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| Presented To: | Planning Committee |
| Presented: | Monday, Jul 06, 2015 |
| Report Date | Monday, Jun 22, 2015 |
| Type: | Public Hearings |
| File Number: | 751-6/15-11 |

Request for Decision

900281 Ontario Inc. - Application for rezoning in order to permit an automotive body shop in the C2, General Commercial Zone at 1024 Kingsway, Sudbury

Recommendation

THAT the City of Greater Sudbury approves the application by 900281 Ontario Inc. to amend Zoning By-law 2010-100Z with respect to lands described as PIN 02132-1364, Parcel 46109 S.E.S., Parts 1 - 5, Plan SR-3246, Lot 2, Concession 4, Township of McKim from "C2", General Commercial to "C2(S)", General Commercial subject to the following condition:

1. That in addition to the uses permitted in the C2 Zone an automotive body shop shall also be permitted.

STAFF REPORT

Applicant:

900281 Ontario Inc.

Location:

PIN 02132-1364, Parcel 46109 S.E.S., Parts 1 - 5, Plan SR-3246, Lot 2, Concession 4, Township of McKim, 1024 Kingsway, Sudbury

Application:

To amend Zoning By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury by changing the zoning classification from "C2", General Commercial to "C2(S)", General Commercial Special in order to permit an automotive body shop.

Proposal:

The application proposes to add an automotive body shop to the list of uses permitted on the property. The Imperial Auto Collision Centre, currently located to the west of the subject lands at 1000 Kingsway, is proposing to relocate onto the subject lands.

Site Description & Surrounding Land Uses:

Signed By

Report Prepared By

Alex Singbush
Senior Planner
Digitally Signed Jun 22, 15

Reviewed By

Eric Taylor
Manager of Development Approvals
Digitally Signed Jun 22, 15

Recommended by the Division

Mark Simeoni
Acting Director of Planning Services
Digitally Signed Jun 22, 15

Recommended by the Department

Paul Baskcomb
General Manager of Growth & Development
Digitally Signed Jun 22, 15

Recommended by the C.A.O.

Bob Johnston
Interim Chief Administrative Officer
Digitally Signed Jun 23, 15

The subject lands, developed with buildings associated with the Rock City Auto Salvage Yard, are located on the north side of the Kingsway east of Bancroft Drive. The lands, which have an area of approximately 6.05 hectares (14.96 acres), have 20 m (65 ft.) of frontage on the Kingsway and an irregular depth.

The lands are zoned "C2", General Commercial and are subject to the Source Water Protection Plan, located within the Intake Protection Zone 3 of the Lake Ramsey Issue Contributing Area.

The subject property is in an area where commercial uses front the Kingsway. Lands surrounding the site northern portion of the site are zoned "OSP", Open Space Private while lands surrounding the southern portion of the site are zoned "C2", General Commercial.

Departmental & Agency Comments:

Building

Building Services advises that we have no objections to this application other than the following comment for the applicant's information:

1. Prior to the rezoning being approved, a Section 59 Notice is required as this property is subject to Source Water Protection.

Development Engineering

Development Engineering has reviewed the above noted application. This site is currently serviced with sanitary sewer and municipal water. We have no objection to changing the zoning classification from "C2", General Commercial to "C2(S)", General Commercial Special in order to permit an automotive body shop, provided that the required site plan control agreement include that the Owner install a Precast Test Maintenance Hole (GSSD-1001.030) or Maintenance Access Chamber (GSSD-1001.040) on the sanitary sewer service on the private property side of the property line.

Roads and Transportation Services

No Concerns

Water/Wastewater Services

Significant Threats Activities in Ramsey IPZ 3/ICA, where the subject lands are located, include:

- Waste Disposal Sites
- Septic Systems/Lift stations/Stormwater
- Application of Fertilizer to land
- Transportation of Hazardous Substances
- Application of Road Salt
- Handling and Storage of Road Salt
- Storage of Snow

The subject lands are currently identified as requiring a Risk Management Plan for snow/salt storage due to lot size (asphalt and gravel) and for waste disposal as a scrap salvage yard not addressed with a Provincial Approval.

