

Minutes

For the Planning Committee Meeting

September 13, 2021
Tom Davies Square

Present (Mayor and Councillors)	Councillor McCausland, Councillor Kirwan, Councillor Lapierre, Councillor Leduc, Councillor Landry-Altmann
City Officials	Kris Longston, Director of Planning Services, Alex Singbush, Manager of Development Approvals, Robert Webb, Supervisor of Development Engineering, Ed Landry, Senior Planner, Community & Strategic Planning, Glen Ferguson, Senior Planner, Mauro Manzon, Senior Planner, Joe Rocca, Traffic and Asset Management Supervisor, Brigitte Sobush, Manager of Clerk's Services/Deputy City Clerk, Vickie Hartley, Clerk's Services Assistant, Lisa Locken, Clerk's Services Assistant

Councillor Kirwan, In the Chair

1. Call to Order

The meeting commenced at 1:06 p.m.

2. Roll Call

A roll call was conducted.

3. Declarations of Pecuniary Interest and the General Nature Thereof

None declared.

4. Public Hearings

4.1 South Bay Road, Sudbury

The Planning Committee was adjourned and the Public Hearing was opened to deal with the application:

Mauro Manzon, Senior Planner, outlined the report.

Jason Ferrigan and Gursimran Saini, J.L. Richards and Associates Ltd., and Candice Green, R.V Anderson Associates Ltd. agents for the applicants were present.

The Planning Department responded to questions from the Committee members.

The agents for the applicant provided a presentation to the Committee and responded to questions from the Committee members.

Councillor Landry-Altmann, arrived at 2:00 p.m.

The agent responded to questions from the Committee members.

Elaine Porter, Co-Chair, Ramsey Lake Stewardship Committee provided comments and concerns to the Committee.

The Chair asked whether there was anyone else who wished to speak in favour or against this application and hearing none:

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

The following resolution was presented:

PL2021-129

Moved By Councillor McCausland

Seconded By Councillor Lapierre

THAT the City of Greater Sudbury denies the application by Dalron Construction Limited to amend the City of Greater Sudbury Official Plan to provide a site-specific exception to the lot creation policies of Section 20.5: South Peninsula of the Ramsey Lake Policy Area in order to remove a deeming by-law and permit three (3) single detached dwellings on lands described as Part of PINs 73592-0053 & 73592-0403, Lots 63, 64, 203 & 204, Plan M-423 in Lot 2, Concession 2, Township of McKim, as outlined in the report entitled "South Bay Road, Sudbury", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on September 13, 2021.

Rules of Procedure:

A Recorded Vote was held:

YEAS: (2): Councillor McCausland, and Councillor Kirwan

NAYS: (2): Councillor Lapierre, and Councillor Leduc

LOST (2 to 2)

Items that are lost on a tie vote are reported to Council with no recommendation in order to allow Council the opportunity to discuss the matter and make a decision.

4.2 Residential Parking Standards Review – Proposed Zoning By-law

The Planning Committee was adjourned and the Public Hearing was opened to deal with the application:

Ed Landry, Senior Planner of Community & Strategic Planning outlined the report.

The Planning Department responded to questions from the Committee members.

The Chair asked whether there was anyone else who wished to speak in favour or against this application and hearing none:

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

The following resolution was presented:

PL2021-130

Moved By Councillor Leduc

Seconded By Councillor Landry-Altmann

THAT the City of Greater Sudbury approves the proposed draft zoning by-law amendment which would provide new residential parking standards, as outlined in the report entitled “Residential Parking Standards Review - Proposed Zoning By-law”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on September 13, 2021.

Rules of Procedure

A Recorded Vote was held:

YEAS: (5): Councillor McCausland, Councillor Kirwan, Councillor Lapierre, Councillor Leduc, and Councillor Landry-Altmann

CARRIED (5 to 0)

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

5. Consent Agenda

The following resolution was presented:

PL2021-131

Moved By Councillor Landry-Altmann

Seconded By Councillor McCausland

THAT the City of Greater Sudbury approves Consent Agenda items 5.1.1 to 5.1.4.

