

Minutes

For the Planning Committee Meeting

November 13, 2024
Tom Davies Square

Present (Mayor and Councillors)	Councillor Lapierre, Councillor Fortin, Councillor Cormier, Councillor Leduc, Councillor Landry-Altman
City Officials	Kris Longston, Director of Planning Services, Alex Singbush, Manager of Development Approvals, Robert Webb, Supervisor of Development Engineering, Wendy Kaufman, Senior Planner, Bailey Chabot, Senior Planner, Melissa Riou, Senior Planner, Stephanie Poirier, Senior Planner, Brigitte Sobush, Manager of Clerk's Services/Deputy City Clerk, Mark Vainio, Legislative Compliance Coordinator, Regina Sgueglia, Cassandra Pierobon, Clerk's Services Assistant

Councillor Cormier, In the Chair

1. Call to Order

The meeting commenced at 11:37 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:

PL2024-157

Moved By Councillor Cormier

Seconded By Councillor Lapierre

THAT the City of Greater Sudbury moves to Closed Session to deal with three Proposed or Pending Acquisition or Disposition of Land Matters, the first regarding Kari Road, Wahnapiatae, the second regarding Municipal Road 15, Azilda and the third regarding Fairview Avenue/Pearl Street, Sudbury, in accordance with Municipal Act, 2001, par 239 (2)(c).

CARRIED

At 11:39 a.m., the Planning Committee moved into Closed Session.

4. Recess

At 11:52 a.m., the Planning Committee recessed.

5. Open Session

At 1:01 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 Kingsway Boulevard and Levesque Street, Sudbury

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

Tim Chadder, Candice Green, Sarah Verreault and David Richardson, agents for the applicant were present.

Wendy Kaufman, Senior Planner, outlined the report.

The Planning Department staff responded to questions from the Committee members.

The agents for the applicant provided comments.

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

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

Rules of Procedure

Councillor Cormier moved to waive reading of the resolution.

CARRIED

The following resolution was presented:

PL2024-158

Moved By Councillor Leduc

Seconded By Councillor Fortin

Resolution #1 Regarding the Official Plan Amendment:

THAT the City of Greater Sudbury approves the application by Kingsway Entertainment District Inc. to amend the City of Greater Sudbury Official

Plan by confirming the designation of the portion of the subject lands outside of the Ramsey Lake Watershed is “Heavy Industrial” on those lands described as PIN 7356-10293 and Part of PIN 73561-0300, Part 13 and part of Part 15, Plan 53R-20983, Part of Lot 9, Concession 4, Township of Neelon, as outlined in the report entitled “0 Kingsway Boulevard and Levesque Street, Sudbury” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of November 13, 2024, subject to the following conditions:

1. That the Official Plan Amendment be enacted concurrently with the zoning by-law amendment.
2. That prior to the enactment of the Official Plan Amendment the owner shall submit a registered survey plan describing the lands subject to the amendment to the satisfaction of the Director of Planning Services.
3. That conditional approval shall lapse on November 26, 2026, unless Condition #1 above has been met or an extension has been granted by Council.

YEAS: (5): Councillor Lapierre, Councillor Fortin, Councillor Cormier, Councillor Leduc, and Councillor Landry-Altmann

CARRIED (5 to 0)

Rules of Procedure

Councillor Cormier moved to waive reading of the resolution.

CARRIED

The following resolution was presented:

PL2024-159

Moved By Councillor Leduc

Seconded By Councillor Fortin

Resolution #2 Regarding the Rezoning:

THAT the City of Greater Sudbury approves the application by Kingsway Entertainment District Inc. to amend Bylaw 2010100Z being the Zoning By-law for the City of Greater Sudbury by changing the zoning classification on the subject lands from “M3(15)”, Heavy Industrial Special and “M2(15)”, Light Industrial Special to an amended “M3(S)”, Heavy Industrial Special Zone and an amended “M2(S)”, Light Industrial Special Zone on those lands described as PIN 7356-10293 and Part of PIN 73561-0300, Part 13 and part of Part 15, Plan 53R-20983, Part of Lot 9, Concession 4, Township of Neelon, as outlined in the report entitled “0 Kingsway Boulevard and Levesque Street, Sudbury” from the General Manager of

Growth and Infrastructure, presented at the Planning Committee meeting of November 13, 2024, subject to the following conditions:

1. That prior to the enactment of an amending zoning by-law the owner shall submit a registered survey plan describing the lands to be rezoned to the satisfaction of the Director of Planning Services.

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

- i. "M3(S)", Heavy Industrial Special to additionally permit a waste transfer facility on the portion of the subject lands outside of the Ramsey Lake Watershed, and that a litter abatement fence shall be provided to enclose the site;
- ii. "M3(S)", Heavy Industrial Special to permit a 0 m setback to a zone boundary and additionally permit office use limited to a total gross floor area of 420 sq m, and that a litter abatement fence shall be provided to enclose the site; and
- iii. "M2(S)", Light Industrial Special to permit a 0 m setback to a zone boundary and additionally permit office use limited to a total gross floor area of 420 sq m; and that a litter abatement fence shall be provided to enclose the site.

