

**Minutes**  
**For the Planning Committee Meeting**

January 23, 2023  
Tom Davies Square

Present (Mayor and Councillors)	Councillor Fortin, Councillor Lapierre, Councillor Leduc, Councillor Landry-Altmann, Councillor Cormier
City Officials	Kevin Fowke, General Manager of Corporate Services, Kris Longston, Director of Planning Services, Alex Singbush, Manager of Development Approvals, Ed Landry, Senior Planner, Community & Strategic Planning, Glen Ferguson, Senior Planner, Mauro Manzon, Senior Planner, Wendy Kaufman, Senior Planner, Brigitte Sobush, Manager of Clerk's Services/Deputy City Clerk, Franca Bortolussi, AA to the City Solicitor and Clerk, Erin Foreshew, Clerk's Services Assistant

**Councillor Cormier, In the Chair**

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**1. Call to Order**

The meeting commenced at 11:30 a.m.

**2. Roll Call**

A roll call was conducted prior to the commencement of moving into closed session.

**3. Closed Session**

The following resolution was presented:

**PL2023-16**

Moved By Councillor Landry-Altmann  
Seconded By Councillor Fortin

THAT the City of Greater Sudbury moves to Closed Session to deal with two (2) Proposed or Pending acquisition or Disposition of Land Matters regarding (1) Balfour Township; and (2) Fergus Avenue and Talon Street, Val Therese in accordance with the Municipal Act, 2001, par. 239(2)(c).

**CARRIED**

At 11:32 a.m., the Planning Committee moved into Closed Session

**4. Recess**

At 12:11 p.m., the Planning Committee recessed.

**5. Open Session**

At 1:00 p.m., the Planning Committee commenced the Open Session.

**6. Roll Call**

A roll call was conducted.

**7. Declarations of Pecuniary Interest and the General Nature Thereof**

None declared.

**8. Public Hearings**

**8.1 0 Seguin Street, Chelmsford**

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

Denis Michel, agent for the applicant was present.

Glen Ferguson, Senior Planner, outlined the report.

The agent for the applicant provided comments and responded to questions.

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

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

Rules of Procedure

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

The following resolution was presented:

**PL2023-17**

Moved By Councillor Landry-Altmann

Seconded By Councillor Fortin

THAT the City of Greater Sudbury approves the application by Valley Nursery Sod Inc. to amend Bylaw 2010-100Z being the Zoning By-law for the City of Greater Sudbury by changing the zoning classification on the subject lands from "A", Agricultural to "A(S)", Agricultural Special on those lands described as PIN 73345-0173, Parcel 1771 SWS, Part of Lot 4, Concession 5, Township of Rayside, as outlined in the report entitled "0 Seguin Street, Chelmsford" from the General Manager of Growth and

Infrastructure, presented at the Planning Committee meeting of January 23, 2023, subject to the following condition:

1. That the amending zoning by-law include the following site-specific provisions:
  - a. That residential land uses shall be prohibited; and,
  - b. That a minimum lot area of 20 hectares be required.

### **CARRIED**

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

### **8.2 35 Coulson Street, Capreol**

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

Vanessa Smith, Tulloch Engineering, agent for the applicant was present.

Wendy Kaufman, Senior Planner, outlined the report.

The Planning Department responded to questions from Committee members.

The agent for the applicant provided comments and answered questions from the Committee members.

The Chair asked whether there was anyone else who wished to speak in favour or against the 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.

Rules of Procedure

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

The following resolution was presented:

#### **PL2023-18**

Moved By Councillor Fortin

Seconded By Councillor Landry-Altmann

THAT the City of Greater Sudbury approves the application by Margaret Anne Mazzuca & Todd Mazzuca to amend Zoning By-law 2010-100Z by changing the zoning classification from "R1-5", Low Density Residential One, to "R3(S)" Medium Density Residential Special, on lands described as a portion of PINs 73507-1209 & 73507-1356, Parcels 33974 and 28191, Part Block B on Plan M-633, Parts 1 and 2, Plan SR-1977, Lot 10, Concession 6, Township of Capreol, as outlined in the report entitled "35

Coulson Street, Capreol”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on January 23, 2023, subject to the following conditions:

1. That the amending zoning by-law include the following site-specific provisions:
  - a. The southerly lot line abutting Hemlock Street shall be deemed to be the front lot line; and
  - b. That a minimum of four parking spaces shall be provided for four dwelling units, where five parking spaces would be required.
2. That prior to the enactment of the amending by-law, the owner shall address the following conditions:
  - a. Submit an application for land severance (consent) in order to sever the south-easterly lands subject to the rezoning; and
  - b. Provide the Development Approvals Section with a final plan of survey in order to enact the amending by-law.
3. That conditional approval shall lapse on January 24, 2025 unless Condition 2 above has been met or an extension has been granted by Council.

### **CARRIED**

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

### **8.3 Deschene Road, Hanmer**

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

Dave Dorland, agent for the applicant and Marty Roy, owner, were present.