CARRIED

The following are the Consent Agenda items:

5.1 Routine Management Reports

5.1.1 Joannette Road, Chelmsford

PL2021-132

Moved By Councillor Landry-Altmann

Seconded By Councillor McCausland

THAT the City of Greater Sudbury approves the extension of Official Plan Amendment application File # 701-5/19-1 and rezoning application File # 751-5/19-2 by Nickel Belt Boom Truck Ltd. on lands described as Part of PIN 73350-0593 in Lot 4, Concession 2, Township of Balfour, for a period of six (6) months to January 9, 2022, as outlined in the report entitled “Joannette Road, Chelmsford”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on September 13, 2021.

CARRIED

5.1.2 Fabian Crescent Subdivision, Garson

PL2021-133

Moved By Councillor Landry-Altmann

Seconded By Councillor McCausland

THAT the City of Greater Sudbury’s delegated official be directed to amend the conditions of draft approval for a plan of subdivision on those lands described as Parcel 48390 SES, Lot 6, Concession 1, Township of Garson, File # 780-3/90009, as outlined in the report entitled “Fabian Crescent Subdivision, Garson”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on September 13, 2021, as follows:

1. By deleting Condition #9 and replacing it with the following:

“9. That 5% of the cash value of the land included in the plan of subdivision be provided to the City for parks purposes in accordance with Section 51.1 of the Planning Act to the satisfaction of the Director of Leisure Services and the City Solicitor.”;

2. By deleting Condition #20 and replacing it with the following:

“21. That this draft approval shall lapse on September 4, 2024.”

1. By adding the following words at the end of Condition #26:

“The owner shall be responsible for the legal costs of preparing and registering any required lot grading agreement.”

2. By deleting Conditions #27 and #28 entirely;

3. By adding a new Condition #27 as follows:

“27.A storm-water management report and associated plans must be submitted by the owner’s consulting engineer for approval by the City. The report must address the following requirements:

- a. The underground storm sewer system within the plan of subdivision must be designed to accommodate and/or convey the minor storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City’s 2 year design storm. The permissible minor storm discharge from the subject development must be limited to the existing pre-development site runoff resulting from a 2 year design storm. Any resulting post development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision;
- b. “Enhanced” level must be used for the design of storm-water quality controls as defined by the Ministry of the Environment, Conservation and Parks;
- c. Storm-water management must follow the recommendations of the Junction Creek Sub-watershed Study;
- d. The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any storm-water management plan;
- e. The final grading of the lands shall be such that the surface water originating on or tributary to the said lands, including roof water from buildings and surface water from paved areas, will be discharged in a manner satisfactory to the General Manager of Growth and Infrastructure;
- f. Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties;
- g. Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted; and,
- h. .The owner shall be responsible for the design, construction of any required storm-water management works to the satisfaction of the General Manager of Growth and Infrastructure as part of the servicing plans for the subdivision, and the owner shall dedicate the lands for storm-water management works as a condition of this development.”
- i. By adding the following new Condition #39:

“39.The owner shall provide proof of sufficient fire flow in conjunction with the submission of construction drawings for each phase of construction. All costs associated with upgrading the existing distribution system to service this subdivision will be borne

totally by the owner.”;
and,

1. By adding the following new Condition #40:

“40.The owner shall provide proof of sufficient sanitary sewer capacity in conjunction with the submission of construction drawings for each phase of construction. All costs associated with upgrades to the downstream works required to service this subdivision will be borne totally by the owner.”

CARRIED

5.1.3 Whitson Lake Subdivision, Val Caron

PL2021-134

Moved By Councillor Landry-Altmann

Seconded By Councillor McCausland

THAT the City of Greater Sudbury’s delegated official be directed to amend the conditions of draft approval for a plan of subdivision on those lands described as Part of Parcels 2433 & 9436, Parts 1 to 3, Plan 53R-15429 and Parts 1 & 3, Plan 53R-16637, Lot 3, Concession 5, Township of Blezard, File # 780-7/98002, as outlined in the report entitled “Whitson Lake Subdivision, Val Caron” from the General Manager of Growth and Infrastructure, presented at the meeting on September 13, 2021, as follows:

By deleting Condition #9 and replacing it with the following:

“9. That 5% of the land included in the plan of subdivision be deeded or provided to the City for parks purposes in accordance with Section 51.1 of the Planning Act to the satisfaction of the Director of Leisure Services and the City Solicitor.”;

By deleting Condition #13 and replacing it with the following:

“13.The owner shall provide to the City, as part of the submission of servicing plans an erosion and sediment control plan detailing the location and types of sediment and erosion control measures to be implemented during the construction of each phase of the project. Said plan shall be to the satisfaction of the General Manager of Growth and Infrastructure and the Nickel District Conservation Authority. The siltation control shall remain in place until all disturbed areas have been stabilized. All sediment and erosion control measures shall be inspected daily to ensure that they are functioning properly and are maintained and/or updated as required. If the sediment and erosion control measures are not functioning properly, no further work shall occur until the sediment and/or erosion problem is addressed.”

