

## Request for Decision

### Dalron Construction Ltd. – Application for Exemption from Part Lot Control, 1305 Holland Road, Sudbury

Presented To:	Planning Committee
Presented:	Monday, Jan 08, 2018
Report Date	Thursday, Dec 14, 2017
Type:	Routine Management Reports
File Number:	PLC2017-01

### Resolution

THAT the City of Greater Sudbury approves the application by Dalron Construction Ltd. to pass a by-law under Section 50(7) of the Planning Act thereby exempting those lands described as PIN 02119-0026, Lots 48, 49, 51, 52, 53 and Lots 58 to 63 and parts of Lot 50 and Arvo Avenue, Registered Plan M-353, Lot 1, Concession 6, Township of McKim, from part lot control for a maximum period of two years, as outlined in the report entitled “Dalron Construction Ltd.” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of January 8, 2018 subject to the following conditions:

1. That prior to the registration of the part lot control by-law on title for Lots 50, 51, 52, 53, 60, 61 and Arvo Avenue, Plan M-353, the owner:

- a) Shall have paid the City the required tree fee for the street frontages on Arvo, Lamothe and Holland Streets;
- b) Shall submit a lot grading plan to the City to the satisfaction of the Director of Planning Services.

2. That prior to the registration of the part lot control by-law on title for Lots 48, 49, 58, 59, 62 and 63, Plan M-353, the owner:

- a) In addition to 1 a) and 1 b) above, the owner shall have entered into a servicing agreement with the City for the servicing of the lots fronting onto Holland Street to the satisfaction of the General Manager of Growth and Infrastructure.

3. Conditional approval shall lapse on January 23, 2020 unless conditions #1 and #2 above have been met or an extension has been granted by Council.

#### Signed By

**Report Prepared By**

Glen Ferguson  
Senior Planner  
*Digitally Signed Dec 14, 17*

**Manager Review**

Eric Taylor  
Manager of Development Approvals  
*Digitally Signed Dec 14, 17*

**Recommended by the Division**

Jason Ferrigan  
Director of Planning Services  
*Digitally Signed Dec 14, 17*

**Financial Implications**

Apryl Lukezic  
Co-ordinator of Budgets  
*Digitally Signed Dec 19, 17*

**Recommended by the Department**

Tony Cecutti  
General Manager of Growth and Infrastructure  
*Digitally Signed Dec 21, 17*

**Recommended by the C.A.O.**

Ed Archer  
Chief Administrative Officer  
*Digitally Signed Dec 21, 17*

### Relationship to the Strategic Plan / Health Impact Assessment

The application to exempt the subject lands from part lot control is an operational matter under the Planning Act to which the City is responding.

## **Report Summary**

This application reviews an application to exempt certain lands within a registered plan of subdivision from the part lot control provisions of the Planning Act for a maximum period of two years. The Planning Services Division is recommending that the application be approved and that a by-law be passed by Council to lift part lot control from the lands for the specified time period.

## **Financial Implications**

From the last report dated November 21, 2016, the development proposal allows for 16 single family detached dwelling lots. The financial implications below have been revised from the November 2016 report to include 16 residential lots, instead of 15 lots.

If approved, staff estimates approximately \$100,000 in taxation revenue, based on the assumption of 16 single family dwellings and based on an estimated assessed value of \$500,000 per dwelling unit at the 2017 property tax rates.

In addition, this would result in total development charges of approximately \$258,000 based on assumption of 16 single family dwellings and based on the rates in effect as of the date of this report.

**Title: Dalron Construction Ltd.**

**Date: November 27, 2017**

## **STAFF REPORT**

### **Applicant:**

Dalron Construction Ltd.

### **Location:**

PIN 02119-0026, Lots 48, 49, 51, 52, 53 and Lots 58 to 63 and parts of Lot 50 and Arvo Avenue, Registered Plan M-353, Lot 1, Concession 6, Township of McKim (1305 Holland Road, Sudbury)

### **Site Description & Surrounding Land Uses:**

The subject lands are located on the west side of Holland Road and to the north of Lamothe Street and to the east of Arvo Avenue in the community of New Sudbury. The lands have a total lot area of 1.23 ha (3.05 acres) with approximately 70.71 m (232 ft) of frontage on Lamothe Street and 283.16 m (929 ft) of frontage on Holland Road. The lands contain a vacant institutional building that was formerly used as an elementary school.

Surrounding uses are primarily urban residential in nature with the predominant built-form being that of single-detached dwellings. There is a more general mix of land uses to the south including both commercial and higher density urban residential uses along the Lasalle Boulevard corridor. There is also a public elementary school located to the south-west which is accessed from Roy Avenue.

### **Application:**

To exempt those lands described as PIN 02119-0026, Lots 48, 49, 51, 52, 53 and Lots 58 to 63 and parts of Lot 50 and Arvo Avenue, Registered Plan M-353, Lot 1, Concession 6, Township of McKim from the part lot control provisions under Section 50(5) of the [Planning Act](#) for a maximum period of two years.

### **Proposal:**

The exemption from part lot control would facilitate a series of lot boundary re-alignments to the underlying registered plan of subdivision resulting in a total of sixteen urban residential lots along with two blocks for the purposes of completing a cul-de-sac at the end of Arvo Avenue and a pedestrian connection eastward to Holland Road.

### **Departmental/Agency Circulation:**

Building Services and Roads and Traffic have each advised that they no concerns from respective areas of interest.

Development Engineering has advised that as part of fulfilling the condition on the related rezoning approval, the owner has entered into an agreement with the City for the servicing of Arvo and Lamothe Streets with water and sewer connections. Prior to the registration of the part lot control by-law on title the owner shall enter into a servicing agreement for the extension of water and sanitary services to the lots on Holland Road and the required road remediation.

The owner shall also make payment to the City the street tree fees based on the User Fee By-law and submit a lot grading plan to the satisfaction of the Director of Planning Services, prior to the registration of the part lot control by-law.

**Title: Dalron Construction Ltd.**

**Date: November 27, 2017**

## **Planning Considerations:**

### Background

Part lot control is established under Section 50(5) of the Planning Act, while Section 50(7) enables a municipality to pass a by-law exempting part lot control from all or part of a registered plan of subdivision. Such a by-law has the effect of allowing the conveyance of a portion of a lot without requiring approval from the City's Consent Official. Staff would also note that if required Section 50(7.4) of the Planning Act would allow for an extension to the two year time period. Plan M-353, which was registered on November 8, 1954.

