

## Request for Decision

**1679592 Ontario Inc. – Application for Zoning By-law Amendment in order to permit a personal service shop, 761 & 771 Lasalle Boulevard, Sudbury**

Presented To:	Planning Committee
Presented:	Monday, Jan 08, 2018
Report Date	Thursday, Dec 14, 2017
Type:	Public Hearings
File Number:	751-6/17-23

### Resolution

THAT the City of Greater Sudbury approves the application by 1679592 Ontario Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification from “C3(20)”, Limited General Commercial Special and “R3-1”, Medium Density Residential to “C3(S)”, Limited General Commercial Special on a portion of those lands described as PINs 02123-0272 & 02123-0273, Parcels 34030 & 12066, Parts 1 to 3, Plan 53R-16350, Parts 1 & 3, Plan 53R-4474 and Part 1, Plan 53R-6951, Lot 3, Concession 5, Township of McKim, as outlined in the report entitled “1679592 Ontario Inc.” 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 the permitted uses be amended to add a personal service shop.
2. That prior to the enactment of the amending by-law:
  - a. The owner shall have entered into an amended site plan control agreement with the City and register said amended site plan control agreement on-title to the satisfaction of the Director of Planning Services; and,
  - b. The owner shall have finalized any open and outstanding or otherwise required building permits applicable to the lands, including a demolition permit if necessary relating to the removal of the detached garage, or the two lots are consolidated, making the medical office the new principal use of the lands to the satisfaction of the Chief Building Official.
3. Conditional approval shall lapse on January 23, 2020 unless condition #2 above has 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 19, 17*

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

Ed Archer  
Chief Administrative Officer  
*Digitally Signed Dec 19, 17*

## **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**

This application reviews a rezoning application that would allow for a personal service shop as a permitted use in addition to those uses previously approved in a prior rezoning application. The request to permit a personal service shop was not considered by Planning Committee and Council when the previous rezoning application on the property was considered at Planning Committee on June 12, 2017. Staff is supportive of the current rezoning application and is recommending approval of the rezoning request and that a personal service shop be included in the future amending zoning by-law that will apply to the subject lands once conditions related to the development proposal are fulfilled by the owner.

## **Financial Implications**

The financial implications are the same from the June 12, 2017 meeting as this report is requesting to allow "personal service shop" as a permitted use in addition to the ones in the previous report. The financial implications from the previous report is included below:

If approved, the taxation revenue may differ from the demolition of existing residential building to the proposed retail building. However, there is insufficient information available to estimate the change in taxation revenue (ie. assessed value of the retail building).

In addition, this development would result in total development charges of approximately \$12,000 in relation to the conversion of a single family detached dwelling to non-industrial use. The development charges amount of \$12,000 is net of the redevelopment credit as per the DC by-law.

**Title:** 1679592 Ontario Inc.

**Date:** December 8, 2017

## **STAFF REPORT**

### **Applicant:**

1679592 Ontario Inc.

### **Location:**

PINs 02123-0272 & 02123-0273, Parcels 34030 & 12066, Parts 1 to 3, Plan 53R-16350, Parts 1 & 3, Plan 53R-4474 and Part 1, Plan 53R-6951, Lot 3, Concession 5, Township of McKim (761 & 771 Lasalle Boulevard, Sudbury)

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

The subject lands are located on the south side of Lasalle Boulevard between Adanac Gardens to the west and Montrose Avenue to the east in the community of New Sudbury. The lands have a total lot area of approximately 0.53 ha (1.31 acres) with approximately 38.44 m (126.12 ft) of frontage onto Lasalle Boulevard. The westerly portion of the lands contains an existing medical office with a parking area in front of the building. The owner intends to remove the existing residential dwelling on the easterly portion of the lands in favour of constructing a new one-storey retail store. The existing metal accessory building is proposed to remain on the lands and presently provides personal storage for the owners.

Surrounding uses are generally mixed along the Lasalle Boulevard corridor with a variety of commercial, light industrial, residential and institutional uses. The lands immediately abut a six-storey, multiple residential dwelling to the east and wooded area and rowhouse residential development to the west. Urban residential development in the area is generally a mix of built-forms and densities existing to the north and to the south off of the Lasalle Boulevard corridor. There is a commercial plaza to the immediate north of the lands.

### **Application:**

To amend [By-law 2010-100Z](#) being the Zoning By-law for the City of Greater Sudbury by further changing the zoning classification on a northerly portion of the subject lands from "C3(20)", Limited General Commercial Special and "R3-1", Medium Density Residential to "C3(S)", Limited General Commercial Special.

### **Proposal:**

The application would add a personal service shop as a permitted use on the subject lands. There is a previous conditional rezoning approval from Council (File # 751-6/17-6) applicable to the lands which would continue to permit office uses on a portion of the subject lands and facilitate the expansion and development of an adjacent retail store that would be accessory to the existing medical office use. The request for rezoning pertains to adding a further use in the form of a personal service shop to the conditionally approved retail store use.

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

The Drainage Section, the Nickel District Conservation Authority and Roads, Traffic and Transportation have each advised that they no concerns from respective areas of interest.

Building Services has reiterated their comments from the previous rezoning application in terms of the relief required in the amending zoning by-law once conditions of approval are satisfied.

**Title: 1679592 Ontario Inc.**

**Date: December 8, 2017**

Development Engineering have no concerns with the added permitted use of a personal service shop and that detailed comments will be provided further during the site planning process.

### **Neighbourhood Consultation:**

The statutory notice of the public hearing was provided by newspaper along with an initial courtesy mail-out to landowners and tenants within a minimum of 120 m (400 ft) of the subject lands. The owner 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. The agent for the owner indicated to staff that no public consultation was planned with abutting landowners as the previous rezoning application did so and the current rezoning application is minor in comparison as only a personal service shop is being proposed as a further additional permitted land use. At the time of writing this report, no phone calls and no written submissions with respect to this application have been received by the Planning Services Division.

### **Planning Considerations:**

The subject lands are the subject of previously approved applications for Official Plan Amendment and Zoning By-law Amendment (Files # 701-6/17-3 & 751-6/17-6). At the time of writing this report, both the Official Plan Amendment and amending zoning by-law applicable to the above noted approvals have not been enacted by Council. The rezoning portion of the prior approvals included conditions that the existing site plan control agreement be amended and that all outstanding building permits be finalized and further that any new building permits be applied for to the satisfaction of the Chief Building Official prior to enactment of the amending zoning by-law.