By deleting Conditions #16 and #30 entirely;
By adding a new Condition #16 as follows:

“16.A storm-water management report and associated plans must be submitted by the owner’s consulting engineer for approval by the City. The report must address the following requirements:

The underground storm sewer system within the plan of subdivision must be designed to accommodate and/or convey the minor storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City’s 2 year design storm. The permissible minor storm discharge from the subject development must be limited to the existing pre-development site runoff resulting from a 2 year design storm;

The reduction of the permissible minor storm to pre-development levels may be alleviated by providing a drainage route via City owned blocks within the proposed subdivision out-letting into the lake;

Any resulting post development runoff in excess of this permissible discharge rate must

be controlled and detained within the plan of subdivision unless directed via City owned blocks within the proposed subdivision to the lake body;

The overland flow system within the plan of subdivision must be designed to accommodate and/or convey the major storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City’s 100 year design storm or Regional storm event, whichever is greater, without causing damage to proposed and adjacent public and private properties. The permissible major storm discharge from the subject development must be limited to the existing pre-development runoff resulting from a 100 year design storm or Regional storm event, whichever is greater;

The reduction of the permissible major storm to pre-development levels may be alleviated by providing a drainage route via City owned blocks within the proposed subdivision out-letting into the lake;

“Enhanced” level must be used for the design of storm-water quality controls as defined

by the Ministry of the Environment, Conservation and Parks;
Storm-water management must follow the recommendations of the Whitson River Sub-watershed Study;

The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any storm-water management plan;

The final grading of the lands shall be such that the surface water originating on or tributary to the said lands, including roof water

from buildings and surface water from paved areas, will be discharged in a manner satisfactory to the General Manager of Growth and Infrastructure;

Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties;

Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted; and,

The owner shall be responsible for the design and construction of any required storm-water management works to the satisfaction of the General Manager of Growth and Infrastructure as part of the servicing plans for the subdivision and the owner shall dedicate the lands for storm-water management works as a condition of this development.

“21. That this draft approval shall lapse on June 16, 2024.”;

By deleting Condition #29 and replacing it with the following:

“29. That prior to any vegetation removal or other site alteration on the subject lands, the owner shall demonstrate to the satisfaction of the Director of Planning Services that all requirements set out by the Ministry of the Environment, Conservation and Parks under the Endangered Species Act have been satisfied.”

By deleting Condition #31 and replacing it with the following:

“31. Prior to the submission of servicing plans, the owner/applicant shall, to the satisfaction of the Director of Planning Services and the Nickel District Conservation Authority, provide an updated Geotechnical Report prepared, signed, sealed, and dated by a geotechnical

engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development.

Also, the report should include design information and recommend construction procedures for any proposed storm and sanitary sewers, stormwater management facilities, watermain, roads to a 20 year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services. Included in this report must be details regarding removal of substandard soils (if any) and placement of engineered fill (if required) for the construction of new homes. A soils caution agreement, if required, shall be registered on title to the satisfaction of the Chief Building Official and the City Solicitor.”;

By deleting the word “Services” at the end of Condition #36; and,
By adding the following new Condition #41:

“41. That the applicant/owner prepare a development plan that includes the limit of the regulatory flood elevation of 292 metres and is consistent with the required lot grading/drainage plan. Development (as defined by the Conservation Authorities Act) must occur outside of the regulatory floodplain. This includes placement or removal of fill, lot grading, and the erection of buildings or structures.”

CARRIED

5.1.4 1823 Vermilion Lake Road, Dowling

PL2021-135

Moved By Councillor Landry-Altmann

Seconded By Councillor McCausland

THAT the City of Greater Sudbury approves the application by Teen Challenge Canada Inc. to extend the approval of a Zoning By-law Amendment Application, File # 751-4/19-1, on those lands described as PIN 73367-0543, Part of Parcel 6425, Lot 3, Concession 6, Township of Fairbank, for a period of one year until September 24, 2022, as outlined in the report entitled “1823 Vermilion Lake Road, Dowling”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on September 13, 2021.