### Part Lot Control By-law

Staff is recommending that a by-law be passed by Council which removes those lands described as PIN 02119-0026, Lots 48, 49, 51, 52, 53 and Lots 58 to 63 and parts of Lot 50 and Arvo Avenue, Registered Plan M-353, Lot 1, Concession 6, Township of McKim, from the part lot control provisions of the Planning Act for a maximum period of two years. The lifting of part lot control will allow the owner to complete a series of lot boundary re-alignments to the underlying registered plan of subdivision resulting in a total of sixteen urban residential lots along with two blocks for the purposes of completing a cul-de-sac at the end of Arvo Avenue and a pedestrian connection eastward to Holland Road. A copy of both original Plan M-353 and the draft plan depicting the new lotting once part lot control is lifted is attached to this report.

### Related Zoning By-law Amendment

The lands were the subject of a recent application for Zoning By-law Amendment (File # 751-6/16-17), which was approved by Planning Committee on November 21, 2016, and ratified by Council on November 22, 2016.

The approved rezoning would change the zoning classification applicable to the subject lands from "I", Institutional to "R2-2", Low Density Residential Two under [By-law 2010-100Z](#) being the Zoning By-law for the City of Greater Sudbury. The amending zoning by-law has not yet been enacted as conditions relating to the approval have not yet been satisfied. The conditions of the rezoning approval are as follows:

1. That prior to the enactment of the amending by-law the owner shall enter into an agreement with the City of Greater Sudbury agreeing to transfer to the City lands sufficient for cul-de-sacing Arvo Avenue and a 6m wide walkway block between Holland Road and Arvo Avenue along with any required easements and also agree to enter into a future servicing agreement for the construction of Arvo Avenue cul-de-sac and related services to the satisfaction of the General Manager of Infrastructure Services.

And that the servicing agreement shall provide that the owner construct the Arvo Avenue cul-de-sac at a rural standard and no upgrading of the existing portions of Arvo Avenue and Lamothe Streets abutting the subject lands to an urban standard shall be required.

At the time of finalizing this report, the lands required for the cul-de-sac and walkway in condition 1 above had not been transferred to the City. The owner has entered into a servicing agreement for servicing Arvo Avenue.

**Title: Dalron Construction Ltd.**

**Date: November 27, 2017**

Staff advises that the proposed exemption from part lot control would appropriately implement the approved rezoning in terms of facilitating a series of lot boundary re-alignments resulting in urban residential lots that meet the development standards of the "R2-2" Zone. The exemption from part lot control does not remove the above noted conditions that are related to the approved rezoning application and the lands will not formally be rezoned to "R2-2" until such time as the above conditions are satisfied.

The previous [staff report](#) addressing the related application for Zoning By-law Amendment is available online and a copy of the as-approved Planning Committee resolution is attached for reference purposes to this report.

**Summary:**

The Planning Services Division recommends that the application to exempt those lands described as PIN 02119-0026, Lots 48, 49, 51, 52, 53 and Lots 58 to 63 and parts of Lot 50 and Arvo Avenue, Registered Plan M-353, Lot 1, Concession 6, Township of McKim from the part lot control provisions under Section 50(5) of the Planning Act for a maximum period of two years be approved and that a by-law be passed by Council to this effect.

Planning Committee Resolutions



Moved By [Signature]

No. PL2016- 184

Seconded By [Signature]

Date Monday November 21, 2016

THAT the City of Greater Sudbury approves the application by Dalron Construction Ltd. to amend Zoning By-law 2010-100Z to change the zoning classification from "I", Institutional to "R2-2", Low Density Residential on those lands described as PIN 02119-0026, Parts 1 & 2, Plan SR-845, Lots 48 to 63, Plan M-353, Lot 1, Concession 6, Township of McKim, subject to the following condition:

1. That prior to the enactment of the amending by-law the owner shall enter into an agreement with the City of Greater Sudbury agreeing to transfer to the City lands sufficient for cul-de-sacing Arvo Avenue and a 6 m wide walkway block between Holland Road and Arvo Avenue along with any required easements and also agree to enter into a future servicing agreement for the construction of Arvo Avenue cul-de-sac and related services to the satisfaction of the General Manager of Infrastructure Services.

And that the servicing agreement shall provide that the owner construct the Avro Avenue cul-de-sac at a rural standard and no upgrading of the existing portions of Arvo Avenue and Lamothe Streets abutting the subject lands to an urban standard shall be required.

Yea  
Landy Altmann  
Sizer  
Lapierre  
Jakubo  
McIntosh

CARRIED  
Monday, November 21, 2016

[Signature]  
Councillor McIntosh, Chair

*Committee Resolutions are not ratified  
until approved by City Council.*

## Bill 73 Requirements

Regarding Resolution No. PL2016-184

Date November 21, 2016

Public Hearing No. 1.

### Option 1:

- As no public comment, written or oral, has been received, there was no effect on the Planning Committee's decision.

### Option 2:

- Public comment has been received and considered and had no effect on Planning Committee's decision as the application represents good planning.

### Option 3:

- Public comment has been received and considered and has effected Planning Committee's decision in the following manner:

a) Letters asked Arvo be cul de sac'd  
and the committee agreed

b) \_\_\_\_\_

c) \_\_\_\_\_

d) \_\_\_\_\_

e) \_\_\_\_\_



Councillor McIntosh, Chair

PLAN OF SUBDIVISION OF  
PART OF  
WEST HALF OF EAST HALF  
LOT 1 - CONCESSION VI  
TOWNSHIP OF MCKIM  
DISTRICT OF SUBURRY

SCALE: 100 FEET TO AN INCH  
STANDARD IRON BARS SHOWN THUS: 1/16"

SURVEYOR'S CERTIFICATE:

- I, RAYMOND THOMPSON LAINE, AN ONTARIO LAND SURVEYOR, CERTIFY THAT:
- I WAS PRESENT AT AND DID PERSONALLY SUPERINTEND THE SURVEY RECORDED BY THIS PLAN.
  - THIS PLAN ACCURATELY SHOWS THE PLANNED IN WHICH THE LOTS DESCRIBED OR REFERRED TO ARE ON PARCEL NO. 707 PARTING WEST SECTION IN THE DISTRICT OF LAND TOWNSHIP OF SUBURRY, BEING PART OF THE WEST 1/2 OF THE EIGHTH OF LOT 1 CONVEY TO BY 1944.
  - EVERY ANGLE OF THE EXTERIOR BOUNDARY OF THE PLAN IS DEFINED IN THE SURVEY TABLE BY A MONUMENT AND A MONUMENT HAS BEEN PLACED AT EACH ANGLE OF EACH STREET INTERSECTION.
  - I HAVE INDICATED ON THE PLAN THE POSITION AND BEAM OF EACH MONUMENT.
  - THE MONUMENTS CONSIDERED IN ALL RESPECTS TO THE PROVISIONS OF SECTION 13 OF THE SURVEY ACT.
  - THE SURVEY WAS MADE BY ME BETWEEN THE 20<sup>TH</sup> DAY OF SEPTEMBER 1954 AND THE 18<sup>TH</sup> DAY OF OCTOBER 1954.
  - THE SURVEY HAS BEEN ALREADY MADE IN ACCORDANCE WITH THE PROVISIONS OF THE LAND TOWN ACT, THE PLANNING ACT AND THE SURVEY ACT.
- DATED AT SUBURRY, THE 18<sup>TH</sup> DAY OF OCTOBER 1954

