

Request for Decision

Dalron Construction Ltd. – Application for rezoning to permit the development of 40 row dwellings, 870 Auger Avenue, Sudbury

Presented To:	Planning Committee
Presented:	Monday, Nov 20, 2017
Report Date	Friday, Oct 27, 2017
Type:	Public Hearings
File Number:	751-6/17-13

Resolution

THAT the City of Greater Sudbury approves the application by Dalron Construction Ltd. to amend Zoning By-law 2010-100Z by changing the zoning classification from “I”, Institutional to “R3-1(S)”, Medium Density Residential Special on lands described as PIN 73570-0144, Parcel 23846, Block B, Plan M-518, Lot 11, Concession 5, Township of Neelon as outlined in the report entitled "Dalron Construction Limited", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of November 20, 2017, subject to the following condition:

1. That the only permitted use shall be row dwellings having a maximum height of one storey and uses accessory thereto.

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.

Report Summary

The owner has requested to rezone the subject lands from “I”, Institutional to “R3-1”, Medium Density Residential to permit the development of 40 row dwellings at 870 Auger Avenue, Sudbury.

Signed By

Report Prepared By

Alex Singbush
Senior Planner
Digitally Signed Oct 27, 17

Manager Review

Eric Taylor
Manager of Development Approvals
Digitally Signed Oct 27, 17

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed Oct 27, 17

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Oct 27, 17

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Oct 30, 17

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Oct 30, 17

Planning Staff are recommending that the application be approved subject to a condition which would limit the height and built form of the proposed development.

Financial Implications

If approved, staff estimate approximately \$175,000 in taxation revenue for all 40 row/condo dwelling units

based on an estimated assessed value of \$350,000 per unit at the 2017 property tax rates.

In addition, this development would result in total development charges of approximately \$391,000 based on the assumption of number and type of dwelling units and based on the rates in effect as of this report.

Interoffice Correspondence

October 20, 2017

File: 751-6/17-13

TO: Planning Committee

FROM: J. Ferrigan

RE: Application for Rezoning – Dalron Construction Limited
PIN 73570-0144, Parcel 23846, Block B, Plan M-518, Lot 11, Concession 5,
Township of Neelon (870 Auger Avenue, Sudbury)

The request to rezone the subject lands located at 870 Auger Avenue, Sudbury from “I”, Institutional to “R3-1”, Medium Density Residential to permit the development of 40 row dwellings was considered by Planning Committee on September 25, 2017. The Committee moved to defer the public hearing to a Planning Committee meeting at a later date in order to continue the public hearing with a revised conceptual design from the developer.

Dalron Construction Limited has provided the attached memorandum dated October 2, 2017 prepared by Tranplan Associates with respect to traffic generated by the previous elementary school use and the proposed 40 row dwellings. The memorandum concludes that both the morning and afternoon peak hour traffic volumes generated by the previous school and day care uses were in excess of that which would be generated by the proposed 40 unit residential development. City staff (Planning and Roads & Transportation) have reviewed the memorandum and have no concerns with respect to the conclusion presented.

The applicant has advised that no changes to the conceptual design of the project are proposed.

As was indicated in the presentation to Planning Committee on September 25, 2017, staff was under the impression that this was going to be a single storey row dwelling development. However, subsequent to the report being finalized, staff was advised by the applicant that they were also proposing to have "bungalofs", which according the Zoning By-law have a second storey. The abutting residential properties on Hawthorne Drive, Courtland Drive, and Auger Avenue are zoned “R1-5”, Low Density Residential One, a zone which permits a maximum height of 11 m. Staff does not have any concerns with allowing this development to be the maximum height of the “R3-1”, Medium Density Residential Zone which would allow row dwellings to a maximum height of 11 m, matching the maximum height allowed for the abutting residential development. If Planning Committee concurs, then Condition 1 should be modified to state: “1. That the only permitted use shall be row dwellings and uses accessory thereto.”

AS/ba

Jason Ferrigan, MCIP, RPP
Director of Planning Services

cc: J. Rocca
S. Holmes
E. Taylor
R. Webb

Title: Dalron Construction Ltd., 870 Auger Avenue

Date: August 24, 2017

STAFF REPORT

Applicant:

Dalron Construction Ltd.