CARRIED

Recess

At 2:59 p.m. the Committee recessed.

Reconvene

At 3:06 p.m. the Committee reconvened.

6. Managers' Reports

6.1 Legal Graffiti Wall Pilot Project Report

The following resolutions were presented:

PL2021-136

Moved By Councillor Lapierre

Seconded By Councillor Leduc

THAT The City of Greater Sudbury directs staff to prepare an amendment to the Property Standards By-law to incorporate a Legal Graffiti Wall Framework, as outlined in the report entitled “Legal Graffiti Wall Pilot

Project Report”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of September 13, 2021.

CARRIED

PL2021-137

Moved By Councillor Leduc

Seconded By Councillor McCausland

THAT The City of Greater Sudbury directs staff to develop a permitting process for Legal Graffiti Walls, as outlined in the report entitled “Legal Graffiti Wall Pilot Project Report”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of September 13, 2021.

CARRIED

7. Referred & Deferred Matters

7.1 Greenwood Subdivision, Sudbury

Rules of Procedure

With the concurrence of the Committee, the reading of the resolution was waived.

The following resolution was presented:

PL2021-138

Moved By Councillor Lapierre

Seconded By Councillor Leduc

THAT the City of Greater Sudbury’s delegated official be directed to amend the conditions of draft approval for a plan of subdivision on those lands described as PIN 73578-0515, Part 1, Plan 53R-18272, Part of Lots 11 & 12, Concession 3, Township of Neelon, File # 780- 6/07002, as outlined in the report entitled “Greenwood Subdivision, Sudbury”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on February 19, 2020, upon payment of Council’s processing fee in the amount of \$2,418 as follows:

1. By deleting Condition #10 and replacing it with the following:

“10. That this draft approval shall lapse on November 28, 2022.”

2. By adding the following words at the end of Condition #11:

"... A soils caution agreement, if required, shall be registered on title, to the satisfaction of the Chief Building Official and the City Solicitor."

3. By adding the following words at the end of Condition #12:

"... A lot grading agreement, if required, shall be registered on title, to the satisfaction of the Director of Planning Services and the City Solicitor."

4. By deleting Condition #13 entirely and replacing it with the following:

"13. A storm-water management report and associated plans must be submitted by the Owner's Consulting Engineer for approval by the City. The report must address the following requirements:

a) The underground storm sewer system within the plan of subdivision must be designed to accommodate and/or convey the minor storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 2 year design storm. The permissible minor storm discharge from the subject development must be limited to the existing pre development site runoff resulting from a 2 year design storm. Any resulting post development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision;

b) The overland flow system within the plan of subdivision must be designed to accommodate and/or convey the major storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 100 year design storm or Regional storm event, whichever is greater, without causing damage to proposed and adjacent public and private properties. The permissible major storm discharge from the subject development must be limited to the existing predevelopment runoff resulting from a 100 year design storm or Regional storm event, whichever is greater. Any resulting post development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision;

c) "Enhanced" level must be used for the design of storm-water quality controls as defined by the Ministry of the Environment, Conservation and Parks;

d) The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any storm-water management plan;

e) The final grading of the lands shall be such that the surface water originating on or tributary to the said lands, including roof water from buildings and surface water from paved areas, will be

discharged in a manner satisfactory to the General Manager of Growth and Infrastructure;

f) Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties; and,

g) Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted.”

5. By adding a new Condition #35 as follows:

“35. That in accordance with Section 59(4) of the Development Charges Act, a notice of agreement shall be registered on title to ensure that persons who first purchase the subdivided land after registration of the plan of subdivision are informed, at the time the land is transferred, of all development charges related to development.”

6. By adding a new Condition #36 as follows:

“36. The owner shall be responsible for the design and construction of any required storm-water management works to the satisfaction of the General Manager of Growth and Infrastructure as part of the servicing plans for the subdivision and the owner shall dedicate the lands for stormwater management works as a condition of this development;

Rules of Procedure

Councillor McCausland presented the following amendment:

Amendment:

PL2021-138-A1

Moved By Councillor McCausland

Seconded By Councillor Lapierre

THAT the resolution be amended to include the following wording at the end of the resolution:

"7. That Condition #25 be deleted entirely and replaced with the following:

"25. That the vertical alignment of Greenwood Drive at the north intersection of Street "A" be improved to satisfy a design speed of 60 km/hr and be in substantial accordance with the design concept plan prepared by S.A. Kirchhefer Ltd. and dated July 5, 2021 and to the satisfaction of the General Manager of Growth and Infrastructure."