Staff notes that the prior application to rezone the lands did not include a request to permit a personal service shop in addition to a retail store on the easterly portion of the lands being rezoned. The owner's agent was advised of this and subsequently applied to add a personal service shop to the land use permissions that would be applicable to the lands. Staff has reviewed the request to also include a personal service shop as a permitted use in the amending zoning by-law and has no concerns with the request. Staff is recommending that once the amending zoning by-law is passed with respect to the rezoning application that was approved prior that a personal service shop also be included in said amending zoning by-law at that time. Staff further notes and advises the owner that the previous rezoning application that was approved included conditions which remain outstanding and an amending zoning by-law cannot be passed by Council until those conditions are satisfied.

Planning Services and Building Services staff have also noted that the new sketch submitted with the application now depicts a 3.2 m (10.50 ft) driveway aisle width between the existing building and proposed new building whereas the sketch provided with the first rezoning application depicted a 6 m (19.69 ft) two-way driveway aisle width. The reduced driveway aisle width would not sufficiently provide for a two-way driveway aisle to the parking area located in the rear and staff does not support any relief from the Zoning By-law standard requiring a two-way driveway aisle given the commercial nature of the proposed uses and parking layout that is proposed on the lands.

A copy of the [previous report](#) to Planning Committee is available online and also attached to this report for reference purposes, along with a copy of the minutes which outlines the resolution approving the former applications.

**Title: 1679592 Ontario Inc.**

**Date: December 8, 2017**

**Summary:**

Staff has reviewed the development proposal and is satisfied that the further amendment to the Zoning By-law conforms to the [Official Plan](#). The development proposal is also consistent with the land use planning policy directions identified in PPS. Staff continues to have no concerns with the requested zone category and has noted in the previous rezoning report those site-specific provisions which should be included in the amending zoning by-law. This rezoning application should it be approved would add a personal service shop as a permitted use to the previous rezoning approval received from Planning Committee and Council. The Planning Services Division therefore recommends that the additional rezoning application be approved subject to the conditions outlined in the resolution portion of this report.

# Appendix 1

## Departmental & Agency Comments

**Files: 751-6/17-23**

**RE: Application for Rezoning – 1679592 Ontario Inc. – PINs 02123-0272 & 02123-0273, Parcels 34030 & 12066, Parts 1 to 3, Plan 53R-16350, Parts 1 & 3, Plan 53R-4474 and Part 1, Plan 53R-6951, Lot 3, Concession 5, Township of McKim (761 & 771 Lasalle Boulevard, Sudbury)**

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### Building Services

Building Services can advise that we have no objections to the application other than the following comments for the owner's information:

- The applicant should be aware that a minor variance is required to address the reduced side yard setbacks and required landscape buffers; and,
- A minor variance is required for the drive aisle – 3 metres is provided where 6 metres is required.

### Development Engineering

No objections. Additional conditions to be stipulated within the site plan control agreement.



PROPOSED PART 1 = FUTURE ROAD WIDENING

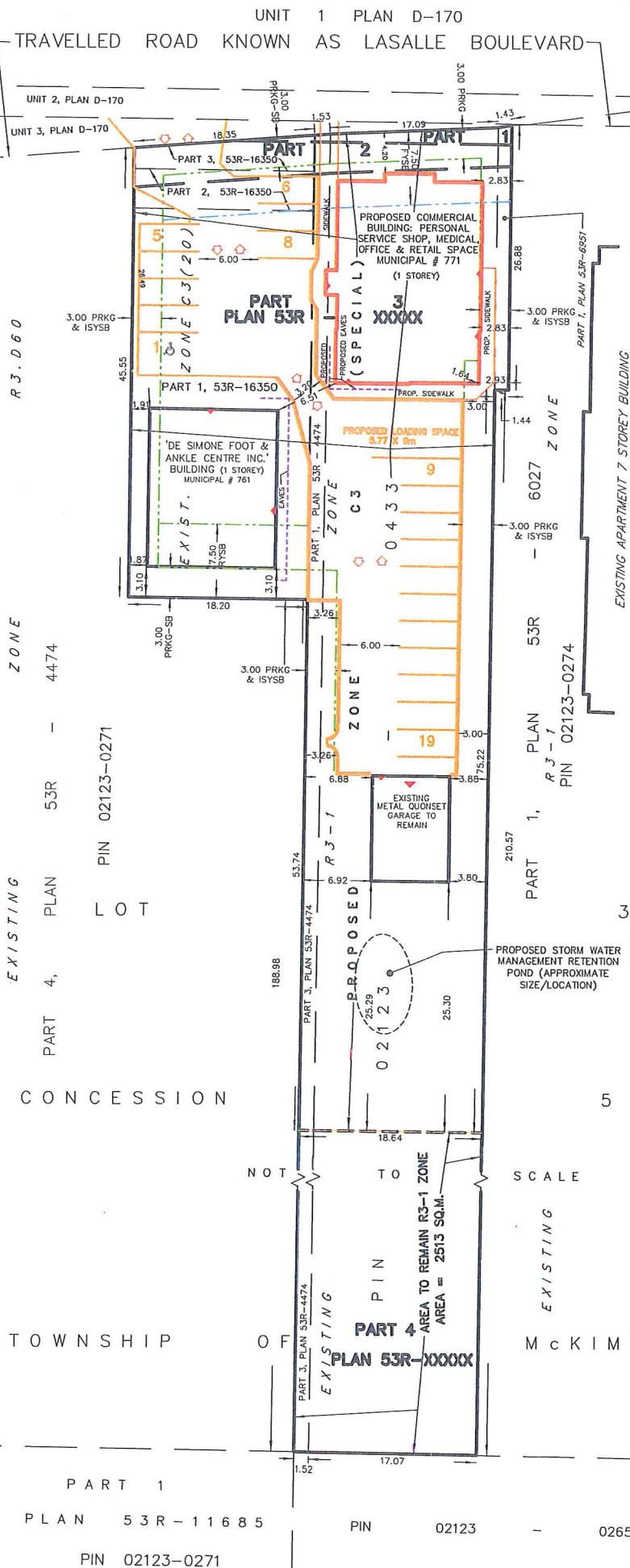
REMAINDER OF PIN 02123-0433 TO  
REMAIN AS ZONE R3-1 (PART 4, PLAN 53R-XXXXX)  
= 2513 SQ.M.

