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| Presented To: | Planning Committee   |
| Presented:    | Monday, Jun 25, 2012 |
| Report Date   | Monday, Jun 11, 2012 |
| Type:         | Public Hearings      |
| File Number:  | 751-5/12-2           |

## Request for Decision

**Application for rezoning in order to permit the construction of a semi-detached dwelling lot, Montpellier Road, Chelmsford - Ronald Vaillancourt & Therese Coleman**

### Recommendation

THAT the City of Greater Sudbury deny the application by Ronald Vaillancourt and Therese Coleman to amend By-law 2010-100Z being the City of Greater Sudbury Zoning By-law by changing the zoning classification of lands described as PIN 73351-0336, Parcel 21865 SWS, Parts 7 & 8, Plan SR-3503, Lot 2, Concession 4, Township of Balfour from "R1-5", Low Density Residential One to "R2-2", Low Density Residential Two.

### STAFF REPORT

#### **Applicant:**

Ronald Vaillancourt & Therese Coleman

#### **Location:**

PIN 73351-0336, Parcel 21865 SWS, Parts 7 & 8, Plan SR-3503, Lot 2, Concession 4, Township of Balfour (Montpellier Road, Chelmsford)

#### **Application:**

To amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury by changing the zoning classification from "R1-5", Low Density Residential One to "R2-2", Low Density Residential Two.

#### **Proposal:**

The application is to permit the construction of a semi-detached dwelling on the subject lands.

#### **Official Plan Conformity:**

The subject lands are designated Living Area 1 in the Official Plan for the City of Greater Sudbury. New residential development within the Living Area 1 designation is to be compatible with the existing physical

#### **Signed By**

##### **Report Prepared By**

Glen Ferguson  
Senior Planner  
*Digitally Signed Jun 11, 12*

##### **Reviewed By**

Eric Taylor  
Manager of Development Services  
*Digitally Signed Jun 11, 12*

##### **Recommended by the Division**

Paul Baskcomb  
Director of Planning Services  
*Digitally Signed Jun 11, 12*

##### **Recommended by the Department**

Bill Lautenbach  
General Manager of Growth and Development  
*Digitally Signed Jun 11, 12*

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

Doug Nadorozny  
Chief Administrative Officer  
*Digitally Signed Jun 12, 12*

character of established neighbourhoods with consideration given to the size and configuration of lots, predominant built form, building setbacks, building heights and other provisions applied to nearby properties under the Zoning By-law.

Section 3.2.1 of the Official Plan further outlines policies for considering applications to rezone lands situated within the Living Area 1 designation. In particular, Council is to consider if a proposed development is compatible with the surrounding neighbourhood in terms of scale, massing, height, siting, setbacks and the location of parking and amenity areas.

Section 3.3 of the Official Plan contains policies which address residential intensification as an effective means of ensuring the efficient use of land and infrastructure in the City. The proposed development is a form of intensification as it would rezone the lands from R1-5 to R2-2 and therefore the policies of Section 3.3 should be considered.

Section 12.2.3 of the Official Plan also contains policies with respect to the provision of private sewage systems that are to be located outside of fully serviced areas.

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

The subject lands are located at the north-east corner of Montpelier Road and McKenzie Road in the community of Chelmsford. The lands abut a Canadian Pacific Railway right-of-way to the immediate south and have road frontage to the north on Golf Course Road. The lands are presently vacant. Immediately surrounding land uses are comprised of partially serviced residential lots fronting onto Montpelier Road and Golf Course Road. There are a number of larger rural lots to the north and the Chelmsford Golf Course is to the north and east of the subject lands. There is a general mix of land uses further to the south located toward Municipal Road 15 near the Chelmsford Town Centre.

### **Departmental & Agency Comments:**

#### Building Services

No objections. It should be noted that the minimum setback to a railroad right-of-way is 30 m (98.43 ft) as per By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. The proposed plan shows a southerly setback of only 11 m (36.01 ft). The proposed building will need to be altered to fit within the allowable setbacks for this lot.

#### Development Engineering

Municipal water is available in the Golf Course Road right-of-way, but sanitary sewer is not available to the proposed development.

#### Drainage

No objections.

#### Nickel District Conservation Authority

No objections.

#### Roads, Traffic & Transportation

No objections.