Location:

PIN 73570-0144, Parcel 23846, Block B, Plan M-518, Lot 11, Concession 5, Township of Neelon (870 Auger Avenue, Sudbury)

Site Description and Surrounding Land Uses:

The subject property is located on the east side of Auger Avenue, south of Hawthorne Drive in Sudbury. The lands are serviced with public water and sanitary sewer.

The site is occupied by a single storey building that served as the former St. Bernadette's Catholic Elementary School, built in 1957 and closed in June 2015. Total site area is 1.82 ha (4.5 ac.) with 76.46 m (250.86 ft.) of frontage on Auger Avenue. The driveway entrances and parking areas are surfaced with asphalt and gravel. The site presents a mix of treed and open areas, rising to the east from Auger Avenue towards a playing field that is partially overgrown and the abutting city owned park property. A pedestrian connection to the park from Hawthorne Drive crosses the north east corner of the subject lands. An aerial photo is also attached to this report.

The surrounding land uses are predominantly single detached dwellings zoned "R1-5", Low Density Residential One with frontage on Auger Avenue, Hawthorne Drive, and Courtland Drive.

The Official Plan classifies Auger Avenue, between Falconbridge Road and Lasalle Boulevard, and Hawthorne Drive, between Auger Avenue and Barry Downe Road, as collector streets. At this location Auger Avenue is served by public transit including Route 002, Second Avenue/Shopping Centre, Route 141-142, Westmount/Shopping Centre, and Route 241, Howey/Moonlight/Shopping Centre.

Official Plan and Zoning By-law:

Official Plan

The subject property is designated as Living Area 1 in the [Official Plan](#). The Living Area 1 designation includes urbanized communities that are fully serviced and are to be the primary focus of residential development in the City. Section 3.2 Living Area Designations, states:

2. Medium density housing is permitted in all Living Area 1 designations where full municipal services are available. High density housing is only permitted in the community of Sudbury.
3. New residential development must be compatible with the existing physical character and size of established neighbourhoods, with consideration given to the size and configuration of lots, predominant built form, building setbacks, building heights and other provisions applied to nearby properties under the Zoning By-law."

Section 3.2.1 of the Official Plan outlines policies for considering applications to rezone lands situated within the Living Area 1 designation. These considerations include the following:

- “1. Low density development permits single detached dwellings, semi-detached dwellings and duplexes to a maximum net density of 36 units per hectare. In order to maintain existing neighbourhood character, the Zoning By-law may establish lower densities in certain areas of the City.
2. In medium density developments, all low density housing forms are permitted, as well as townhouses and small apartment buildings no more than five storeys in height to a maximum net density of 90 units per hectare.
4. Medium and high density housing should be located on sites in close proximity to Arterial Roads, public transit, main employment and commercial areas, open space areas, and community/recreational services.
5. Medium and high density housing is to be located in areas with adequate servicing capacity and a road system that can accommodate growth. Sites should be of a suitable size to provide adequate landscaping and amenity features.
6. In considering applications to rezone land in Living Area 1, Council will ensure among other matters that:
 - a. The site is suitable in terms of size and shape to accommodate the proposed density and building 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.”

As detailed in the Planning Considerations section of this report, the application is considered to conform to the policies in Sections 3.2 and 3.2.1 of the Official Plan respecting medium density developments.

Zoning By-law

The subject lands are currently zoned “I”, Institutional which permits a variety of institutional, public and related uses. Multiple family developments are not a permitted in the Institutional zone and, as such, the applicant has requested a rezoning to “R3-1”, Medium Density Residential to permit the proposed use.

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 “R3-1”, Medium Density Residential to permit the development of 40 row dwellings.

Title: Dalron Construction Ltd., 870 Auger Avenue

Date: August 24, 2017

Proposal:

The application proposes rezone the property to permit the development of 40 single storey row dwellings. The existing former elementary school building is proposed to be demolished to permit the redevelopment of the lands.