LEGEND:  
FYSB DENOTES FRONT YARD SETBACK  
ISYSB DENOTES INTERIOR SIDE YARD SETBACK  
PRKG DENOTES PARKING SETBACK  
RYSB DENOTES REAR YARD SETBACK

PROPERTY	PARKING REQUIRED	PARKING PROVIDED
EXISTING CLINIC	7 SPACES *	7 SPACES
PROPOSED BLDG	12 SPACES	12 SPACES
<b>TOTALS:</b>	<b>19 SPACES</b>	<b>19 SPACES</b>

\*PARKING REQUIRED AS PER ORIGINAL SITEPLAN AGREEMENT  
DRAWING, SCHEDULE 'A', DATED NOV. 27, 2006,  
PRODUCED BY NICHOLLS, YALLOWEGA, BELANGER  
ARCHITECTS.

P.SPACE TAB	FILE No.:	SCALE	DATE	OFFICE:
SKETCH 400	17638-SKETCH2	1: 400 METRIC	OCT. 24, 2017	AA



## Request for Decision

**1679592 Ontario Inc. – Applications for Official Plan Amendment and Zoning By-law Amendment in order to continue to permit office uses and facilitate the development of a retail store accessory to the existing medical office use, 761 & 771 Lasalle Boulevard, Sudbury**

Presented To: Planning Committee

Presented: Monday, Jun 12, 2017

Report Date Tuesday, May 23, 2017

Type: Public Hearings

File Number: 751-6/17-6 & 701-6/17-3

### Resolution

Resolution regarding Official Plan Amendment:

THAT the City of Greater Sudbury approves the application by 1679592 Ontario Inc. with respect to those lands described as PINs 02123-0272 & 02123-0273, Parcels 34030 & 12066, Parts 1 to 3, Plan 53R-16350, Parts 1 & 3, Plan 53R-4474 and Part 1, Plan 53R-6951, Lot 3, Concession 5, Township of McKim to amend the Official Plan for the City of Greater Sudbury by changing the land use designation on the subject lands from Living Area 1 to Mixed Use Commercial and by deleting the site-specific exception found under Subsection 22.38 of the Official Plan.

Resolution regarding Zoning By-law Amendment:

THAT the City of Greater Sudbury approves the application by 1679592 Ontario Inc. with respect to those lands described as PINs 02123-0272 & 02123-0273, Parcels 34030 & 12066, Parts 1 to 3, Plan 53R 16350, Parts 1 & 3, Plan 53R-4474 and Part 1, Plan 53R-6951, Lot 3, Concession 5, Township of McKim to change the zoning classification of the subject lands from "C3(20)", Limited General Commercial and "R3-1", Medium Density Residential to "C3(S)", Limited General Commercial Special subject to the following conditions:

1. That prior to the enactment of the amending zoning by-law:
  - a. The owner shall have entered into an amended site plan control agreement with the City and register said amended site plan control agreement on-title to the satisfaction of the Director of Planning Services; and,
  - b. The owner shall have finalized any open and outstanding or otherwise required building permits applicable to the lands, including a demolition permit if necessary relating to the removal of the detached

#### Signed By

**Report Prepared By**

Glen Ferguson  
Senior Planner  
*Digitally Signed May 23, 17*

**Manager Review**

Eric Taylor  
Manager of Development Approvals  
*Digitally Signed May 23, 17*

**Recommended by the Division**

Jason Ferrigan  
Director of Planning Services  
*Digitally Signed May 23, 17*

**Recommended by the Department**

Tony Cecutti  
General Manager of Growth and Infrastructure  
*Digitally Signed May 24, 17*

**Financial Implications**

Apryl Lukezic  
Co-ordinator of Budgets  
*Digitally Signed May 25, 17*

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

Ed Archer  
Chief Administrative Officer  
*Digitally Signed May 26, 17*



garage, or the two lots are consolidated, making the medical office the new principal use of the lands to the satisfaction of the Chief Building Official.

2. That the amending zoning by-law contain the following site-specific provisions:

- a. That the only permitted uses on the subject lands shall be business and professional offices, medical offices and a retail store;
- b. That the retail store be permitted a front yard setback of 4.2 metres and an easterly interior side yard setback of 1.6 metres;
- c. That the existing medical office building be permitted a westerly interior side yard setback of 1.9 m and a rear yard setback of 3.2 metres; and,
- d. That any further relief required for the parking areas and any parking spaces or loading space, as well as landscaping and buffering be incorporated into the amending zoning by law once the site planning process has concluded.

### **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**

This report summarizes two applications submitted concurrently for Official Plan Amendment and Zoning By-law Amendment on lands fronting Lasalle Boulevard, which would continue to permit office uses on a westerly portion of the subject lands and facilitate the expansion and development of an adjacent retail store that would be accessory to the existing medical office use. Staff is supportive of the applications and is recommending approval subject to conditions.

### **Financial Implications**

If approved, the taxation revenue may differ from the demolition of existing residential building to the proposed retail building. However, there is insufficient information available to estimate the change in taxation revenue (ie. assessed value of the retail building).

In addition, this development would result in total development charges of approximately \$12,000 in relation to the conversion of a single family detached dwelling to non-industrial use. The development charges amount of \$12,000 is net of the redevelopment credit as per the DC By-Law.

**Title:** 1679592 Ontario Inc.

**Date:** May 16, 2017

## **STAFF REPORT**

### **Applicant:**

1679592 Ontario Inc.

### **Location:**

PINs 02123-0272 & 02123-0273, Parcels 34030 & 12066, Parts 1 to 3, Plan 53R-16350, Parts 1 & 3, Plan 53R-4474 and Part 1, Plan 53R-6951, Lot 3, Concession 5, Township of McKim (761 & 771 Lasalle Boulevard, Sudbury)

### **Official Plan and Zoning By-law:**

#### Official Plan

The subject lands are proposed to be re-designated Mixed Use Commercial in the [Official Plan](#) for the City of Greater Sudbury.