3. That conditional approval shall lapse on November 26, 2026, unless Condition #1 above has been met or an extension has been granted by Council.

4. That an "H", (Holding) symbol be applied to the zoning to prohibit the waste transfer facility use until the following conditions are satisfied:

- i. The owner shall enter into a Site Plan Control Agreement with the City to the satisfaction of the Director of Planning Services.
- ii. An Environmental Compliance Approval has been issued by the Ministry of the Environment, Conservation and Parks.

YEAS: (5): Councillor Lapierre, Councillor Fortin, Councillor Cormier, Councillor Leduc, and Councillor Landry-Altmann

CARRIED (5 to 0)

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

8.2 0 Dominion Drive, Hanmer

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

Aaron Ariganello and Kevin Jarus, Tulloch Engineering, agents for the applicant were present.

Bailey Chabot, Senior Planner, outlined the report.

The Planning Department staff responded to questions from the Committee members.

The agents for the applicant provided comments.

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

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

The following resolution was presented:

PL2024-160

Moved By Councillor Lapierre

Seconded By Councillor Fortin

Resolution Regarding the Official Plan Amendment

THAT the City of Greater Sudbury denies the application by Pauline & Raymond Quesnel to amend the City of Greater Sudbury Official Plan to permit the creation of six (6) new residential lots by way of consent within the Rural land use designation on lands described as PIN 73505-0360, Parts 1 & 2, Parcel 37310, Plan 53R-4322, Lot 7, Concession 2, Township of Hanmer, Sudbury as outlined in the report entitled "0 Dominion Drive, Hanmer", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on November 13, 2024.

NAYS: (4): Councillor Lapierre, Councillor Fortin, Councillor Cormier, and Councillor Landry-Altman

Absent (1): Councillor Leduc

DEFEATED (0 to 4)

The following resolution was presented:

PL2024-161

Moved By Councillor Lapierre

Seconded By Councillor Fortin

Resolution Regarding the Zoning By-law Amendment

THAT the City of Greater Sudbury denies the application by Pauline & Raymond Quesnel to change the zoning classification on the subject lands from "RU", Rural to "RU(S)", Rural Special on lands described as PIN 73505-0360, Parts 1 & 2, Parcel 37310, , Plan 53R-4322, Lot 7,

Concession 2, Township of Hanmer, Sudbury as outlined in the report entitled “0 Dominion Drive, Hanmer”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on November 13, 2024.

NAYS: (4): Councillor Lapierre, Councillor Fortin, Councillor Cormier, and Councillor Landry-Altmann

Absent (1): Councillor Leduc

DEFEATED (0 to 4)

At 1:48 p.m., Committee recessed.

At 1:52 p.m., Committee reconvened.

The following resolution was presented:

PL2024-162

Moved By Councillor Lapierre

Seconded By Councillor Fortin

Alternate Resolution:

Resolution regarding the Official Plan Amendment:

THAT the City of Greater Sudbury approves the application by Pauline & Raymond Quesnel to amend the City of Greater Sudbury Official Plan in order to provide site-specific exceptions to the rural lot creation policies of Section 5.2.2 on lands described as PIN 73505-0360, Parts 1 & 2, Parcel 37310, Plan 53R4322, Lot 7, Concession 2, Township of Hanmer, Sudbury as outlined in the report entitled “0 Dominion Drive, Hanmer”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on November 13, 2024, subject to the following:

1. Notwithstanding Section 5.2.2.a. of the Official Plan, the creation of six (6) lots, each having a minimum lot area of 0.21 ha and 16.0 metres of public road frontage shall be permitted, where minimum lot size of 2 ha and public road frontage of 90 metres is required; and,
2. Notwithstanding Section 5.2.2.b. of the Official Plan, the creation of six (6) lots shall be permitted, where a maximum number of three (3) new lots may be created from a single parent rural parcel in existence as of June 14, 2006.

YEAS: (4): Councillor Lapierre, Councillor Fortin, Councillor Cormier, and Councillor Landry-Altmann

Absent (1): Councillor Leduc

CARRIED (4 to 0)

The following resolution was presented:

PL2024-163

Moved By Councillor Lapierre

Seconded By Councillor Fortin

Alternate Resolution:

Resolution regarding the Zoning By-law Amendment:

THAT the City of Greater Sudbury approves the application by Pauline & Raymond Quesnel to amend Zoning By-law 2010-100Z by changing the zoning classification from "RU", Rural to "RU(SP)", Rural Special on lands described as PIN 73505-0360, Parts 1 & 2, Parcel 37310, Plan 53R4322, Lot 7, Concession 2, Township of Hanmer, Sudbury as outlined in the report entitled "0 Dominion Drive, Hanmer", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on November 13, 2024, subject to the following conditions:

1. That the amending by-law include the following site-specific provisions:a. A minimum lot frontage of 16.0 metres be permitted;b. A minimum lot size of 0.21 hectares; and,c. A minimum interior side yard setback of 1.2 metres plus 0.6 metres for each full storey above the first storey abutting an interior side yard.
2. That prior to the enactment of an amending zoning by-law the owner shall submit a registered survey plan describing the lands to be rezoned to the satisfaction of the Director of Planning Services.
3. That conditional approval shall lapse on November 13, 2026, unless Condition #2 above has been met or an extension has been granted by Council.