Departmental/Agency Circulation:

Development Engineering has advised that the site is currently serviced with municipal water and sanitary sewer; however those services to the lot may require upgrading to support the proposed development. Roads and Transportation Services have advised that there is sufficient capacity within the adjacent road network to support the proposed redevelopment of these lands. Building Services provided comments with respect to zoning by-law standards. Detailed comments have been attached to this report in Appendix 1.

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 240 metres of the property. 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 five (5) letters, one petition, seven (7) telephone inquiries and one attendee at the Planning Services counter have expressed concerns with respect to the proposed redevelopment of the property. The letters and petition are attached to this report. Concerns include traffic, ownership versus rentals, compatibility with the existing neighbourhood, and the potential of low income housing.

Planning Considerations:

Provincial Policy Statement, 2014

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 [Provincial Policy Statement](#) for the following reasons:

1. Municipalities are to promote 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. Staff is satisfied that the subject medium density residential buildings make efficient use of an urban parcel of land and is appropriate within the context area which is served by public transit. Further, there is infrastructure available to service the subject lands.
2. Municipalities are further encouraged to provide for a range of uses and opportunities for intensification and redevelopment. The proposed row dwellings will positively contribute to ensuring that a continued range of residential housing opportunities in a medium density housing form are available in this part of the City.
3. Municipalities are encouraged to avoid unjustified or uneconomical expansion of infrastructure. The lands are located within a portion of the community that is serviced with both municipal water and sanitary sewer. The cost of any water or sewer upgrades that may be required to support the development will be the responsibility of the owner.

Title: Dalron Construction Ltd., 870 Auger Avenue

Date: August 24, 2017

Suitability of site

The site has ample lot area to accommodate the intended use while respecting the development standards of the R3-1 zone. No minor variances to by-law standards have been proposed. The rezoning sketch indicates that 71 parking spaces will be provided where a minimum of 60 spaces are required, based on a requirement of 1.5 spaces per dwelling unit.

The proposal for the construction of 40 row dwellings, at a density of 21.96 du/ha is within the range of low density development (maximum net density of 36 du/ha) but in a medium density housing form. The Official Plan provides that in medium density developments, all low density housing forms are permitted, as well as townhouses and small apartment buildings no more than five storeys in height to a maximum net density of 90 units per hectare. The proposed development of single storey row dwellings with a density of 21.96 units per hectare complies with the medium density policies

The lands are located on a collector street that is served by three public transit routes and abut City owned parkland to the east.

Land use compatibility

The subject property is located in a developed low density area; residential uses are found to the north, south and east. The maximum building height in the abutting R1-5 zones is 11.0 m; the R3-1 zone similarly limits the height of row dwellings to a maximum height on 11.0 m, but permits multiple dwellings to a height on 19.0 m and 5 storeys. The application proposes the development of single storey row dwellings and staff proposes that the development be limited to the building form and height proposed.

The development will be subject to site plan control and staff anticipates that the developer will be requested to dedicate a small portion of the site to the City to ensure continued access to the city park from Hawthorne Drive through that process.

Traffic impact

Roads and Transportation Services have advised that there is sufficient capacity within the adjacent road network to support the proposed redevelopment of the lands. No concerns related to local traffic impacts have been identified.

Summary:

Planning staff is satisfied that the site is suitable in terms of size and shape to accommodate the proposed density and building form and that the proposal is compatible with the surrounding neighbourhood in terms of scale, massing, height, siting, setbacks and the location of parking and amenity areas. Adequate on-site parking can be provided as indicated on the applicant's sketch. Given the scale of the development, the proposed use will not result in any appreciable impacts on traffic and adjacent properties.

In conclusion, there do not appear to be any adverse impacts that will result from the approval of the application, and it is therefore recommended for approval subject to the condition noted.