### **Public Consultation:**

Given the minor nature of this application, a neighbourhood information session was not recommended. At

the time of writing this report, no phone calls or written submissions objecting to the application have been received by the Planning Services Division.

## **Planning Considerations:**

### **Official Plan**

#### **Living Area 1 - General Policies**

The Official Plan contains a specific and key reference to new residential development within the Living Area 1 designation being compatible with the existing physical character of a neighbourhood. Staff noted during site visits that the subject lands are immediately surrounded by a cluster of fourteen single-detached dwelling lots which front both Montpellier Road and Golf Course Road. Those dwellings situated along Golf Course Road are generally one-storey and single-detached. There are several two-storey dwellings along Montpellier Road. There are no semi-detached dwellings within this identified cluster of dwellings.

The character of the immediate neighbourhood is also well established. Lot creation along this portion of Montpellier Road and along Golf Course Road has been limited with the majority of these lots having been created before 1980. The opportunity for further lot creation and expansion of this residential cluster is limited given that to the north there are larger rural lots and the Chelmsford Golf Course. There is also limited possibility of lots being created to the south as the railroad right-of-way to the south forms a natural edge to this residential cluster. Staff have identified that several of the lots which are zoned R1-5 in the immediate area could likely be further severed to create single-detached dwelling lots. If these were severed it should be noted that the R1-5 Zone would only permit construction of single-detached dwellings and not semi-detached dwellings as is being proposed now as a rezoning.

Site visits to the larger and more general area were also conducted, which would include properties along McKenzie Road and further south on Montpellier Road where Main Street in Chelmsford is located. There is a small cluster of single-detached dwellings near the intersection of Montpellier Road and McKenzie Road. Further to the south, there are some medium-density buildings on the east side of Montpellier Road however these uses are located closer to the Chelmsford Town Centre where a general mix of residential built-forms and densities are presently located.

#### **Living Area 1 – Residential Intensification Policies**

The proposed rezoning from R1-5 to R2-2 is a form of residential intensification that has the potential to increase the density of the neighbourhood. Section 3.3 of the Official Plan directs intensification of this kind to fully serviced areas as long as no dramatic change in the character and scale of the neighbourhood would result. Staff is of the opinion that the proposed development would be inappropriate given that the lands are partially serviced and they are surrounded by low density single-detached residential lots, with even lower density rural residential areas surrounding the fourteen R1-5 lots which are in the immediate vicinity of the subject lands.

#### **Private Sewage System Policies**

The Official Plan identifies that certain parts of Living Areas are either partially serviced or unserved and further that in these situations private sewage systems are permitted subject to the policies of the Plan. Staff note that the subject lands are within the Living Area 1 designation and are only partially serviced as there is municipal water available, but no municipal sanitary sewer service. Staff have no objections to the partially

serviced lot being used for the purposes of constructing a single-detached dwelling but the proposed semi-detached dwelling is not supportable from a residential intensification perspective for the reasons noted in this report.

Staff is of the opinion that the development of a single-detached dwelling, but not a semi-detached dwelling, in this location on a partially serviced lot can be supported from a private sewage system policy perspective.