On June 28, 2006, Council adopted Official Plan Amendment #263 (OPA 263) amending the City of Sudbury Secondary Plan redesignating the westerly part of the subject lands (i.e. 761 Lasalle Boulevard) from "Medium Density Residential District" to "Linear Mixed Use District." A site-specific provision was included in the Secondary Plan limiting the permitted uses to business or professional offices, medical or dental clinic and laboratories and multiple dwellings and their accessory uses. As part of the Ontario Municipal Board's (OMB) approval of the current in-force City of Greater Sudbury Official Plan, the same provisions limiting the uses were incorporated into the current Official Plan at Subsection 22.38, however the designation on the land use schedules to the Plan was shown as Living Area 1. This application for Official Plan Amendment will correct the land use designation applicable to 761 Lasalle Boulevard by designating it Mixed Use Commercial. The owner is also requesting that the northerly portion of abutting 771 Lasalle Boulevard be re-designated to Mixed Use Commercial.

#### Zoning By-law

The subject lands are presently zoned "C3(20)", Limited General Commercial and "R3-1", Medium Density Residential under [By-law 2010-100Z](#) being the Zoning By-Law for the City of Greater Sudbury. The "C3(20)" Zone restricts the use of the westerly portion of the subject lands to business or professional offices, medical offices and multiple dwelling residential units. The "R3-1" Zone which is present on the easterly portion of the subject lands permits a broad range of residential and local commercial uses including a bed and breakfast establishment, convenience store, day care centre, duplex dwelling, group home type 1, linked dwelling, multiple dwelling, personal service shop, private home daycare, row dwelling, semi-detached dwelling, single-detached dwelling and a street townhouse dwelling. A retail store is not a permitted use in either the "C3(20)" or "R3-1" Zones.

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

The subject lands are located on the south side of Lasalle Boulevard between Adanac Gardens to the west and Montrose Avenue to the east in the community of New Sudbury. The lands have a total lot area of approximately 0.53 ha (1.31 acres) with approximately 38.44 m (126.12 ft) of frontage onto Lasalle Boulevard. The westerly portion of the lands contains an existing medical office with a parking area in front of the building. The owner intends to remove the existing residential dwelling on the easterly portion of the lands in favour of constructing a new one-storey retail store. The existing metal accessory building is proposed to remain on the lands and presently provides personal storage for the owners.

**Title:** 1679592 Ontario Inc.

**Date:** May 16, 2017

Surrounding uses are generally mixed along the Lasalle Boulevard corridor with a variety of commercial, light industrial, residential and institutional uses. The lands immediately about a six-storey, multiple residential dwelling to the east and wooded area and rowhouse residential development to the west. Urban residential development in the area is generally a mix of built-forms and densities existing to the north and to the south off of the Lasalle Boulevard corridor. There is a commercial plaza to the immediate north of the lands.

**Applications:**

1. To amend the Official Plan for the City of Greater Sudbury by changing the land use designation on a northerly portion of the subject lands from Living Area 1 to Mixed Use Commercial; and,
2. To amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury by changing the zoning classification on a northerly portion of the subject lands from "C3(20)", Limited General Commercial and "R3-1", Medium Density Residential to "C3(S)", Limited General Commercial Special.

**Proposal:**

The applications seek to continue to permit office uses on a portion of the subject lands and facilitate the expansion and development of an adjacent retail store that would be accessory to the existing medical office use.

**Departmental/Agency Circulation:**

The Drainage Section, Nickel District Conservation and Roads, Traffic and Transportation have each advised that they no concerns from respective areas of interest.

Building Services has no objections but notes that based on the development proposal the two abutting PINs 02123-0272 and 02123-0273 are to be consolidated. There is also an outstanding building permit application for the detached garage located on the lands and the owner should be required to fulfill all requirements of said outstanding building permit. It was also noted by Building Services that certain site-specific relief from applicable zoning requirements may be necessary.

Development Engineering notes that both buildings presently on the lands are serviced with municipal water and sanitary sewer. The current sanitary service to 771 Lasalle Boulevard requires the installation of a test maintenance hole. Should the lots be consolidated, one of the buildings must be disconnected from the main on Lasalle Boulevard and connected downstream of the water meter within the other building. Storm-water management quality and quantity control must also be provided. Development Engineering further understands that the development proposal will proceed via an amendment to the existing site plan control agreement where servicing, storm-water management and lot grading relating to the development can be finalized in greater detail.

**Neighbourhood Consultation:**

The statutory notice of the public hearing was provided by newspaper along with an initial courtesy mail-out to landowners and tenants within a minimum of 120 m (400 ft) of the subject lands. The owner 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. The agent for the owner indicated on their application that they would be consulting with immediately abutting neighbours. At the time of writing this report, no phone calls and no written submissions with respect to this application have been received by the Planning Services Division.

**Title: 1679592 Ontario Inc.**

**Date: May 16, 2017**

**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 and staff notes that 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 proposed addition of a retail store as a permitted use accessory to an existing and related medical office in this urban setting along the Lasalle Boulevard mixed-used commercial corridor should be promoted.

Official Plan

The Mixed Use Commercial designation contains a mix of land uses and is generally located along certain stretches of Arterial Roads. It is the intent of the Plan to permit a range of uses in the Mixed Use Commercial designation including commercial, institutional, residential, and parks and open space through the rezoning process. Given the high visibility of Mixed Use Commercial areas, special attention to urban design principles is considered to be essential. Siting buildings to create a sense of street enclosure, locating parking lots to the rear of buildings, screening service entrances and garbage storage, and effective landscaping is to be utilized to enhance the aesthetic appearance of mixed use corridors.

Within the Mixed Use Commercial designation, subject to rezoning, new development may be permitted provided that:

1. Sewer and water capacities are adequate for the site;
2. Parking can be adequately provided;
3. No new access to Arterial Roads will be permitted where reasonable alternate access is available;
4. The traffic carrying capacity of the Arterial Road is not significantly affected;
5. Traffic improvements, such as turning lanes, where required for a new development, will be provided by the proponent; and,
6. Landscaping along the entire length of road frontages and buffering between non-residential and residential uses will be provided.

Subsection 22.38 of the Official Plan also includes a site-specific exception to the portion of the lands which contain the existing medical office which limits the permitted uses to only business, professional and medical offices, multiple dwellings and their accessory uses.

Staff is recommending that Subsection 22.38 of the current Official Plan be deleted should the Official Plan Amendment and Zoning By-law Amendment applications be approved by Council.

Staff is supportive of the re-designation from Living Area 1 to Mixed Use Commercial under the Official Plan as the re-designation as proposed is a reasonable extension to an existing Mixed Use Commercial corridor located along the north-side of Lasalle Boulevard and to the east at the Montrose Avenue intersection. Lasalle Boulevard is also an Arterial Road and the re-designation would not result in the creation of a disjointed or unreasonably located Mixed Use Commercial corridor.