Appendix

Departmental & Agency Comments

File: 751-6/17-13

**RE: Application for Rezoning – Dalron Construction Ltd.
PIN 73570-0144, Parcel 23846, Block B, Plan M-518, Lot 11,
Concession 5, Township of Neelon (870 Auger Avenue, Sudbury)**

Building Services

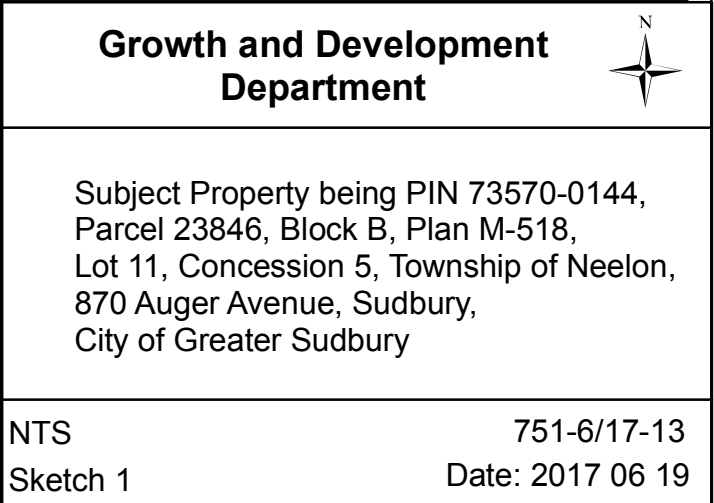
1. Ensure that the proposed row dwellings meet all the zoning setback requirements of Table 6.5 of CGS Zoning By-law 2010-100Z. Specifically provide a 7.5 m privacy yard and a 7.5 m rear yard setback.
2. Ensure that adjacent groups of row dwellings are not in one line at the minimum front yard setback. Provide a 1.5 m minimum difference in setbacks.

Development Engineering

This site is currently serviced with municipal water and sanitary sewer. The current water and sewer services to the lot may require upgrading. Any upgrading of the water and sanitary sewer will be borne by the owner.

Roads and Transportation Services

A preliminary traffic review indicates that approximately 24 more vehicle trips could be generated during the morning peak and 49 trips during the afternoon peak hour from this new proposed development compared to the previous school use. There is sufficient capacity within the adjacent road network to support the proposed re-development of these lands



Auger Ave.



Site Area = 16,155.989m² = 1.6155989 ha
Density Limit = 145
Parking Required = 60 Spaces (1.5/Unit @ 40 Units)
Parking Provided = 71 Spaces

Existing R1

City Parkland

Existing R1



PHOTO 1 SUBJECT LANDS, 870 AUGER AVENUE, VIEWED
LOOKING EAST FROM AUGER AVENUE



PHOTO 2 850 AUGER AVENUE, SOUTH OF THE SUBJECT LANDS,
VIEWED LOOKING EAST FROM AUGER AVENUE

751-6/17-13 PHOTOGRAPHY AUGUST 23, 2017



PHOTO 3 857, 865 AND 871 AUGER AVENUE, WEST OF THE SUBJECT LANDS, VIEWED LOOKING NORTH WEST FROM AUGER AVENUE



PHOTO 4 877 AND 883 AUGER AVENUE, WEST OF THE SUBJECT LANDS, VIEWED LOOKING WEST FROM AUGER AVENUE

751-6/17-13 PHOTOGRAPHY AUGUST 23, 2017



PHOTO 5 890 AUGER AVENUE, NORTH OF THE SUBJECT LANDS,
VIEWED LOOKING EAST FROM AUGER AVENUE



PHOTO 6 PARK ACCESS BETWEEN 1833 AND 1843 HAWTHORNE
DRIVE, VIEWED LOOKING SOUTH FROM HAWTHORNE DRIVE

751-6/17-13 PHOTOGRAPHY AUGUST 23, 2017

File: 751-6/17-13
Auger Avenue,
Sudbury
2009 Orthophotography

VELRAY COURT

Subject Property

CLAUDIA COURT

HAWTHORNE DRIVE

AUGER AVENUE

COURTLAND DRIVE

HUNTINGTON DRIVE

50 75 100
Metres



From:

To: "eric.taylor@greatersudbury.ca" <eric.taylor@greatersudbury.ca>

Date: 7/5/2017 3:14 PM

Subject: File: 751-6/17-13 870 Auger Avenue, Sudbury

The subject property is surrounded by R1-5 zoning and parkland. I would be opposed to having this property rezoned to R3-1 for the purpose of developing 40 row dwellings. This property should only be developed as R1-5 single family homes in order to blend in with the existing neighbourhood. Rob Wylie. 1872 Hawthorne.