*Ray T. Laine*  
ONTARIO LAND SURVEYOR

SURVEYOR'S AFFIDAVIT:

ON AFFIDAVIT, RAYMOND THOMPSON LAINE, THE ONTARIO LAND SURVEYOR TO WHOM ABOVE WANTED MAKE DATA AND SAY THE CONTENTS OF THE ABOVE CERTIFICATE ARE TRUE:

SHOWN BEFORE ME AT SUBURRY IN THE DISTRICT OF SUBURRY, THE 18<sup>TH</sup> DAY OF OCTOBER 1954.

*Ray T. Laine*  
A COMMISSIONER

FILE COPY

CERTIFICATE OF OWNER: I HEREBY CERTIFY THAT "BLOCKS 40-57" AND 101-139 INCLUSIVE COULDED PARK AND STREETS CALLED AS SHOWN WITHIN THE BOUNDARIES ERECTED IN RED HAVE BEEN Laid OUT IN ACCORDANCE WITH MY INSTRUCTIONS, AND SAID SPACES ARE: ARVO AVE., HAROLD ST., RITA STREET, RUTHER STREET, KINGSLEA COURT, AND REDFERN STREET AND HEREBY DECLARED AS PUBLIC HIGHWAYS.

*Marionelle Quinn* OWNER  
*Moyle A. Swinn* OWNER  
*Ronald E. Persian* OWNER

AFFIDAVIT OF WITNESSES

DISTRICT OF SUBURRY, I, *Allen Shuler* of the City of Suburby

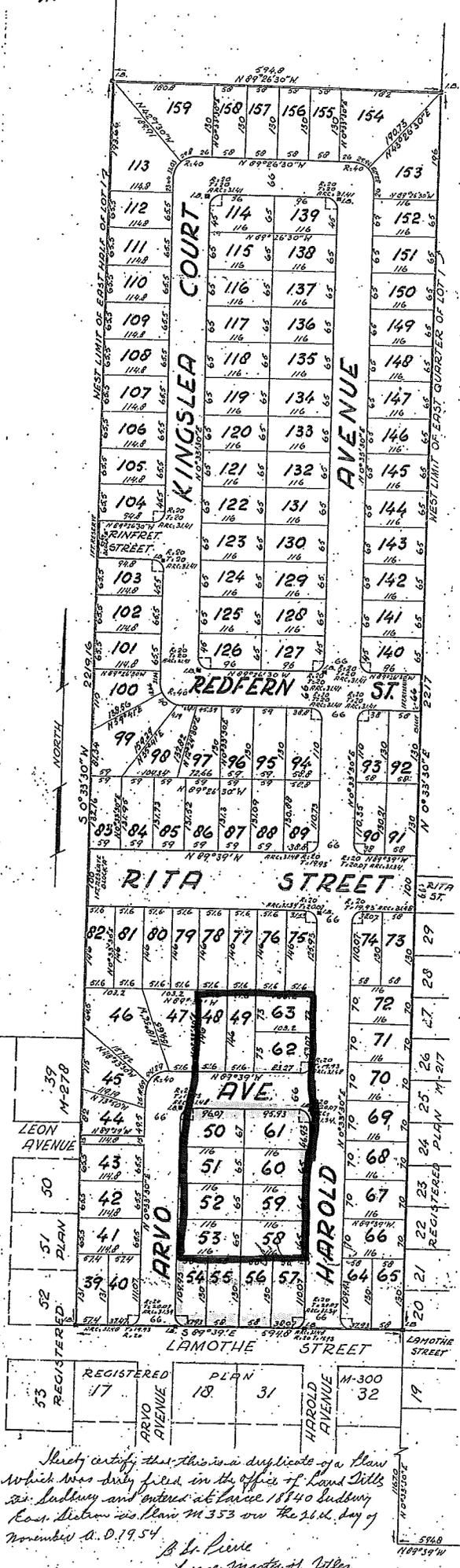
- IN THE DISTRICT OF SUBURRY, ON THIS 18<sup>TH</sup> DAY OF OCTOBER 1954:
- THAT I AM WELL ACQUAINTED WITH MOYLE A. SWINN, RONALD E. PERSIAN AND ANNIE COOPER, AND HAVE SIGNED THIS PLAN AND THAT THE SIGNATURES APPEARING THEREON ARE IN THEIR HANDWRITING.
  - THAT THE SAID MOYLE A. SWINN, RONALD E. PERSIAN AND ANNIE COOPER ARE, I TRULY BELIEVE THE OWNERS OF THE LAND SHOWN HEREIN.
  - THAT THE SAID MOYLE A. SWINN, RONALD E. PERSIAN AND ANNIE COOPER ARE OF THE FULL AGE OF SIXTEEN AND OF SOUND MIND.
  - THAT THE SAID MOYLE A. SWINN, RONALD E. PERSIAN AND ANNIE COOPER SIGNED THIS PLAN VOLUNTARILY AT THE CITY OF SUBURRY IN THE DISTRICT OF SUBURRY.
  - THAT I AM A DISQUALIFIED WITNESS TO THE SAID SIGNING.

SWORN BEFORE ME AT SUBURRY IN THE DISTRICT OF SUBURRY, THE 18<sup>TH</sup> DAY OF OCTOBER 1954.

*Allen Shuler*  
A COMMISSIONER.

I certify that this plan is a duplicate copy of a plan (being a subdivision of PART OF WEST 1/2 OF EAST 1/2 LOT 1 - CONVEY, TWP OF MCKIM) prepared by ME for ROOPER, M.A. SWINN, R.E. PERSIAN and dated 18<sup>TH</sup> day of OCTOBER A.D. 1954.

*Ray T. Laine*  
O. L. SURVEYOR



I hereby certify that this is a duplicate of a plan which was duly filed in the office of Land Titles, S.S. Ladbury and entered at LANCE 1840 Suburby East District in plan M-353 on the 26<sup>th</sup> day of November A.D. 1954.

*B. L. Reive*  
Local Master of Titles

Approved under Section 26 of THE PLANNING ACT  
This... day of... November 1954.