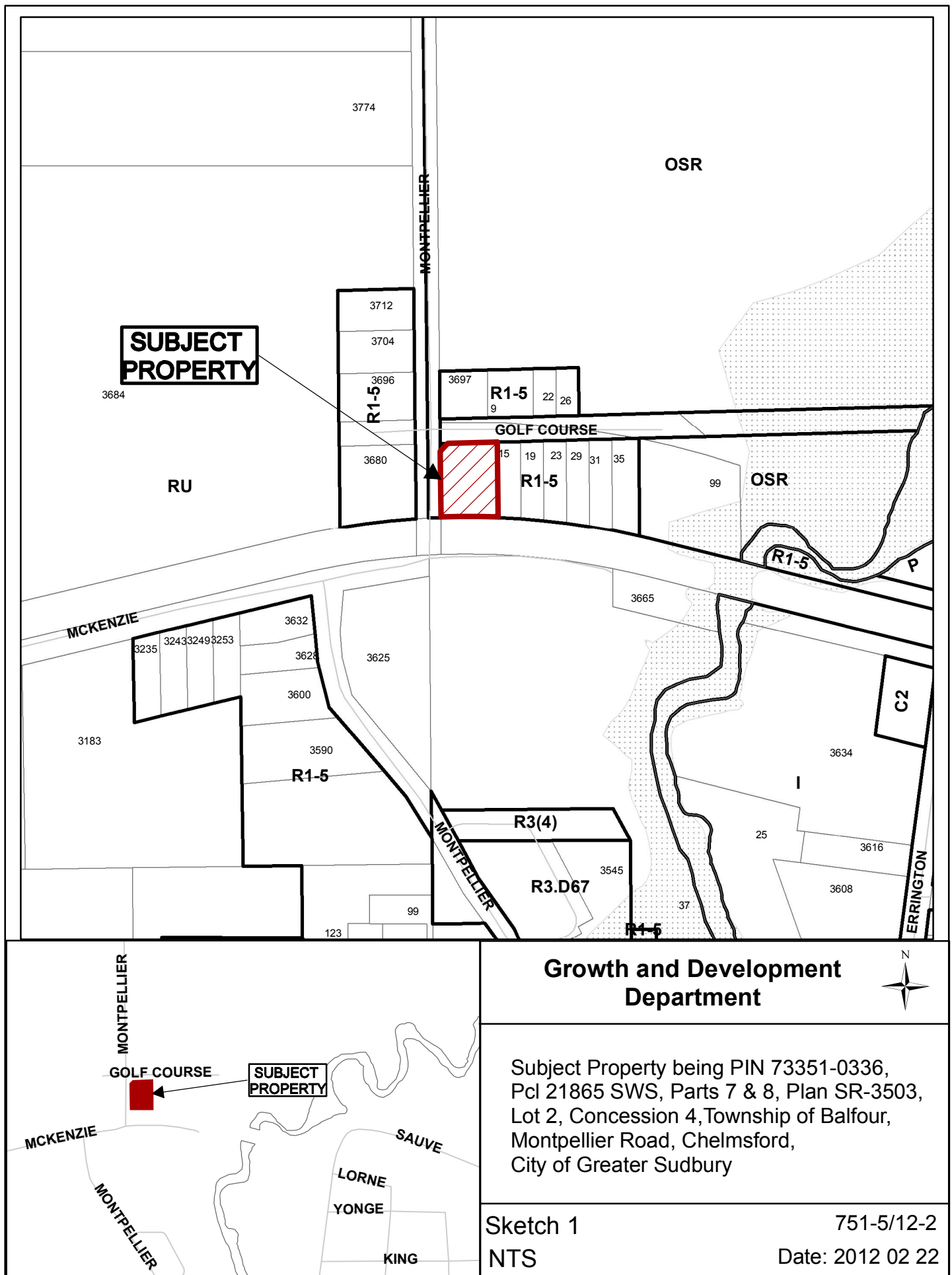
## **Other Planning Matters**

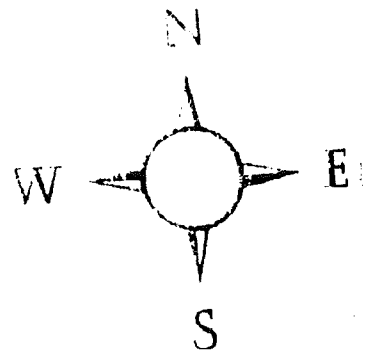
### **Railroad Setback Requirement**

All residential buildings and structures are to be setback 30 m (100 ft) from any lot line which abuts a railroad right-of-way. The proposed development would situate a semi-detached dwelling 11 m (36.09 ft) from a Canadian Pacific Railway right-of-way which is located to the immediate south of the subject lands. This setback would result in two residential dwellings being setback 19 m (62.36 ft) less than what is normally required in order to minimize health, safety and the general welfare of residents. Staff do not support the setback that is being proposed and recommend that any development on these lands comply with the railroad setback requirement. Staff has reviewed the submitted sketch and is of the opinion that there appears to be enough space to position a building which fronts Golf Course Road in order to move the dwelling away from the railroad right-of-way.

## **Summary**

The Planning Services Division cannot support the application to rezone in order to permit a semi-detached dwelling and recommend that it be denied on the basis the proposed development is partially serviced and not an appropriate form of residential intensification.