Rules of Procedure

A Recorded Vote was held:

YEAS: (5): Councillor McCausland, Councillor Kirwan, Councillor Lapierre, Councillor Leduc, and Councillor Landry-Altmann

CARRIED (5 to 0)

Rules of Procedure

With the concurrence of the Committee, the reading of the resolution was waived.

The resolution as amended was presented:

PL2021-138-A1

Moved By Councillor Lapierre

Seconded By Councillor Leduc

As amended:

THAT the City of Greater Sudbury's delegated official be directed to amend the conditions of draft approval for a plan of subdivision on those lands described as PIN 73578-0515, Part 1, Plan 53R-18272, Part of Lots 11 & 12, Concession 3, Township of Neelon, File # 780- 6/07002, as outlined in the report entitled "Greenwood Subdivision, Sudbury", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on February 19, 2020, upon payment of Council's processing fee in the amount of \$2,418 as follows:

1. By deleting Condition #10 and replacing it with the following:

"10. That this draft approval shall lapse on November 28, 2022."

2. By adding the following words at the end of Condition #11:

"... A soils caution agreement, if required, shall be registered on title, to the satisfaction of the Chief Building Official and the City Solicitor."

3. By adding the following words at the end of Condition #12:

"... A lot grading agreement, if required, shall be registered on title, to the satisfaction of the Director of Planning Services and the City Solicitor."

4. By deleting Condition #13 entirely and replacing it with the following:

"13. A storm-water management report and associated plans must be submitted by the Owner's Consulting Engineer for approval by the City. The report must address the following requirements:

a) The underground storm sewer system within the plan of subdivision must be designed to

accommodate and/or convey the minor storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 2 year design storm. The permissible minor storm discharge from the subject development must be limited to the existing pre development site runoff resulting from a 2 year design storm. Any resulting post development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision;

b) The overland flow system within the plan of subdivision must be designed to accommodate and/or convey the major storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 100 year design storm or Regional storm event, whichever is greater, without causing damage to proposed and adjacent public and private properties. The permissible major storm discharge from the subject development must be limited to the existing predevelopment runoff resulting from a 100 year design storm or Regional storm event, whichever is greater. Any resulting post development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision;

c) "Enhanced" level must be used for the design of storm-water quality controls as defined by the Ministry of the Environment, Conservation and Parks;

d) The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any storm-water management plan;

e) The final grading of the lands shall be such that the surface water originating on or tributary to the said lands, including roof water from buildings and surface water from paved areas, will be discharged in a manner satisfactory to the General Manager of Growth and Infrastructure;

f) Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties; and,

g) Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted."

5. By adding a new Condition #35 as follows:

"35. That in accordance with Section 59(4) of the Development Charges Act, a notice of agreement shall be registered on title to ensure that persons who first purchase the subdivided land after registration of the plan of subdivision

are informed, at the time the land is transferred, of all development charges related to development.”

6. By adding a new Condition #36 as follows:

“36. The owner shall be responsible for the design and construction of any required storm-water management works to the satisfaction of the General Manager of Growth and Infrastructure as part of the servicing plans for the subdivision and the owner shall dedicate the lands for stormwater management works as a condition of this development;

7. That Condition #25 be deleted entirely and replaced with the following:

"25. That the vertical alignment of Greenwood Drive at the north intersection of Street "A" be improved to satisfy a design speed of 60 km/hr and be in substantial accordance with the design concept plan prepared by S.A. Kirchhefer Ltd. and dated July 5, 2021 and to the satisfaction of the General Manager of Growth and Infrastructure."

Rules of Procedure

A Recorded Vote was held:

YEAS: (5): Councillor McCausland, Councillor Kirwan, Councillor Lapierre, Councillor Leduc, and Councillor Landry-Altmann

CARRIED (5 to 0)

8. Members' Motions

No Motions were presented.

9. Addendum

No Addendum was presented.

10. Civic Petitions

No Petitions were submitted.

11. Question Period

No Questions were asked.

12. Adjournment

Councillor Kirwan moved to adjourn this meeting. Time: 4:06 p.m.

CARRIED