*W. K. [Signature]*  
MINISTER OF PLANNING & DEVELOPMENT

# DRAFT R-PLAN FOR OWNERSHIP PARCELS TO BE CREATED THROUGH PART LOT CONTROL BY-LAW

SCHEDULE			
PART	LOT	PLAN	AREA
1	PART OF LOT 50 & 51 AND ARVO AVENUE		1554.90 M <sup>2</sup>
2	PART OF ARVO AVENUE		3684.50 M <sup>2</sup>
3	PART OF LOT 50, 51, 52, 51 & ARVO AV.		450.0 M <sup>2</sup>
4	PART OF LOT 51 & 52		450.0 M <sup>2</sup>
5	PART OF LOT 52 & 53		450.0 M <sup>2</sup>
6	PART OF LOT 54		450.0 M <sup>2</sup>
7	PART OF LOT 55		450.0 M <sup>2</sup>
8	PART OF LOT 56 & 58		450.0 M <sup>2</sup>
9	PART OF LOT 59 & 60		450.0 M <sup>2</sup>
10	PART OF LOT 60 & 61		450.0 M <sup>2</sup>
11	PART OF LOT 61 & ARVO AVENUE		450.0 M <sup>2</sup>
12	PART OF LOT 48, 49, 62 & ARVO AVENUE		450.0 M <sup>2</sup>
13	PART OF LOT 48, 62 & 63		450.0 M <sup>2</sup>
14	PART OF LOT 48, 62 & 63		450.0 M <sup>2</sup>

OBSERVED REFERENCE POINTS (ORP): UTM ZONE 17, MAG33 (CORS) (NSM/2010.0), COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.R.C. 111/19

POINT ID	NORTHING	EASTING
ORP 'A'	N 5152593.746	E 503987.858
ORP 'B'	N 5152593.364	E 504050.895
ORP 'C'	N 5152369.390	E 504049.068

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

BECAUSE ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM 17, MAG33 (CORS) (2010.0). DISTANCES ARE GIVEN AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9999636.

**PLAN 53R-**

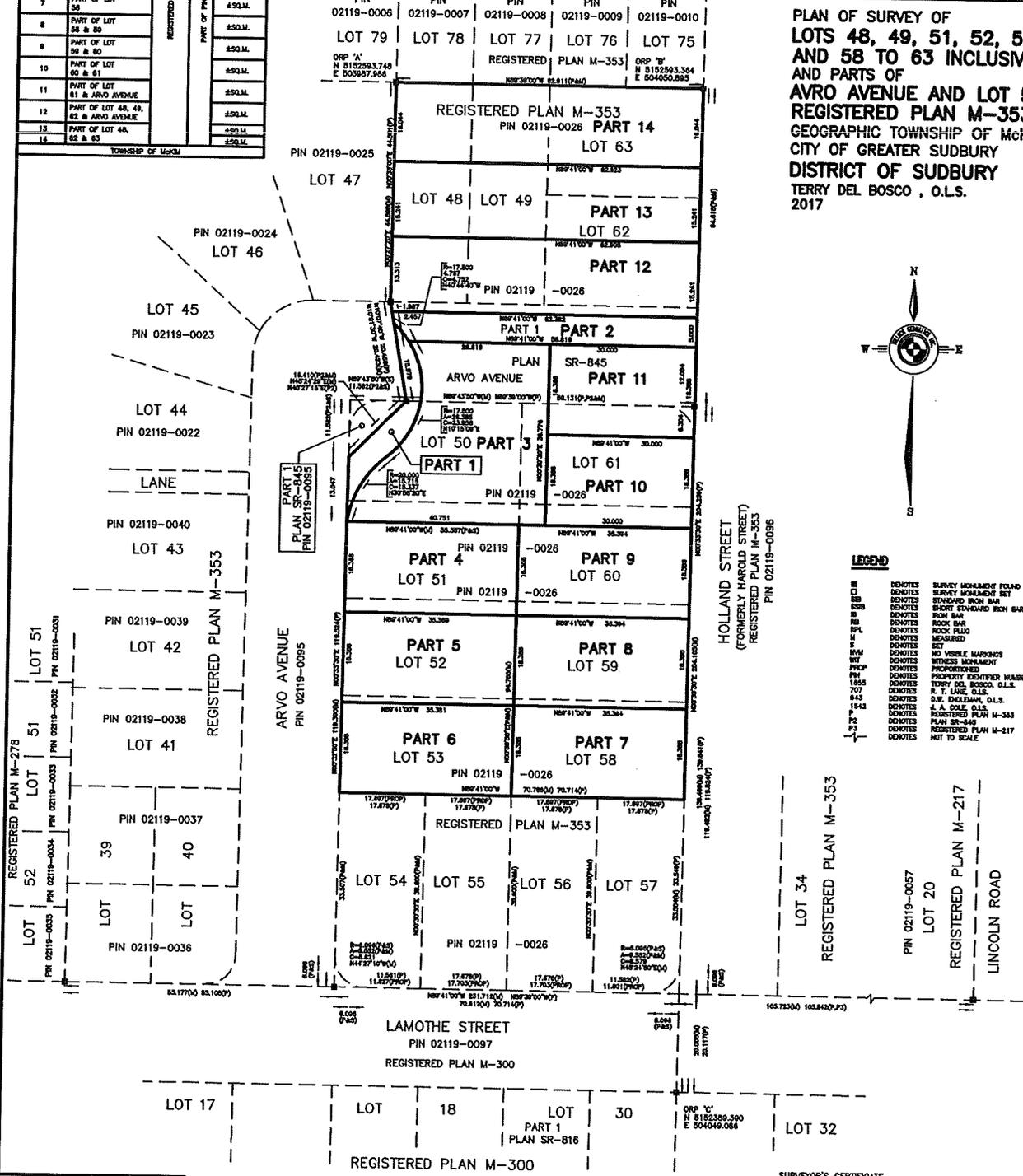
RECEIVED AND DEPOSITED \_\_\_\_\_  
DATE \_\_\_\_\_

PREPARED FOR THE LAND REGISTRY FOR THE LAND TITLES DIVISION OF SUDBURY

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

DATE \_\_\_\_\_ TERRY DEL BOSCO, O.L.S.