Mauro Manzon, Senior Planner, outlined the report.

The Planning Department responded to questions from the Committee members.

The agent for the applicant provided comments and answered questions from Committee members.

The Chair asked whether there was anyone else who wished to speak in favour or against the 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.

## Rules of Procedure

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

The following resolution was presented:

### **PL2023-19**

Moved By Councillor Leduc

Seconded By Councillor Lapierre

THAT the City of Greater Sudbury approves the application by Keystone Homes Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification from “R3(72)”, Medium Density Residential Special, “H43C2”, Holding General Commercial and “R1-5”, Low Density Residential One to “R3-1 Special”, Medium Density Residential Special on lands described as PINs 73504-2024, 73504-3064 and Part of PIN 73504-3156, Parts 1 to 4, Plan 53R-21687 in Lot 5, Concession 3, Township of Hanmer, as outlined in the report entitled “Deschene Road, Hanmer” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on January 23, 2023, subject to the following conditions:

- a. That the amending by-law includes the following site-specific provisions:
  - i. Multiple dwellings shall be located on lands described as Parts 3 and 4, Plan 53R-21687, provided a minimum 40 metre setback is maintained from the westerly limit of Part 3, Plan 53R-21687; and,
  - ii. The parking standard for row dwelling units shall be 1.4 parking spaces per dwelling unit including a minimum of three (3) accessible parking spaces;
- b. That the H43 Holding Designation be removed from lands described as Part 4, Plan 53R-21687.

### **CARRIED**

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

## **9. Matters Arising from the Closed Session**

Councillor Lapierre, as Chair of the Closed Session, reported that the Committee met in Closed Session and received a verbal update on (2) Proposed or Pending acquisition or Disposition of Land Matters regarding (1) Balfour Township; and (2) Fergus Avenue and Talon Street, Val Therese. One item was deferred with a request for additional information. One resolution emanated from this meeting.

**PL2023-20**

Moved By Councillor Lapierre  
Seconded By Councillor Landry-Altmann

THAT the City of Greater Sudbury authorize the sale of vacant land in Balfour Township legally described as PIN 73351-0415(LT), part of Lot 8, Concession 4, Township of Balfour, City of Greater Sudbury;

AND THAT a by-law be presented authorizing the sale and the execution of the documents required to complete the real estate transaction;

AND THAT the net proceeds of the sale be credited to the Capital Financing Reserve Fund - General.

**CARRIED**

**10. Consent Agenda**

The following are the consent agenda items:

**PL2023-21**

Moved By Councillor Fortin  
Seconded By Councillor Landry-Altmann

THAT the City of Greater Sudbury approves Consent Agenda items 10.1.1 to 10.1.4

**CARRIED**

The following are the Consent Agenda items:

**10.1 Routine Management Reports**

**10.1.1 1991 Maley Drive, Sudbury**

**PL2023-22**

Moved By Councillor Fortin  
Seconded By Councillor Landry-Altmann

THAT the City of Greater Sudbury's delegated official be directed to amend the conditions of draft approval for the draft plan of subdivision on lands described as PINs 73566-0030, 73566-0541 & 73566-0833, Parcels 760 N.W.S., and 2768 S.E.S., and Part of Block F, Plan M-1005 in Lot 11, Concession 6, Township of Neelon, City of Greater Sudbury, File 780-6/97001, as outlined in the report entitled "1991 Maley Drive, Sudbury" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on January 23, 2023, as follows:

- a) By amending the draft plan lapsing date in Condition #10 to December 4, 2025;

b) By adding the following clauses to Condition #15:

“The geotechnical engineer will be required to address On-site and Excess Soil Management in accordance with O. Reg. 406/19. A soils caution agreement shall be registered on title, if required, to the satisfaction of the Chief Building Official and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement.”

c) By adding Conditions #15 and 24 to the list of conditions in Condition #23;

d) By deleting Condition #25 and replacing it with the following:

“A stormwater 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. Any resulting post development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision;
- 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;
- “enhanced” level must be used for the design of stormwater quality controls as defined by the Ministry of the Environment, Conservation and Parks;

- Stormwater management must follow the recommendations of the Junction Creek Subwatershed Study;
- The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any stormwater 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; and,
- Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted.

The owner shall be responsible for the design and construction of any required stormwater 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.”

e) By replacing “Union Gas” with “Enbridge” in Condition #26;

f) By adding the following as Condition #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.”

g) By adding the following as Condition #36:

“That the Owner agrees to transfer to the City up to an 8.23 metre strip of property along the entire frontage of Maley Drive upon demand, if and when required for future road improvements, free of mortgages, charges, trust deeds and other encumbrances securing financing. The City shall be responsible for all survey and legal costs associated with this transfer.”

h) By adding the following as Condition #37:

“The wetland(s) must be mapped by a qualified professional (OWES-certified with experience in wetland mapping). The wetlands must be mapped within the location of the proposed subdivision and within 30 metres of the proposed subdivision. All mapping must include the wetland boundary, a 12-metre setback and a 30-metre setback. All development must conform to Conservation Sudbury’s wetland guidelines.”

i) By adding the following as Condition #38:

“The Owner must provide, to the satisfaction of Conservation Sudbury, a site-specific erosion study to determine the hazard limit of Junction Creek, as per the Ministry of Natural Resource Guidelines. All development must be directed out of the erosion hazard and a 6-metre access allowance setback may be required. Any development proposed within 15 metres of the hazard requires a report from a qualified professional to confirm that the development will not aggravate the hazard.”