Golf Course Road

39.624 meters

11 m

12.19 m

30.48 meters

6 meters

21.43 meters

11 m

45.726 meters

Canadian Pacific Railway

NONTPELLIER ROAD

52.493 meters

59.92 meters

**PLAN-SR-3503**

APPROVED 4 AUG. 1978

## 1. HEATING

### ASSISTANT EXAMINER OF SURVEYS

RECORDED UNDER No

REGISTERED

## MASTER OF TITLES

PARTS 1 TO 9 INCL. BEING PART OF PCL. 11577 S.W.S.

NOTE:  
ALL BEARINGS SHOWN HEREIN ARE ASSUMED AND DERIVED FROM  
THE BEARING OF N 0° 48' W FOR THE EAST LIMIT OF  
PART 1, AS SHOWN ON PLAN SR - 2338, OF RECORD  
IN THE LAND TITLES OFFICE AT SUDBURY.

SURVEYOR'S CERTIFICATE

ADJUTANT GENERAL

;; THAT THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE THEREUNDER;

2) THAT I WAS PRESENT AT AND DID PERSONALLY SUPERVISE THE SURVEY REPRESENTED BY THIS PLAN;

3) THAT THIS PLAN CONTAINS A TRUE COPY OF THE FIELD NOTES OF SURVEY;

4) THAT THE SURVEY WAS COMPLETED ON THE 6 TH DAY OF JULY, 1970.

JULY 7, 1970.

D. W. ENDERMAN OILS

### LEGEND

|                                    |  |
|------------------------------------|--|
| <input type="checkbox"/> S.I.B.    | DENOTES 1" x 1" x 48" LONG IRON BAR.     |
| <input type="checkbox"/> S.S.I.B.  | DENOTES 1" x 1" x 48" LONG IRON BAR.     |
| <input type="checkbox"/> I.B.      | DENOTES 1/2" x 1/2" x 48" LONG IRON BAR. |
| <input type="checkbox"/> B.        | DENOTES 1/2" x 1/2" x 6" LONG IRON BAR.  |
| <input type="checkbox"/> W.S.      | DENOTES 2" x 2" x 24" LONG WOOD STAKE.   |
| <input type="checkbox"/> C.M.      | DENOTES CONCRETE MONUMENT.               |
| <input type="checkbox"/> I.P.      | DENOTES IRON PIPE.                       |
| <input type="checkbox"/> C.C.      | DENOTES CUP CROSS.                       |
| <input type="checkbox"/> F.D.      | DENOTES FOUND.                           |
| <input type="checkbox"/> P.M.      | DENOTES MONUMENT PLANTED.                |
| <input type="checkbox"/> I.P. & W. | DENOTES P-AN AND MEASURED.               |
| <input type="checkbox"/> (R)       | DENOTES REGISTERED.                      |