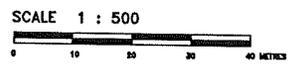
**PLAN OF SURVEY OF  
LOTS 48, 49, 51, 52, 53  
AND PARTS OF  
ARVO AVENUE AND LOT 50  
REGISTERED PLAN M-353  
GEOGRAPHIC TOWNSHIP OF McKIM  
CITY OF GREATER SUDBURY  
DISTRICT OF SUDBURY  
TERRY DEL BOSCO, O.L.S.  
2017**



- LEGEND**
- DENOTES SURVEY MONUMENT FOUND
  - DENOTES SURVEY MONUMENT SET
  - DENOTES STAINLESS IRON BAR
  - DENOTES BRASS IRON BAR
  - DENOTES ROCK BAR
  - DENOTES ROCK PILE
  - DENOTES MEASURED
  - DENOTES SET
  - DENOTES NO VISIBLE MARKINGS
  - DENOTES WITNESS MONUMENT
  - DENOTES PREPARED
  - DENOTES PROPERTY IDENTIFIER NUMBER
  - 1855 DENOTES TERRY DEL BOSCO, O.L.S.
  - P.T. DENOTES R. T. LANE, O.L.S.
  - 843 DENOTES D.W. DOOLEMAN, O.L.S.
  - 1942 DENOTES J.A. COLE, O.L.S.
  - SR-845 DENOTES REGISTERED PLAN M-353
  - SR-845 DENOTES REGISTERED PLAN M-353
  - SR-845 DENOTES REGISTERED PLAN M-217
  - DENOTES HIT TO SCALE

**TULLOCH**

1942 REGENT STREET SUDBURY, ONTARIO  
UNIT L P3E 5Y5 705-671-2295  
FILE 175512 REFERENCE PLAN DEC 2017



NOTE: DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE \_\_\_\_ DAY OF \_\_\_\_\_

DATED AT SUDBURY, ONTARIO \_\_\_\_\_ TERRY DEL BOSCO, O.L.S.

## Request for Decision

**Dalron Construction Ltd. - Application for rezoning in order to create seventeen (17) urban residential lots with single-detached, semi-detached and duplex dwellings as permitted uses, 1305 Holland Road, Sudbury**

Presented To: Planning Committee  
Presented: Monday, Nov 21, 2016  
Report Date: Tuesday, Nov 01, 2016  
Type: Public Hearings  
File Number: 751-6/16-17

### Resolution

THAT the City of Greater Sudbury approves the application by Dalron Construction Ltd. to amend Zoning By-law 2010-100Z to change the zoning classification from "I", Institutional to "R2-2", Low Density Residential Two in order to facilitate the creation of fifteen (15) urban residential lots allowing for single-detached, semi-detached and duplex dwellings as permitted uses on those lands described as PIN 02119-0026, Parts 1 & 2, Plan SR-845, Lots 48 to 63, Plan M-353, Lot 1, Concession 6, Township of McKim, subject to the following condition:

1. That prior to the enactment of the amending by-law the owner shall enter into an agreement with the City of Greater Sudbury agreeing to transfer to the City Part 1 on Plan SR-845 being part of Arvo Avenue on Plan M-353 for the purposes of a municipal road and also agree to enter into a future servicing agreement for the construction of Arvo Avenue and related services.

### Finance Implications

If approved, staff estimate approximately \$90,000 in taxation revenue based on the assumption of 15 single family dwelling units (and estimated assessed value of \$500,000 per unit) at the 2016 property tax rates.

In addition, this development would result in total development charges of approximately \$225,000 based on assumption of 15 single family dwelling units, as well as building permit fees of approximately \$75,000 based on an estimated construction/assessed value of all units and based on rates in effect as of this report.

### STAFF REPORT

**Applicant:**

#### Signed By

**Report Prepared By**

Glen Ferguson  
Senior Planner  
*Digitally Signed Nov 1, 16*

**Reviewed By**

Eric Taylor  
Manager of Development Approvals  
*Digitally Signed Nov 1, 16*

**Recommended by the Division**

Jason Ferrigan  
Director of Planning Services  
*Digitally Signed Nov 1, 16*

**Recommended by the Department**

Tony Cecutti  
General Manager of Infrastructure Services  
*Digitally Signed Nov 4, 16*

**Recommended by the C.A.O.**

Ed Archer  
Chief Administrative Officer  
*Digitally Signed Nov 9, 16*

Dalron Construction Ltd.

**Location:**

PIN 02119-0026, Parts 1 & 2, Plan SR-845, Lots 48 to 63, Plan M-353, Lot 1, Concession 6, Township of McKim (1305 Holland Road, Sudbury)

**Site Description & Surrounding Land Uses:**

The subject lands are located on the west side of Holland Road and to the north of Lamothe Street and to the east of Arvo Avenue in the community of New Sudbury. The lands have a total lot area of 1.23 ha (3.05 acres) with approximately 70.71 m (232 ft) of frontage on Lamothe Street and 283.16 m (929 ft) of frontage on Holland Road. The lands contain a vacant institutional building that was formerly used as an elementary school.

Surrounding uses are primarily urban residential in nature with the predominant built-form being that of single-detached dwellings. There is a more general mix of land uses to the south including both commercial and higher density urban residential uses along the Lasalle Boulevard corridor. There is also a public elementary school located to the south-west which is accessed from Roy Avenue.

**Official Plan Conformity & Zoning By-law:**

Official Plan

The subject lands are designated Living Area 1 in the Official Plan for the City of Greater Sudbury. Living Areas are primarily intended for housing and related uses that are seen as being compatible with residential neighbourhoods. Low density residential development in the Living Area 1 designation permits single-detached dwellings, semi-detached dwellings and duplexes to a maximum net residential density of 36 units per hectare.

Section 3.2.1(6) of the Official Plan outlines that in considering applications to rezone lands in the Living Area 1 designation, Council is to ensure amongst other matters that:

1. The site is suitable in terms of size and shape to accommodate the proposed density and building form;
2. 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;
3. Adequate on-site parking, lighting, landscaping and amenity areas are provided; and,
4. The impact of traffic on local streets is minimal.

Section 3.3 of the Official Plan encourages residential intensification as an effective means of ensuring the efficient use of land and infrastructure in the City. Opportunities for intensification are to be supported on lands:

1. That are no longer viable for the purpose for which they were intended, such as older industrial areas;
2. Where the present use is maintained but the addition of residential uses can be accomplished in a complementary manner;
3. That are vacant and/or underutilized within previously developed areas; and,
4. In fully-serviced Living Areas that could accommodate infill developments.

Any changes to the land use structure through intensification will be assessed so that the concerns of the community and the need to provide opportunities for residential intensification are balanced.

Section 4.4(5) of the Official Plan also permits the conversion of surplus institutional buildings or vacant institutional lands provided that the following criteria is considered:

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.

Section 11.7 of the Official Plan addresses active transportation and the provision of sidewalks and access to other transportation linkages including transit stops, encouraging walking and providing safety for pedestrians. The Plan provides that on new and reconstructed roads, when feasible sidewalks are to be provided on at least one side of local roads.

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 provided later in this report.