Public Consultation:

A notice of complete application was mailed to property owners and tenants within the surrounding area on April 29, 2015. 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 which recommends that applicants consult with their

neighbours, ward councillor and key stakeholders to inform area residents on the application. As of the date of this report, no inquiries with respect to the application have been received by the Planning Services Division.

Planning Considerations:

Official Plan Conformity

The subject property is designated "Mixed Use Commercial" in the Official Plan for the City of Greater Sudbury. Section 4.3 Mixed Use Commercial, states:

...It is the intent of this Plan to recognize the development potential of these areas by permitting a balance of mixed uses including commercial, institutional, residential, and parks and open space through the rezoning process.

The application is considered to conform to the policies in Sections 4.3 of the Official Plan.

Land Use

The property is currently zoned "C2", General Commercial which permits a wide range of uses but does not permit an automotive body shop. The application indicates that the current non-conforming salvage and wrecking yard use will be removed from the property. The sketch provided by the applicant indicates that a new 1 650 m² building with accessory parking is proposed to be erected on the property to accommodate the automotive body shop use.

The applicant has submitted a site plan control agreement application to the City for review. Amongst other items, the site plan control agreement will address the provisions of the test maintenance hole requested by Development Engineering as well as snow/salt storage on the lot.

The applicant has not requested relief from the development standards of By-law 2010-100Z and, as such, applications for new construction will be evaluated by Building Services for conformity with the By-law.

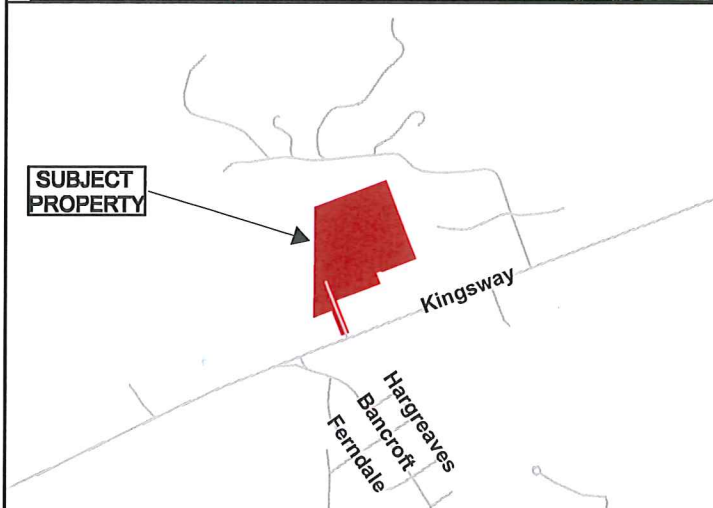
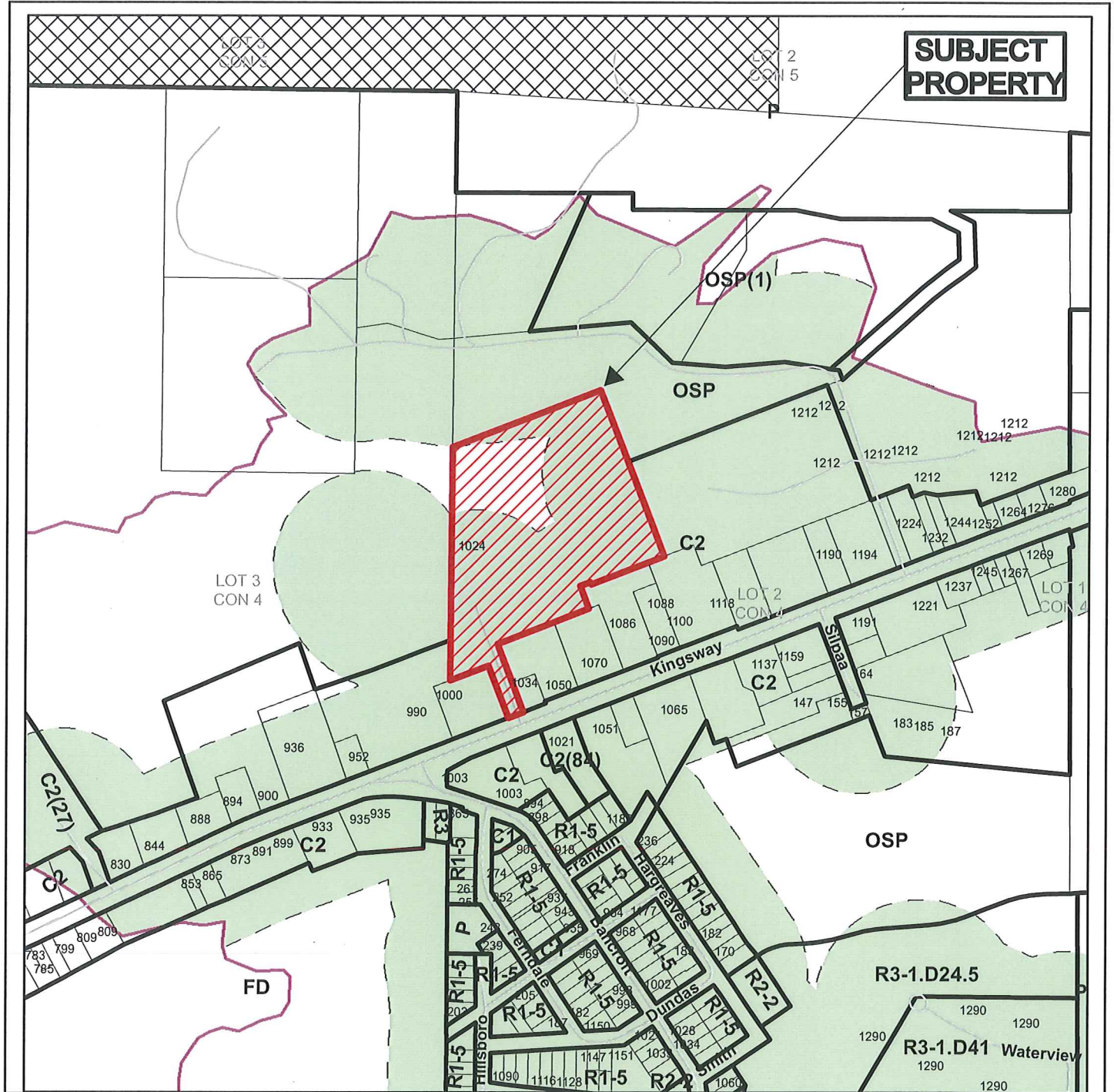
Summary