**Title: 1679592 Ontario Inc.**

**Date: May 16, 2017**

Based on a review of the Mixed Use Commercial designation rezoning policies, staff is in support of the re-designation for the following reasons:

1. Development Engineering has advised that there are existing municipal sewer and water services available to the subject lands from Lasalle Boulevard. Staff notes it is the intention of the owner and recommended by Building Services that 761 and 771 Lasalle Boulevard be consolidated on-title based on the development being proposed, in which case one of the two existing connections to the main would need to be disconnected. This would be addressed through the site planning process as described later in this report;
2. Based on a review of the submitted sketch, there appears to be sufficient and adequate on-site space in order to support required parking areas including standard parking spaces, accessible parking spaces, bicycle parking spaces and loading spaces across both parcels of land;
3. Staff notes that the subject lands presently have two driveway entrances with one driveway providing access to the residential dwelling and the other driveway providing driveway access to the existing medical office building. The submitted sketch depicts one driveway entrance providing reasonable access to the existing medical office as well as the future proposed retail store. The development proposal would result in a reduction of driveway entrances onto Lasalle Boulevard;
4. Staff do not anticipate any significant or negative effects on the traffic carrying capacity of Lasalle Boulevard should the applications be approved;
5. Roads, Traffic and Transportation reviewed the submitted sketch and did not identify any traffic improvements that would be necessary in order to accommodate the addition of a retail store in this location along Lasalle Boulevard; and,
6. With respect to landscaping strips along the entire length of road frontages and buffering between non-residential and residential uses, it is anticipated that the site planning process can positively contribute to these aspects of the proposed development. Staff also notes the existing medical office is already well buffered to the residential use to the west by a mature woodlot. The owner is not requesting any site-specific relief from landscaping and buffering requirements under the Zoning By-law.

#### Zoning By-law

The owner is requesting that the lands subject to these applications be zoned "C3(S)", Limited General Commercial in order to continue to permit office uses on a portion of the subject lands and facilitate the expansion and development of an adjacent retail store that would be accessory to the existing medical office use. The owner has requested site-specific relief relating to the location of both the existing medical office and the proposed retail store. The owner is also requesting a reduction from setback requirements from lot lines to parking areas and spaces. Staff has reviewed this request and has the following comments:

1. The amending by-law would continue to permit business and professional offices, medical offices and add a retail store as a permitted land use. There appears to be sufficient area on the lands subject to the rezoning to support parking requirements;
2. The proposed retail building is setback at 4.27 m (14 ft) from the front lot line whereas 7.5 m (24.61 ft) is required. Staff is supportive of this setback as it would facilitate lands in the rear of the proposed building to accommodate parking spaces as opposed to in front of the building;
3. The proposed retail building would also require relief for a 1.63 m (5.34 ft) side yard setback whereas 3 m (9.84 ft) is required typically for an interior side yard that abuts a residential lot;

**Title: 1679592 Ontario Inc.**

**Date: May 16, 2017**

4. Staff have no concerns with recognizing the existing interior side yard and rear yard setbacks which are already established for the medical office building and have incorporated this relief into the recommendation for approval; and,
5. With respect to the parking area setback and buffering, as well as loading space relief being requested, staff is generally supportive of the request in general in order to ensure the functionality of the site and would recommend that the extent of relief necessary be incorporated into the amending zoning by-law once an amended site plan control agreement has been finalized on the lands.

Staff notes that a maximum of 26 parking spaces would need to be provided on-site in order to accommodate the combined medical office and retail store based on information provided on the submitted sketch. The parking space requirement may be lower as net floor areas are not provided and both of the uses rely upon a parking rate of 1 parking space per each 20 m<sup>2</sup> (215.29 ft<sup>2</sup>) of net floor area. Staff also note that sufficient space appears to be available at the rear of the lands being rezoned to provide additional parking spaces if required, including the provision of accessible parking spaces and loading spaces where and if required.

Staff also understands from the agent for the owner that the detached garage in the rear of the lands known as 771 Lasalle Boulevard is being used for personal storage purposes. The detached garage at present has a principal building in the form of a residential dwelling and is therefore permitted. Once the residential dwelling is removed in favour of a retail store there will no longer be a principal use or residential use located on this portion of the subject lands. Staff would advise the owner that the detached garage at this point could no longer be used for personal storage purposes and should either be removed entirely or use only for storage purposes directly associated with the medical office. The owner will need to consolidate the lands so that the existing medical office becomes the principal use or in the alternative demolish the detached garage to the satisfaction of the Chief Building Official. Staff has structured a condition to this effect in the recommendation section of this report.

#### Site Plan Control

Staff notes that there is an existing site plan control agreement applicable to those lands known municipally as 761 Lasalle Boulevard. Development Engineering has noted the details of the development as they related to lot grading, storm-water management and site servicing should be addressed through the site plan process. The site planning process in this case would also address the installation of a Precast Test Maintenance Hold (GSSD-1001.030) or Maintenance Access Chamber (GSSD-1001.040) to the satisfaction of the General Manager of Growth and Infrastructure. Other site planning matters relating to landscaping buffers, fencing and parking areas and spaces are to be further refined through the site planning process as this development proceeds. Staff is therefore recommending that as a condition of approving the Zoning By-law Amendment that the owner be required to enter into an amended site plan control agreement that contemplates and solidifies the site planning details of developing the retail store in conjunction with the existing medical office. The amending zoning by-law would therefore not be enacted until such time as the amended site plan control agreement is entered in with the City and properly registered on-title of the lands.

**Title: 1679592 Ontario Inc.**

**Date: May 16, 2017**

**Summary:**

Staff has reviewed the development proposal and is satisfied that the amendment to the Official Plan can be supported and the amendment to the Zoning By-law conforms to the Official Plan. The development proposal is also consistent with the land use planning policy directions identified in PPS. Staff has no concerns with the requested zone category and has noted in this report those site-specific provisions which should be included in the amending zoning by-law. Staff is also recommending that conditions related to building permit matters and an amending site plan control agreement be satisfied prior to an amending zoning by-law being enacted by Council. The Planning Services Division therefore recommends that the re-designation to Mixed Use Commercial under the Official Plan be approved and that the rezoning to continue to permit office uses on a portion of the subject lands and facilitate the expansion and development of an adjacent retail store that would be accessory to the existing medical office use be approved subject to the conditions noted in the recommendation section of this report.

