

**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

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**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.

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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.

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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.