This application conforms with the Official Plan. The applicant wishes to increase the range of uses permitted on the property to include an automotive body shop by rezoning it to "C2(S)", General Commercial Special. In addition, the non-conforming salvage yard use will be removed from the property.

Planning staff anticipate no adverse impacts and therefore this application is recommended for approval subject to the condition noted.

Source Protection Plan Map

**SUBJECT
PROPERTY**



Growth and Development Department



Subject Property being PIN 02132-1364,
Pcl. 46109 SES, Parts 1 - 5, Plan SR-3246,
Lot 2, Con. 4, Twp. of McKim, 1024 Kingsway,
Sudbury, City of Greater Sudbury

SPP: Ramsey Lake Watershed, IPZ 3
City of Greater Sudbury

Sketch 1
NTS

751-6/15-11
Date: 2015 04 27



PHOTO 1 SUBJECT LANDS, 1024 KINGSWAY, VIEWED LOOKING NORTH FROM THE KINGSWAY



PHOTO 2 SUBJECT LANDS VIEWED LOOKING NORTH FROM GATE



PHOTO 3 1034 KINGSWAY, EAST OF THE SUBJECT LANDS,
VIEWED LOOKING NORTH FROM THE KINGSWAY



PHOTO 4 1015 KINGSWAY, SOUTH OF THE SUBJECT LANDS
VIEWED LOOKING SOUTH FROM THE KINGSWAY

751-6/15-11 PHOTOGRAPHY JUNE 14, 2015



PHOTO 5 1000 KINGSWAY, WEST OF THE SUBJECT LANDS,
VIEWED LOOKING NORTH FROM THE KINGSWAY

751-6/15-11 PHOTOGRAPHY JUNE 14, 2015

File: 751-6/15-11
1024 Kingsway,
Sudbury
2009 Orthophotography

Subject Property



KINGSWAY

