 2 & 3, Plan 53R-13402, Block B, Plan M-
930 in Lot 5, Concession 5, Township of McKim (Cambrian Heights Drive, Sudbury)

Development Engineering

This site is currently serviced with municipal water, storm sewer, and sanitary sewer. All associated costs to upgrade the services would be borne entirely by the owner.

We understand that this site will be subject to a Site Plan Control Agreement, and as such we would comment in detail on the servicing and stormwater management of the development at that time. A test manhole will be required to be constructed on the sanitary service to the building.

We have no objection to changing the zoning classification from "R3", Medium Density Residential to "M1-1", Business Industrial.

Traffic and Transportation

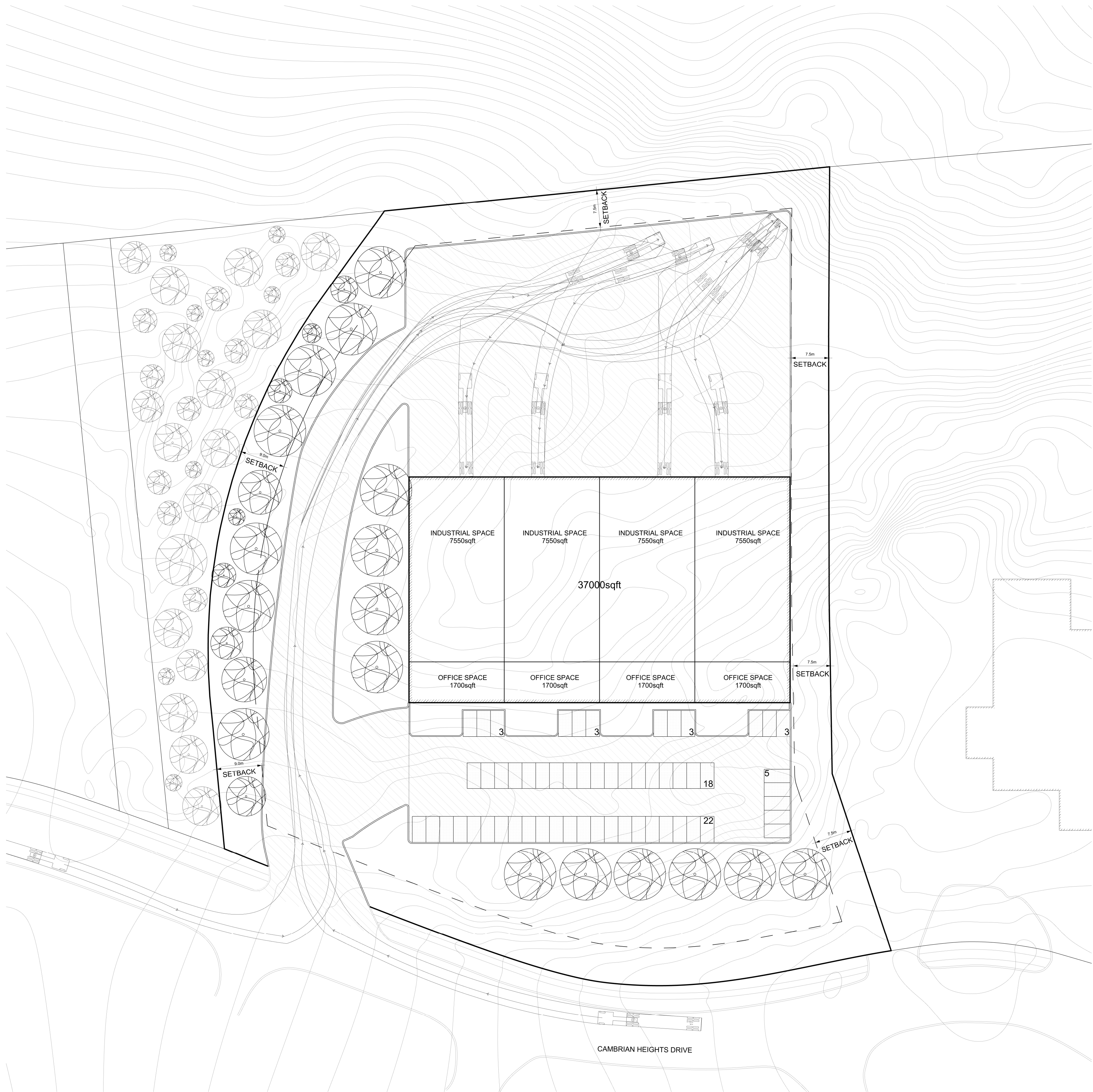
While we have no concerns with the application, it is important to note that Cambrian Heights Drive is not a designated truck route and is subject to reduced load restrictions each spring.