763 Auger Avenue
Sudbury, ON
P3A 4A5

751-6117-13

RECEIVED

AUG 08 2017

PLANNING SERVICES

July 30, 2017

ET
ASV ✓

Mr. Eric Taylor
Manager of Development Approvals
Planning Services Division
Box 5000
Station A
Sudbury, ON
P3A 4A5 *5P3*

Dear sir

This letter is with respect to the Dalron proposal to build 40 row dwellings at 870 Auger Avenue.

Just a few months ago, a pizza delivery man at my door commented to me that he could not understand how I could live on such a busy and noisy street as Auger Avenue.

I had to agree with him that Auger Avenue is, indeed, a very busy and very noisy street. If we open the windows at the front of our house, it is difficult to concentrate on watching TV or reading a book.

I am opposed to the Dalron development, and I am opposed to all development which would increase traffic on Auger Avenue.

It is frequently difficult for us to exit our driveway because of the heavy traffic flow. Auger and Gemmell is a dangerous intersection, with the majority of people coming to only rolling stops, and some people not even slowing down to go through this intersection.

Vertical development is the way of the future. Dalron should pursue vertical projects in parts of town where more population is needed, such as in our downtown core.

Sincerely


Richard Mende

751-6/17-13

RECEIVED

ET
ASL

Bonita and Richard Bazinet
851 Auger Ave.
Sudbury, ON P3A 4A5

JUL 18 2017

PLANNING SERVICES

July 6th, 2017

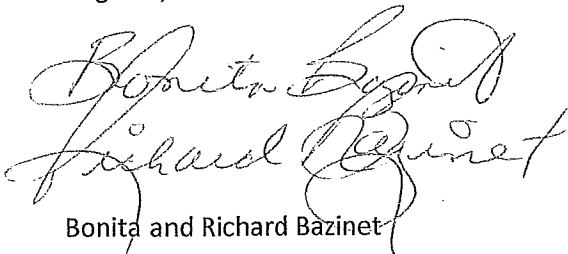
City of Greater Sudbury
Eric Taylor
Manager of Developments Approvals, Planning Services Division
Box 5000, Station A
200 Brady Street
Sudbury, ON P3A 5P3

To Eric Taylor:

This letter is in regards to Dalron Construction Application File: 751-6/17-13 to rezone PIN 73570-0144, Parcel 23846, Block B, Plan M-518, Lot 11, Concession 5.

We strongly oppose this application to build 40 row dwellings on this parcel. This type of development will greatly affect property values downward in an already challenged area plagued with high traffic volumes that Auger Ave. has trouble handling as it is. Not to mention speed and not stopping at stop signs which has been a major problem even when St. Bernadette school was open. This will create unbearable traffic for all property owners that live in the Auger Ave area. We have trouble getting out of our driveways as it is especially in the winter, its almost as if we are targets. To allow this development to proceed would be very unfair to all residence and tax payers of this area and it makes absolutely no sense to anyone other then the developer. We vehemently oppose this application and are prepared to take whatever legal steps available to us if any to stop this application from moving forward.

Regards,



Bonita and Richard Bazinet

RECEIVED

JUL 18 2017

PLANNING SERVICES

751-6117-13

July 13/17 ET
ASV

Mrs Eric Taylor,

I am writing to get more information regarding the Welton home project at 870 Angus Ave Sudbury. I need to know what type of housing they are building also is Welton selling these homes, or are they going to be Rentals? Will there be a meeting to give us more detail regarding this project, that will be behind our back yards. Please let us know.