# Appendix 1

## Departmental & Agency Comments

Files: 701-6/17-3 & 751-6/17-6

**RE: Application for Rezoning – 1679592 Ontario Inc. – PINs 02123-0272 & 02123-0273, Parcels 34030 & 12066, Parts 1 to 3, Plan 53R-16350, Parts 1 & 3, Plan 53R-4474 and Part 1, Plan 53R-6951, Lot 3, Concession 5, Township of McKim (761 & 771 Lasalle Boulevard, Sudbury)**

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### Building Services

We have no objection to the proposed change of the land use designation Living Area 1 to Mixed Use Commercial, with the subject area.

We have no objection to the rezoning of the properties from C3(20) and R3-1 to C3(S) subject to the following:

1. The completion of a lot consolidation for PIN 02123-0272 and PIN 02123-0273 as noted on the sketch submitted.

The applicant should also be made aware of the following concerns before proceeding:

1. There is currently an incomplete permit for the detached garage on the property. The owner is required to fulfill the requirements of the permit and obtain the necessary inspections to have the permit closed; and,
2. The proposed plan indicates a requirement for minor variances to address reduced front and side yard setbacks and required landscape buffers.

### Development Engineering

Both buildings are currently serviced with municipal water and sanitary sewer. The current sanitary service to 771 Lasalle Boulevard requires installation of a test maintenance hole. Should the lots be consolidated, one of the buildings must be disconnected from the main on Lasalle and connected downstream of the water meter within the other building.

Storm-water management quality and quantity control must be provided for this site.

We understand that this development will proceed by way of an amendment to the existing Site Plan. We will comment on the details of such things as servicing, storm-water management, lot grading at this stage.

### Drainage

No concerns.

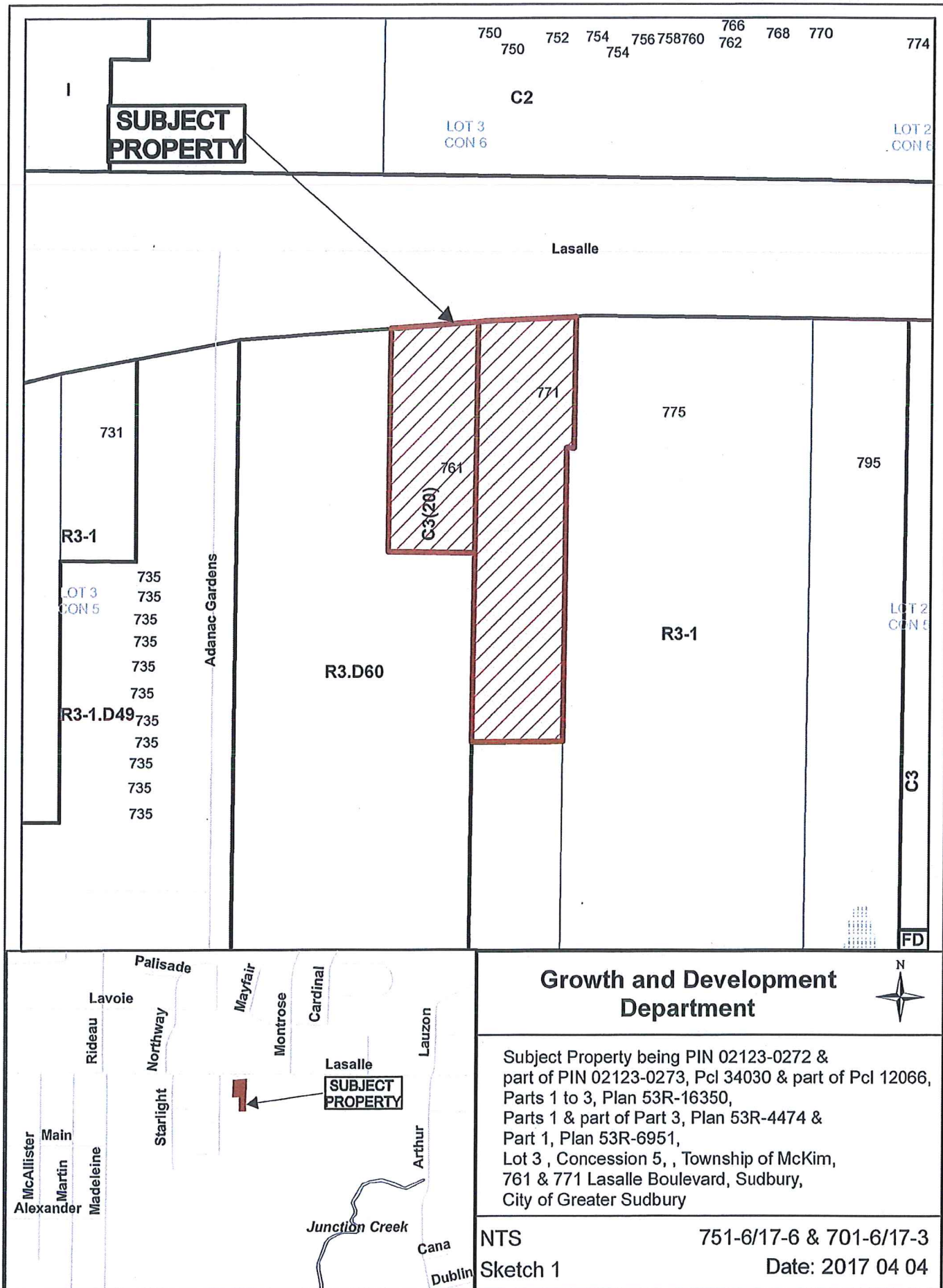
### Nickel District Conservation Authority

No concerns.

### Roads and Transportation

No concerns.