Drainage Section

Drainage Section has no objection to the rezoning of the site. However, based on Staff experience, the area consists of exposed bedrock outcrops. As such, permeable pavement may not function as intended on this lot. All stormwater management works are to be situated on the subject lot with no site stormwater works allowed within the Cambrian Heights Drive right-of-way.

Building Services

- 1) A 5-metre planting strip is required abutting the Residential Zone as per Section 4.15 of Zoning By-law 2010-100Z;
- 2) One (1) loading space is required;
- 3) Two (2) accessible parking spaces are required;
- 4) Four (4) bicycle spaces are required;
- 5) Fire route, fire flows for the building and hydrant location are to be identified and verified.



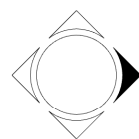
File 751-6/19-17
Rezoning plan

D D O

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Project Cambrian Heights
Client Bloomington Developments

Filename: Stair Set.3dm Plotted: 06/21/2019 1:29:52 PM Plotted by: Jeremy Upward



Title Site Plan

Scale 1" = 40'

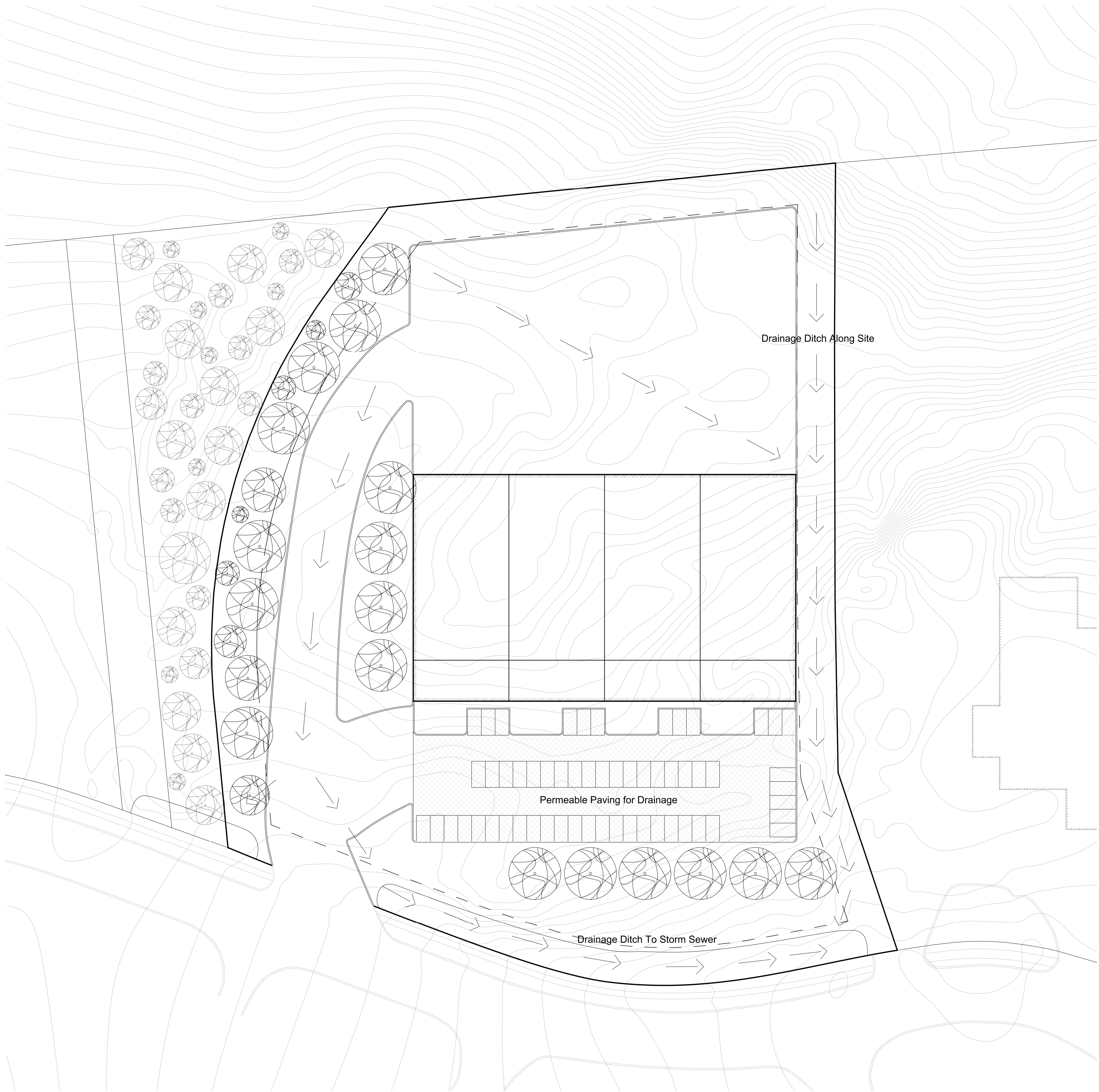
Issue Review

Date 2019.10.2

Revision 1

Sheet No

A001



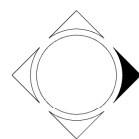
File 751-6/19-17
Drainage plan

D D O

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Project Cambrian Heights