#### Zoning By-law

The subject lands are zoned "I", Institutional under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. The "I" Zone permits a cemetery, day care centre, institutional use, library, museum, park, private club, recreation and community centre and/or a restaurant and refreshment pavilion accessory to a park. The proposed creation of seventeen urban residential lots comprised of single-detached, semi-detached and duplex dwellings are not permitted uses in the "I" Zone.

#### **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 "R2-2", Low Density Residential Two.

#### **Proposal:**

The application is intended to facilitate the creation of seventeen urban residential lots allowing for single-detached, semi-detached and duplex dwellings as permitted uses.

#### **Departmental & Agency Circulation:**

Building Services, Development Engineering, Drainage and Operations have advised that they have no concerns from their respective areas of interest. Roads, Traffic and Transportation have expressed concern with respect to eliminating the Arvo Avenue connection to Holland Road, as well as noting that Arvo Avenue and Lamothe Street should be urbanized as per the City's cost-sharing policy.

#### **Public Consultation:**

The statutory notice of the public hearing was provided by newspaper along with a courtesy mail-out to landowners and tenants within a minimum of 120 m (400 ft) of the subject lands. The applicant was advised of the City's policy recommending that applicants consult with their neighbours, ward councilor and key stakeholders to inform area residents of the application prior to the public hearing. At the time of writing this report, no phone calls or written submissions with respect to this application have been received by the Planning Services Division.

Staff also understands that the applicant held a resident's meeting with an open house format at the former St. Andrew elementary school building which is located on the subject lands between 6:00 p.m. and 7:30 p.m. on September 14, 2016.

#### **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 land use planning matters are consistent with the Provincial Policy Statement (PPS). The proposed rezoning is consistent with the PPS for the following reasons:

1. Settlement areas are to be the focus of growth and their vitality and regeneration is to be promoted. The community of Sudbury is an identified settlement area in the City's Official Plan and the addition of urban residential lots in this urban setting and location should be promoted;
2. Municipalities are required to provide an appropriate range and mix of housing types and densities to meet the needs of current and future residents. Forms of housing which meet social, health and well-being needs are to be encouraged. Staff is of the opinion that the proposed rezoning would positively contribute to and allow for additional housing options in the form of single-detached, semi-detached and duplex dwellings in this particular neighbourhood in Sudbury; and,
3. Intensification and redevelopment is generally to be directed to appropriate locations where the wise use and management of infrastructure and other resources can be achieved. Staff notes the subject lands can be fully serviced with municipal infrastructure that is available in the area and further that the lands are currently under utilized as a vacant and former elementary school building. The opportunity for intensification as proposed by the applicant in this particular location is viewed as being appropriate.

#### Official Plan

With respect to Living Area 1 policies, staff has the following comments:

1. The development proposal for seventeen urban residential lots would result in a residential density of approximately 14 units per hectare, which is in keeping with the policies for low density residential development. If each lot were to contain two residential dwelling units it would result in a residential density of approximately 28 units per hectare which is also in keeping with the low density residential development policies of the Living Area 1 designation. It is noted that later in this report staff is recommending that Arvo Avenue be extended to Holland Road, potentially reducing the number of lots from 17 to 15;
2. Staff is satisfied that the lots as depicted on the submitted sketch are generally suitable for low density residential development in terms of the size and shape of the lots being proposed from a density and built-form perspective;
3. Staff is satisfied that the development proposal is generally compatible with surrounding low density residential neighbourhood that exists along Arvo Avenue, Lamothe Street and Holland Road. The lots as proposed are appropriate in this setting from a scale, massing, height, siting, setbacks and parking and amenity area land use planning perspective;
4. Staff is of the opinion that adequate on-site parking can be provided on each of the lots being proposed. Staff has no concerns with lighting or the ability to provide appropriate landscaping and outdoor amenity areas on the lots should the rezoning be approved; and,
5. Staff does not anticipate any negative impact on surrounding local streets such as Arvo Avenue, Lamothe Street or Holland Road should the rezoning be approved to facilitate additional urban residential lots in this neighbourhood.

With respect to residential intensification policies in the Official Plan, staff is supportive of intensification in this location and has the following comments:

1. The lands are no longer used as an elementary school and are presently vacant and underutilized. There is no demonstrated need for these lands to continue to be used as a school and alternative land uses in this location should be promoted;
2. Staff notes that Development Engineering has indicated that the lands are currently serviced with full municipal water and sewer infrastructure. No extension of municipal infrastructure is proposed; and,
3. Staff is satisfied that the intensification proposed is balanced against the character and needs of the

local area as it would take the form of single-detached, semi-detached and duplex dwellings which are appropriate and compatible built-forms in this particular residential neighbourhood.

With respect to policies addressing the conversion of surplus institutional lands in the Official Plan, staff is supportive of the proposed conversion and has the following comments:

1. Following the Sudbury Catholic District School Board closing St. Andrew's school, the City received a letter from the School Board in June 2015 inquiring as to whether the City was interested in purchasing the property. At the Council meeting of November 24, 2015, Council approved a motion to defer the matter without further debate for one year. The City's rights as a preferred agent with the School Board subsequently expired and the property was sold to a private party.
2. The proposed conversion to urban residential dwelling lots is viewed as being compatible and in keeping with the existing residential character of the surrounding neighbourhood along Arvo Avenue, Lamothe Street and Holland Road. Staff is of the opinion however that Arvo Avenue should be extended as originally planned and shown on Plan M-353, extending to Holland Road. The development proposal is also in keeping with the general intent of the Living Area 1 policies in the Official Plan; and,
3. Staff is of the opinion that the proposed conversion to urban residential lots would yield an appropriate residential density given the context of the area.