## Growth and Development Department

Subject Property being PIN 02123-0272 & part of PIN 02123-0273, Pcl 34030 & part of Pcl 12066, Parts 1 to 3, Plan 53R-16350, Parts 1 & part of Part 3, Plan 53R-4474 & Part 1, Plan 53R-6951, Lot 3, Concession 5, , Township of McKim, 761 & 771 Lasalle Boulevard, Sudbury, City of Greater Sudbury

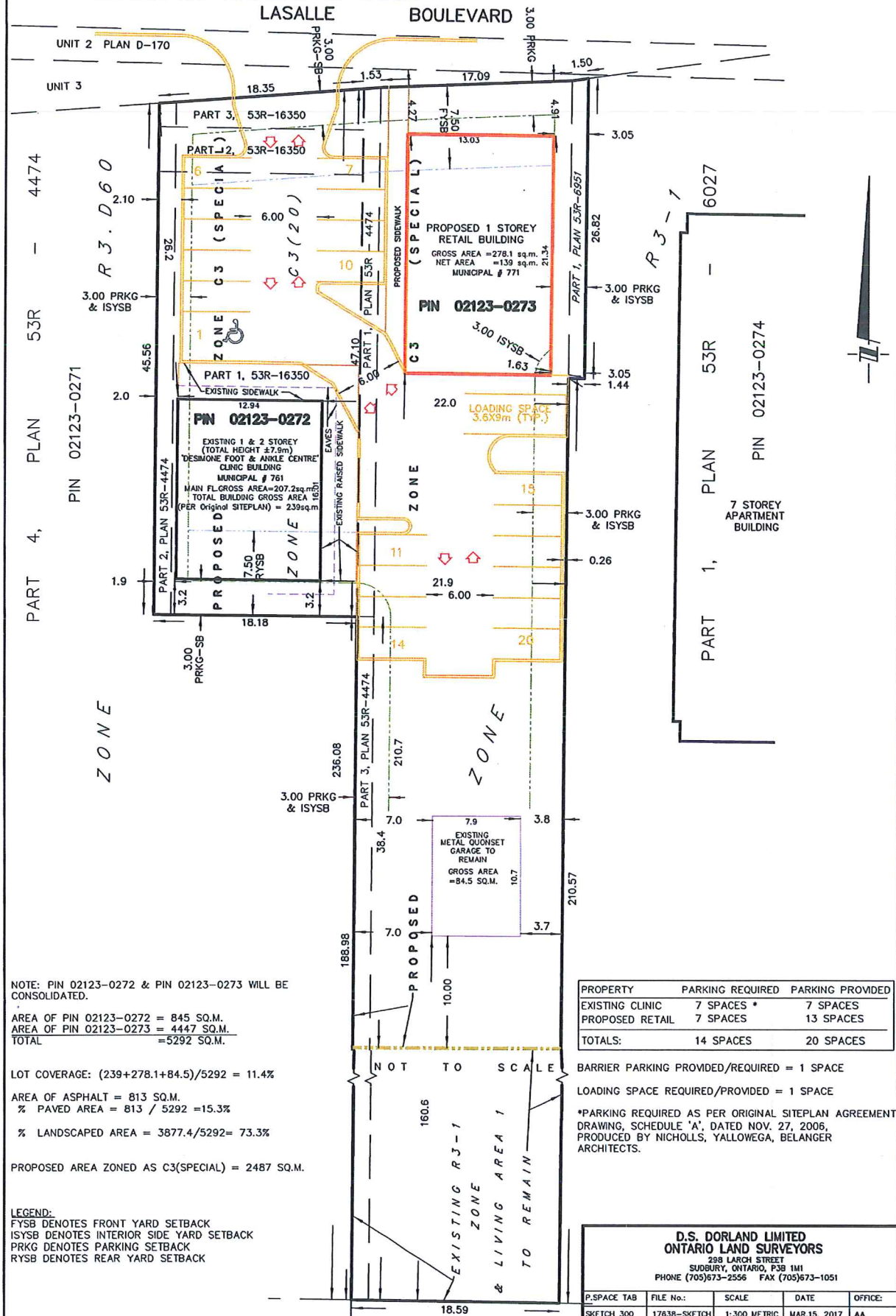
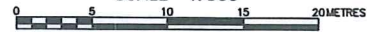
NTS  
Sketch 1

751-6/17-6 & 701-6/17-3  
Date: 2017 04 04

REQUIRED SKETCH  
**PIN 02123-0272 & PIN 02123-0273**  
 LOT 3, CONCESSION 5  
 GEOGRAPHIC TOWNSHIP OF McKIM

CITY OF GREATER SUDBURY  
 DISTRICT OF SUDBURY

SCALE 1:300



NOTE: PIN 02123-0272 & PIN 02123-0273 WILL BE CONSOLIDATED.

AREA OF PIN 02123-0272 = 845 SQ.M.  
 AREA OF PIN 02123-0273 = 4447 SQ.M.  
 TOTAL = 5292 SQ.M.

LOT COVERAGE:  $(239+278.1+84.5)/5292 = 11.4\%$

AREA OF ASPHALT = 813 SQ.M.

% PAVED AREA =  $813 / 5292 = 15.3\%$

% LANDSCAPED AREA =  $3877.4/5292 = 73.3\%$

PROPOSED AREA ZONED AS C3(SPECIAL) = 2487 SQ.M.

LEGEND:

FVSB DENOTES FRONT YARD SETBACK  
 ISYB DENOTES INTERIOR SIDE YARD SETBACK  
 PRKG DENOTES PARKING SETBACK  
 RYSB DENOTES REAR YARD SETBACK

PROPERTY	PARKING REQUIRED	PARKING PROVIDED
EXISTING CLINIC	7 SPACES *	7 SPACES
PROPOSED RETAIL	7 SPACES	13 SPACES
TOTALS:	14 SPACES	20 SPACES

BARRIER PARKING PROVIDED/REQUIRED = 1 SPACE

LOADING SPACE REQUIRED/PROVIDED = 1 SPACE

\*PARKING REQUIRED AS PER ORIGINAL SITEPLAN AGREEMENT DRAWING, SCHEDULE 'A', DATED NOV. 27, 2006, PRODUCED BY NICHOLLS, YALOWEGA, BELANGER ARCHITECTS.