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Filename: Stair.Set3dm Plotted: 06/21/2019 1:29:52 PM Plotted by: Jeremy Upward



Title Site Plan

Issue Review

Scale 1" = 40'

Date 2019.10.2



Revision 1

Sheet No

A002



Legend

- ☐ Parcel Owners
- ☐ Parcel PIN
- Flood Plain
 -  Flood Fringe and Cond. Dev. A-G
 -  Flood Plain, Floodway and Cond. Dev. H
- ☐ Temporary Zoning
- ☐ Zoning

Notes

File 751-6/19-17
Cambrian Heights Drive, Sudbury
2016 Orthophotography

114.7 0 57.33 114.7 Meters

Scale 1: 2,257

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION



PHOTO 1 CAMBRIAN HEIGHTS DRIVE, SUDBURY – VIEW OF SUBJECT LAND FROM STREET LINE



PHOTO 2 945 CAMBRIAN HEIGHTS DRIVE, SUDBURY – BUSINESS INDUSTRIAL USE ABUTTING NORTHEASTERLY

751-6/19-17 PHOTOGRAPHY OCTOBER 21, 2016



PHOTO 3 CAMBRIAN HEIGHTS DRIVE, SUDBURY – VIEW OF SIDE
YARD FROM STREET LINE SHOWING ENCROACHMENT
OF DRIVEWAY



PHOTO 4 922 – 928 CAMBRIAN HEIGHTS DRIVE, SUDBURY
WAREHOUSING USE OPPOSITE SUBJECT LAND

751-6/19-17 PHOTOGRAPHY OCTOBER 21, 2016



PHOTO 5 905 CAMBRIAN HEIGHTS DRIVE, SUDBURY – CO-OP
HOUSING COMPLEX LOCATED SOUTHWEST OF
SUBJECT LAND



PHOTO 6 900 CAMBRIAN HEIGHTS DRIVE, SUDBURY – PLACE
OF WORSHIP LOCATED SOUTH OF SUBJECT LAND ON
OPPOSITE SIDE OF ROAD

751-6/19-17 PHOTOGRAPHY OCTOBER 21, 2016