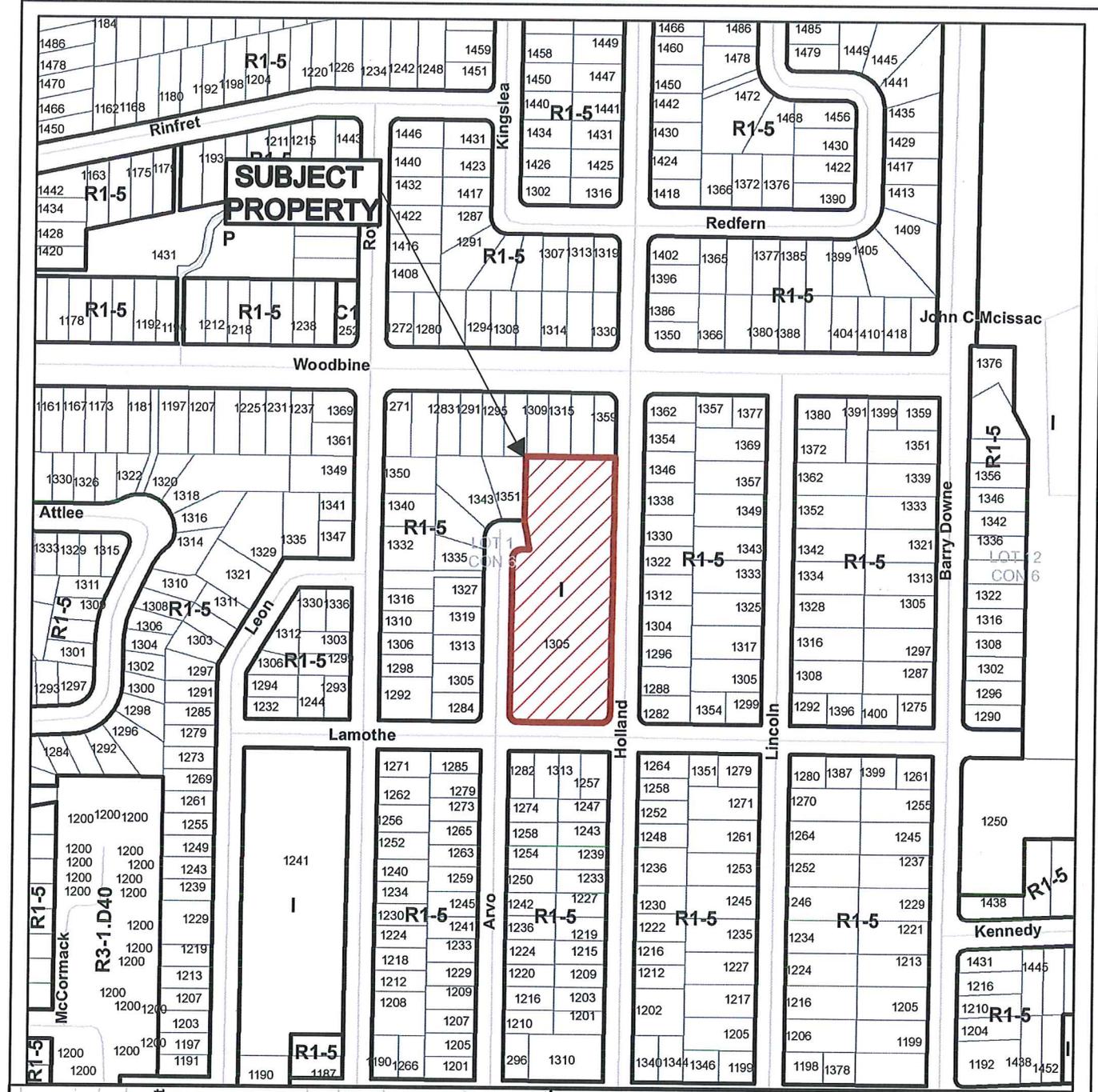
#### Zoning By-law

The applicant is requesting that the subject lands be rezoned from "I", Institutional to "R2-2", Low Density Residential Two in order to facilitate the creation of seventeen urban residential lots allowing for single-detached, semi-detached and duplex dwellings as permitted uses. Staff has reviewed the request and has no concerns with the requested zone category, but would advise that the Arvo Avenue connection be made through to Holland Road in order to provide greater connectivity to the surrounding road network consistent with the intended road network in the area. Roads, Traffic and Transportation have also recommended that this connection be made noting concerns with respect to snow removal as well as highlighting that the intended secondary access from Arvo Avenue to Holland Road be maintained. A condition has been included requiring that the owner agree to transfer to the City lands for the extension of Arvo Avenue connecting to Holland Road.

#### **Summary:**

Staff has reviewed the development proposal and is satisfied that it conforms to the Official Plan for the City of Greater Sudbury. The development proposal is also consistent with the land use planning policy directions identified in PPS. The development of fifteen urban residential lots in this location generally represents good land use planning provided that the Arvo Avenue connection is made to Holland Road and offers an opportunity to provide for appropriate residential intensification while at the same time improving the mix of housing options in the area.

The Planning Services Division therefore recommends that the subject lands be rezoned accordingly in order to facilitate the creation of fifteen urban residential lots allowing for single-detached, semi-detached and duplex dwellings as permitted uses be approved.