PLAN OF SURVEY OF PART OF

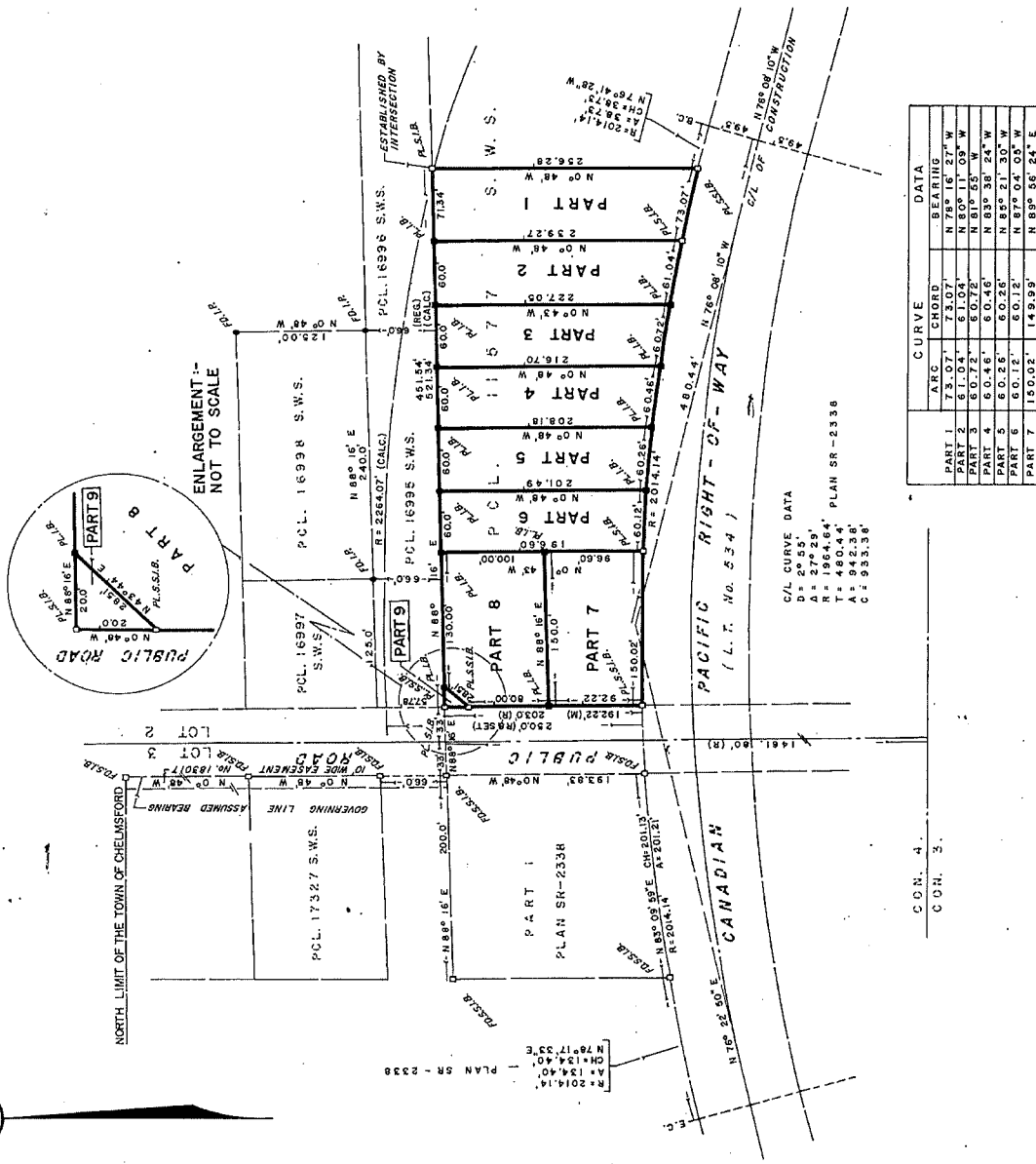
LOT 2 - CONCESSION 4

TOWNSHIP OF BALFOUR  
DISTRICT OF SUDBURY

|               |           |                    |
|---------------|-----------|--------------------|
| DATE          | SCALE     | REF. No.           |
| JULY 7, 1970. | 1" = 100' | (6)-2-4 - BALFOUR. |

ENDLEMAN, HOLDER & WALLACE  
ONTARIO LAND SURVEYORS — PROFESSIONAL ENGINEERS  
174 ELM ST. W. SUDBURY ONTARIO

OT 70-317



CON. 4.

1. 100

MAE 11-88



Photo 1 SUBJECT LANDS AS VIEWED FROM GOLF COURSE ROAD LOOKING SOUTH TOWARD CHELMSFORD TOWN CENTRE



Photo 2 SUBJECT LANDS AS VIEWED FROM MONTELLIER ROAD LOOKING NORTH TOWARD GOLF COURSE ROAD

751-5/12-2 Photography June 4, 2012





Photo 3 EXISTING SINGLE DETACHED DWELLING TO THE IMMEDIATE WEST OF THE SUBJECT LANDS



Photo 4 EXISTING SINGLE DETACHED DWELLING WITH DETACHED GARAGE TO THE IMMEDIATE EAST OF THE SUBJECT LANDS

751-5/12-2 Photography June 4, 2012



Photo 5 EXISTING SINGLE DETACHED DWELLING TO THE IMMEDIATE NORTH OF THE SUBJECT LANDS



Photo 6 EXISTING SINGLE DETACHED DWELLINGS ON GOLF COURSE ROAD TO THE NORTH-EAST OF THE SUBJECT LANDS

751-5/12-2 Photography June 4, 2012