Thank you

Cécile Desormeaux
1833 Hawthorne Dr
Sudbury Ont
P3A 1A5

RECEIVED

AUG 22 2017

ET ✓
AS ✓

Edward and Georgina Zobetz
787 Auger Avenue
Sudbury, Ontario
P3A 4A5

PLANNING SERVICES

August 22, 2017

City of Greater Sudbury
Eric Taylor
Manager of Development Approvals, Planning Services Division
Box 5000, Station A
200 Brady Street
Sudbury, Ontario P3A 5P3

Dear Mr. Taylor

This letter is in regards to Dalron Construction Application File: 751-6/17-13 to rezone PIN 73570-0144, Parcel 23846, Block B, Plan M-518, Lot 11, Concession 5.

We strongly oppose this application to build 40 row houses on this parcel; however, we are not opposed to the development on this parcel of land. Our three main concerns are as follows:

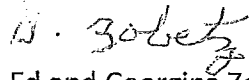
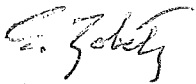
1. That the row houses will not be geared towards social housing tenants and that this fact be included in a signed legal document. Developer's verbal confirmation does not suffice as we have been blindsided a number of times in the past as has the Planning Department.
2. That the number of row houses and preferably detached homes be reduced to a maximum of 24 units as the area is already plagued with exceptionally high traffic thus making the exit out of our driveways onto the road extremely dangerous. I believe the last count on traffic was done in late May 2016 and at that time 6 000 vehicles used Auger Avenue on a daily basis. Not only do we have a high traffic count but we also have a number of drivers committing traffic violations such as speeding and not coming to a complete stop at intersections that have a stop sign. With the introduction of traffic signals at the corner of Auger and Falconbridge highway, the completion of the St. Charles/Holy Trinity schools and with Auger extending south of Falconbridge highway the traffic count today would exceed the figures of May 2016. A traffic count had been done in July 2017 but we believe the results will be misleading as this particular traffic count was completed at a time when school was not in session and when many Sudburians are either at camp/cottage or on holidays. This traffic count was done between Hawthorn and LaSalle and not in the area of the Application File.
3. Since exiting our driveways is both time consuming and extremely dangerous in the winter, the City of Greater Sudbury, must amend its rules regarding snow bank removal

on Auger Avenue to state that when the snow banks on the ends of our driveways exceed three feet in height, the banks would be lowered to three feet or less so as to facilitate the exiting out of our driveways in a safer manner. Auger Avenue is a collector road but the City of Greater Sudbury must also remember that it is also a residential street and the safety of its residents should and must be its primary concern. As a collector road Auger Avenue is plowed much more frequently than side roads with the result that much more snow is being left at the end of our driveways each time that the snowplow goes by our residence. This snow ends up on the sides of our driveways. The high snow banks, often exceeding six feet, make it nearly impossible to exit our driveways safely as we are unable to see the vehicles on the road. Adding 40 new homes to an already busy street is counterproductive to the safety of the residents living on the street.

Attached are the signatures of homeowners who are concerned with the added traffic that would be generated with 40 row houses. Since the City mailed out the Notice of Complete Application at a time when residents are either at their cottages and/or on holidays, it was a daunting task to connect with them. I had only one home owner that was reluctant to sign my petition. All those approached have strongly suggested that the number of units should be greatly reduced as indicated. They are also opposed to subsidized housing as the letter from the City does not clearly indicate otherwise.

Another concern expressed by the home owners on Auger Avenue is the fact they have not all been informed of the Dalron Construction Application File. Initially notices were sent to residences on Auger Avenue up to Hawthorne Avenue. Even after more notices were sent out as a result of my contacting Al Sizer of this, many on Auger still did not receive notices from the City of Greater Sudbury.

Regards,



Ed and Georgina Zobetz
Residents since 1973

Petition to Stop the Rezoning Application

Petition summary and background	This petition is in regards to Dalron Construction Application File:751-6/17-13 to rezone PIN 73570-0144, Parcel 23846, Block B, Plan M-518, Lot 11, Concession 5 to allow construction of 40 row dwellings on Auger Ave.
Action petitioned for	We, the undersigned, are concerned property owners of the area that would be affected by the decrease in our property values because of this type of proposed development that would also create an even more high traffic area on an overbaded artery that is already unsafe.