**Growth and Development  
Department**

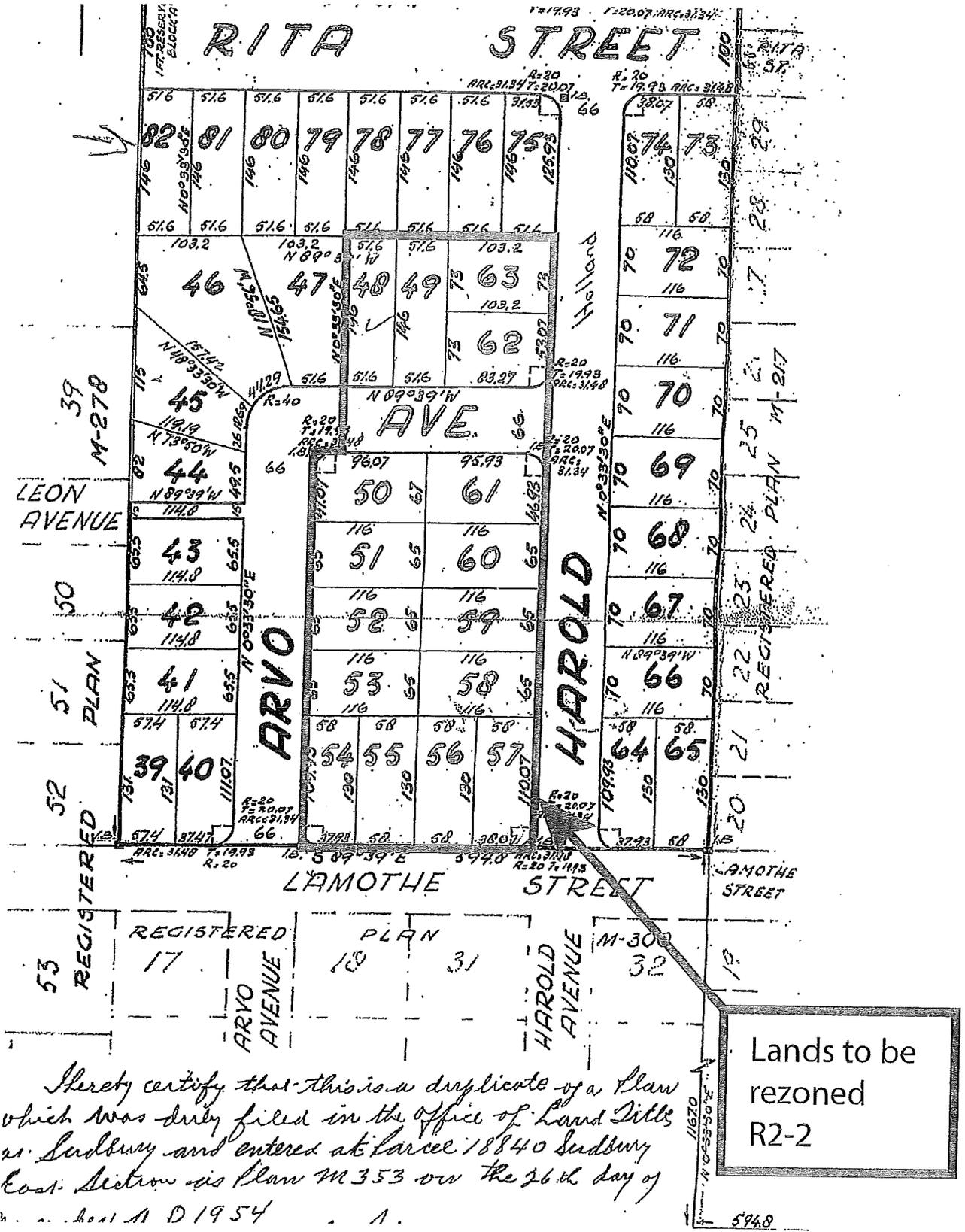
N  


Subject Property being PIN 02119-0026,  
 Parts 1 & 2, Plan SR-845, Lots 48 - 63,  
 Plan M-353, Lot 1, Con 6,  
 Twp. of McKim, 1305 Holland Road,  
 Sudbury, City of Greater Sudbury

NTS 751-6/16-17  
 Sketch 1 Date: 2016 06 06



LOTTING PATTERN IN CURRENT REGISTERED PLAN M-353



I hereby certify that this is a duplicate of a plan which was duly filed in the office of Land Titles at Sudbury and entered at parcel 18840 Sudbury East Section as Plan M-353 on the 26th day of April A.D. 1954.

Lands to be rezoned R2-2

# APPLICANT'S PROPOSED LOTTING CONFIGURATION

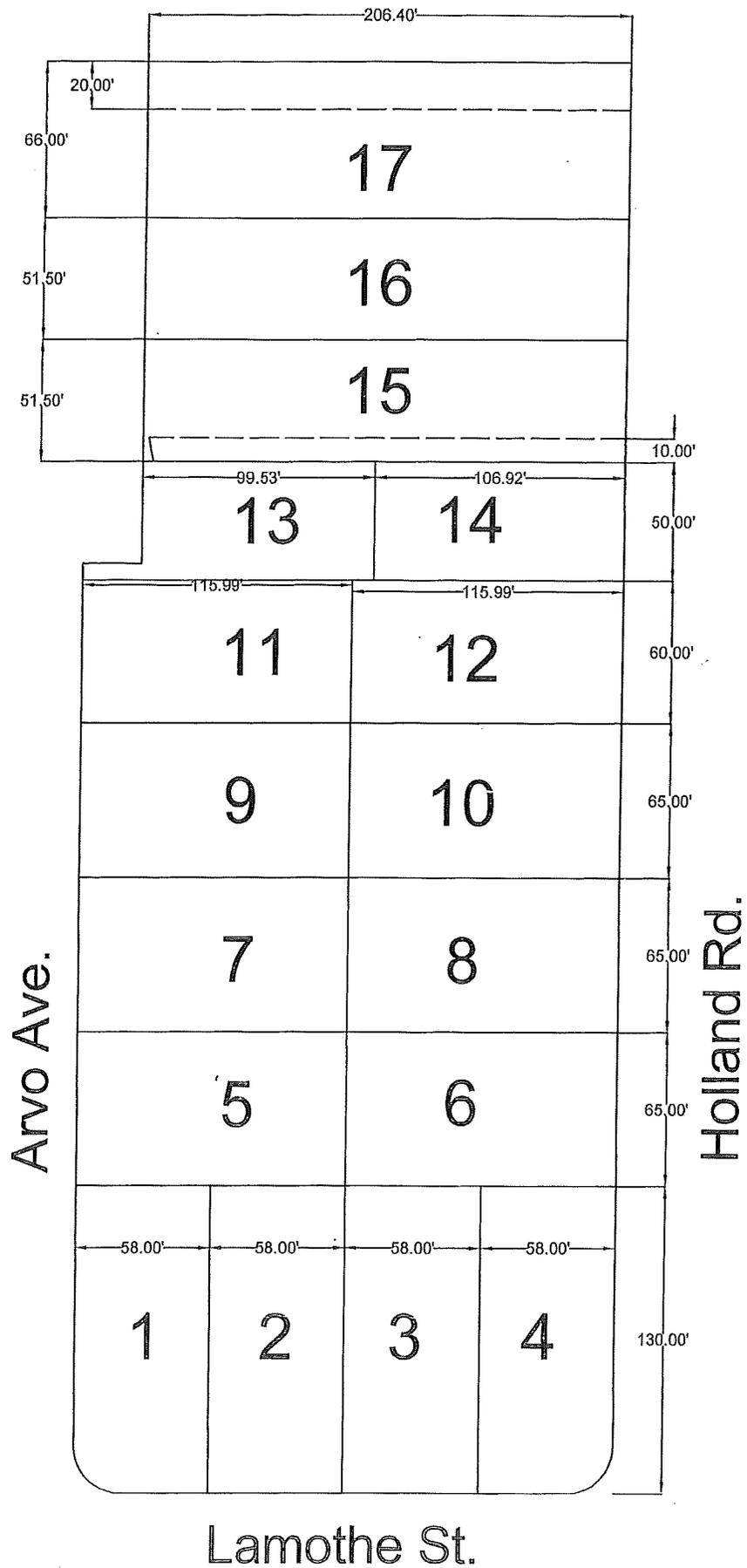




PHOTO 1 SUBJECT LANDS AS VIEWED FROM LAMOTHE STREET  
LOOKING NORTH EAST



PHOTO 2 EXISTING SINGLE DETACHED DWELLINGS AS VIEWED  
FROM ARVO AVENUE LOOKING NORTH

751-6/16-17 PHOTOGRAPHY JUNE 28, 2016



PHOTO 3 EXISTING SINGLE DETACHED DWELLINGS AS VIEWED FROM HOLLAND AVENUE LOOKING NORTH



PHOTO 4 EXISTING SINGLE DETACHED DWELLINGS TO THE SOUTH OF THE SUBJECT LANDS AS VIEWED FROM LAMOTHE STREET

751-6/16-17 PHOTOGRAPHY JUNE 28, 2016