**D.S. DORLAND LIMITED**  
**ONTARIO LAND SURVEYORS**

289 LARCH STREET  
 SUDBURY, ONTARIO, P3B 1M1  
 PHONE (705)673-2556 FAX (705)673-1051

P. SPACE TAB	FILE No.:	SCALE	DATE	OFFICE:
SKETCH 300	17638-SKETCH	1:300 METRIC	MAR.15, 2017	AA





PHOTO 1 SUBJECT LANDS CONTAINING EXISTING MEDICAL OFFICE  
AND RESIDENTIAL DWELLING AS VIEWED FROM  
LASALLE BOULEVARD LOOKING SOUTH



PHOTO 2 EXISTING DETACHED GARAGE IN THE REAR YARD OF THE  
SUBJECT LANDS LOOKING SOUTH FROM THE  
RESIDENTIAL DWELLING

701-6/17-3 & 751-6/17-6  
PHOTOGRAPHY APRIL 4, 2017





PHOTO 3 EXISTING COMMERCIAL DEVELOPMENT TO THE  
IMMEDIATE NORTH OF THE SUBJECT LANDS



PHOTO 4 EXISTING RESIDENTIAL DEVELOPMENT TO THE  
IMMEDIATE WEST OF THE SUBJECT LANDS

701-6/17-3 & 751-6/17-6  
PHOTOGRAPHY APRIL 4, 2017

## **MINUTES- JUNE 12, 2017**

1679592 Ontario Inc. -Applications for Official Plan Amendment and Zoning By-law Amendment in order to continue to permit office uses and facilitate the development of a retail store accessory to the existing medical office use, 761 & 771 Lasalle Boulevard, Sudbury

**The Planning Committee meeting was adjourned and the Public Hearing was opened to deal with the following:**

Report dated May 23, 2017 from the General Manager of Growth and Infrastructure regarding 1679592 Ontario Inc. Applications for Official Plan Amendment and Zoning By-law Amendment in order to continue to permit office uses and facilitate the development of a retail store accessory to the existing medical office use, 761 & 771 Lasalle Boulevard, Sudbury.

Claude Lacroix, Lawyer for the applicant and Dave Dorland, agent for the applicant were present.

Jason Ferrigan, Director of Planning, stated that this property will be subject to a Site Plan Control Agreement and will be assessed with the policies that are in place today which will allow them to improve the look and feel of the property. He advised that this property is not subject to the policies of the Lasalle Corridor Study. The Site Plan Control Agreement will examine access, parking, landscaping and bicycle parking. He confirmed that the other recent application for rezoning on Lasalle was not subject to Site Plan Control Agreement, however, it is in this case since this property is being substantially changed.

Mr. Dorland stated that he would like clarification on the Site Plan Control Agreement so that they can become more consistent. He advised when properties are consolidated and made into one property they are supposed to have one water service. He stated that it does not make sense not to use the water line currently installed at the present location and install another water line under a paved driveway at the second location, which may not provide enough flow for fire services. He advised that there is currently a test manhole located at the westerly property and would like to see the requirement of another test manhole be removed. The property is 600 feet deep and water naturally drains across the existing parking lot. A Stormwater Management report cost approximately \$10,000 and he does not feel it is necessary for this property since everything is remaining the same.

Rob Webb, Supervisor of Development Engineering, stated there is a water use by-law that states one water service connection per site, which is to prevent multiple water service connections for individual property owners. He advised that they do not have the sprinkler requirements or waterflow tests. He stated that every commercial site requires a test manhole. He stated that a Stormwater Management Report is looked at during the Site Plan Control stage and sometimes a letter from a qualified engineer is sufficient for the issue of stormwater. The staff review shows sufficient fire service and hydrants available on Lasalle Boulevard, however, they do not have information regarding the sprinkler system inside the building.

Jason Ferrigan, Director of Planning Services, stated that they currently do not have an amended Site Plan Control Agreement and any issues will be addressed through that process.

Mr. Dorland stated that the policy regarding two water connections is a Council policy and he feels strongly that they should be able to use the the copper line that exists in the easterly building rather than breaking into the westerly building to provide another line.

Jason Ferrigan, Director of Planning Services, stated that staff are here to implement the water policy which is one connection service per property. The intent of this policy is to bring an order of regulation and certainty for billing and it is more efficient to bill one service connection per property.

The Chair asked whether there was anyone in the audience who wished to speak in favour or against this applicant and seeing none:

**The Public Hearing concerning this matter was closed and the Planning Committee resumed in order to discuss and vote on the matter.**

The following resolutions were presented:

Resolution regarding Official Plan Amendment:

PL2017-92 Sizer/Jakubo: THAT the City of Greater Sudbury approves the application by 1679592 Ontario Inc. with respect to those lands described as PINs 02123-0272 & 02123-0273, Parcels 34030 & 12066, Parts 1 to 3, Plan 53R-16350, Parts 1 & 3, Plan 53R-4474 and Part 1, Plan 53R-6951, Lot 3, Concession 5, Township of McKim to amend the Official Plan for the City of Greater Sudbury by changing the land use designation on the subject lands from Living Area 1 to Mixed Use Commercial and by deleting the site-specific exception found under Subsection 22.38 of the Official Plan.

YEAS: Councillors Jakubo, Sizer, McIntosh

**CARRIED**

Resolution regarding Zoning By-law Amendment:

PL2017-93 Jakubo/Sizer: THAT the City of Greater Sudbury approves the application by 1679592 Ontario Inc. with respect to those lands described as PINs 02123-0272 & 02123-0273, Parcels 34030 & 12066, Parts 1 to 3, Plan 53R 16350, Parts 1 & 3, Plan 53R-4474 and Part 1, Plan 53R-6951, Lot 3, Concession 5, Township of McKim to change the zoning classification of the subject lands from "C3(20)", Limited General Commercial and "R3-1", Medium Density Residential to "C3(S)", Limited General Commercial Special subject to the following conditions:

1. That prior to the enactment of the amending zoning by-law:
  - a. The owner shall have entered into an amended site plan control agreement with the City and register said amended site plan control agreement on-title to the satisfaction of the Director of Planning Services; and,
  - b. The owner shall have finalized any open and outstanding or otherwise required building permits applicable to the lands, including a demolition permit if necessary relating to the removal of the detached garage, or the two lots are consolidated, making the medical office the new principal use of the lands to the satisfaction of the Chief Building Official.

2. That the amending zoning by-law contain the following site-specific provisions:
- a. That the only permitted uses on the subject lands shall be business and professional offices, medical offices and a retail store;
  - b. That the retail store be permitted a front yard setback of 4.2 metres and an easterly interior side yard setback of 1.6 metres;
  - c. That the existing medical office building be permitted a westerly interior side yard setback of 1.9 m and a rear yard setback of 3.2 metres; and,
  - d. That any further relief required for the parking areas and any parking spaces or loading space, as well as landscaping and buffering be incorporated into the amending zoning by law once the site planning process has concluded.

YEAS:Councillors Jakubo, Sizer, McIntosh

**CARRIED**

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