**CARRIED**

### **10.1.2 Foxborough West Subdivision, Garson**

**PL2023-23**

Moved By Councillor Fortin

Seconded By Councillor Landry-Altmann

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 73494-1070, Remainder of Parcel 35336 SES, Lot 5, Concession 1, Township of Garson, File # 780-3/86008, in the report entitled “Foxborough West Subdivision, Garson” from the General Manager of Growth and Infrastructure, presented at the meeting of January 23, 2023, as follows:

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

“2. 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.”;

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

“13. That this draft approval shall lapse on November 23, 2025.”;

3. By adding the following at the end of Condition #27:

“The geotechnical engineer will be required to address On-site and Excess Soil Management in accordance with O. Reg. 406/19.”; and,

4. By deleting the words “Union Gas” and replacing them with “Enbridge Gas” in Condition #28.

**CARRIED**

### **10.1.3 Unopened Lane North of Walter Street, Coniston – Road Closure and Declaration of Surplus Land**

#### **PL2023-24**

Moved By Councillor Fortin

Seconded By Councillor Landry-Altman

THAT the City of Greater Sudbury close by by-law and declares surplus to the City’s needs, part of the unopened lane north of Walter Street, Coniston, legally described as part of PIN 73560-0047(LT), part of Lane on Plan M-157 and PIN 73560-1167(LT), Lane on Plan M-157, Township of Neelon, City of Greater Sudbury;

AND THAT the lane be offered for sale to the abutting owner(s) pursuant to the procedures governing the sale of limited marketability surplus land in accordance with Property By-law 2008-174, as outlined in the report entitled "Unopened Lane North of Walter Street, Coniston – Road Closure and Declaration of Surplus Land", from the General Manager of Corporate Services, presented at the Planning Committee meeting on January 23, 2023.

**CARRIED**

### **10.1.4 Vesting of Failed Tax Sale Properties**

#### **PL2023-25**

Moved By Councillor Fortin

Seconded By Councillor Landry-Altman

THAT the City of Greater Sudbury authorizes the vesting of twelve vacant properties legally described as (1) PIN 73378-0561(LT); (2) PIN 73469-0067(LT); (3) PIN 73566-0923(LT); (4) PIN 73586-1309(LT); (5) PIN 73588-0773(LT); (6) PIN 73350-0512(LT); (7) PIN 73350-0521(LT); (8) PIN 73586-0300(LT); (9) PIN 73599-

0023(LT); (10) PIN 73398-0266(LT); (11) Part of PIN 73481-0348(LT); and (12) PIN 73490-0521(LT);

AND THAT a by-law be prepared authorizing the vesting, as outlined in the report entitled “Vesting of Failed Tax Sale Properties” from the General Manager of Corporate Services, presented at the Planning Committee meeting on January 23, 2023.

**CARRIED**

## **11. Managers' Reports**

### **11.1 Strategic Core Areas Community Improvement Plan Application – 104 Beech Street**

The following resolution was presented:

#### **PL2023-26**

Moved By Councillor Landry-Altman

Seconded By Councillor Fortin

THAT The City of Greater Sudbury approves the Application for 104 Beech Street, and directs staff to prepare a by-law to authorize staff to enter into the required agreement, as outlined in the report entitled “Strategic Core Areas Community Improvement Plan Application – 104 Beech Street”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee Meeting of January 23, 2023.

**CARRIED**

### **11.2 Strategic Core Areas Community Improvement Plan Applications – 158 Elgin Street**

The following resolution was presented:

#### **PL2023-27**

Moved By Councillor Landry-Altman

Seconded By Councillor Fortin

THAT The City of Greater Sudbury approves the Applications for 158 Elgin Street, Main Storefront and Suite 0, and directs staff to prepare a by-law to authorize staff to enter into the required agreements, as outlined in the report entitled “Strategic Core Areas Community Improvement Plan Applications – 158 Elgin Street, from the General Manager of Growth and Infrastructure, presented at the Planning Committee Meeting of January 23, 2023.

**CARRIED**

**12. Members' Motions**

No Motions were presented.

**13. Addendum**

No Addendum was presented.

**14. Civic Petitions**

No Petitions were submitted.

**15. Question Period**

No Questions were asked.

**16. Adjournment**

Councillor Cormier moved to adjourn the meeting. Time 2:09 p.m.

**CARRIED**