YEAS: (4): Councillor Lapierre, Councillor Fortin, Councillor Cormier, and Councillor Landry-Altman

Absent (1): Councillor Leduc

CARRIED (4 to 0)

The following resolution was presented:

PL2024-164

Moved By Councillor Lapierre

Seconded By Councillor Fortin

Resolution Regarding the Consent Referral:

THAT the City of Greater Sudbury approves the request by Pauline & Raymond Quesnel to permit the creation of six (6) lots on lands described as PIN 73505-0360, Parts 1 & 2, Parcel 37310, Plan 53R4322, Lot 7,

Concession 2, Township of Hanmer, Sudbury as outlined in the report entitled "0 Dominion Drive, Hanmer", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on November 13, 2024.

YEAS: (4): Councillor Lapierre, Councillor Fortin, Councillor Cormier, and Councillor Landry-Altmann

Absent (1): Councillor Leduc

CARRIED (4 to 0)

9. Matters Arising from the Closed Session

Councillor Lapierre, as Chair of the Closed Session, reported that the Committee met in Closed Session to deal with three Proposed or Pending Acquisition or Disposition of Land Matters, the first regarding Kari Road, Wahnapiatae, the second regarding Municipal Road 15, Azilda, and the third regarding Fairview Avenue/Pearl Street, Sudbury, in accordance with Municipal Act, 2001, par 239 (2)(c). Three recommendations emanated from the meeting.

The following resolution was presented:

PL2024-165

Moved By Councillor Lapierre
Seconded By Councillor Leduc

THAT the City of Greater Sudbury directs staff to present a by-law to authorize a Lease Agreement with Robin Pauley and Gail Pauley for the continued use and occupation of 39 Kari Road, Wahnapiatae, as an animal shelter for the City, for a one-year term, with one option to renew for an additional one-year term.

CARRIED

The following resolution was presented:

PL2024-166

Moved By Councillor Lapierre
Seconded By Councillor Leduc

THAT the City of Greater Sudbury directs staff to present a by-law to authorize a Lease Agreement with the Azilda Lions Club for the continued use and occupation of 3964 Municipal Road 15, Chelmsford, for a five-year term, with one option to renew for an additional five-year term, by way of grant (nil rent).

CARRIED

The following resolution was presented:

PL2024-167

Moved By Councillor Lapierre
Seconded By Councillor Leduc

THAT the City of Greater Sudbury declares surplus to the City's needs part of unopened Fairview Avenue / Pearl Street, Sudbury, legally described as part of PIN 02132-1283(LT), part of PIN 02132-1285(LT), and part of PIN 02132-1281(LT) being Part of Lot 5, Concession 4, Township of McKim, City of Greater Sudbury;

AND THAT the City of Greater Sudbury directs staff to present a by-law to close part of unopened Fairview Avenue / Pearl Street, Sudbury, legally described as part of PIN 02132-1283(LT), part of PIN 02132-1285(LT) and part of PIN 02132-1281(LT) being part of Lot 5, Concession 4, Township of McKim, City of Greater Sudbury, and to authorize the transfer of the land by way of grant as well as the execution of the documents required to complete the real estate transaction.

CARRIED

10. Consent Agenda

The following resolution was presented:

PL2024-168

Moved By Councillor Leduc
Seconded By Councillor Lapierre

THAT the City of Greater Sudbury approves Consent Agenda item 10.1.1.

CARRIED

The following are the Consent Agenda items:

10.1 Routine Management Reports

10.1.1 Algonquin Road, Sudbury

PL2024-169

Moved By Councillor Leduc
Seconded By Councillor Lapierre

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 PIN 73478-1121, Parcel 11257, Parts 1-3, Plan 53R-19865 in Lot 3, Concession 5, Township of Broder City of Greater Sudbury, File 780-6-12-004, in the report entitled "Algonquin Road, Sudbury", from the General Manager of Growth and Infrastructure, presented at the meeting on November 13, 2024 as follows:

- a) By amending the draft plan lapsing date in Condition #10 to December 23, 2027;
- b) By amending condition #20e) by adding the words “as amended” after By-law #2009-170;
- c) By amending condition #21 by removing the words “when the regulation comes into effect”; By deleting condition #36 and replacing with the following:

#36. Development on any lots that contain floodplain must be reviewed and approved by Conservation Sudbury. The plans must show that there is sufficient storage capacity to compensate for the fill placed on the affected lots for floodproofing purposes.

- d) By deleting condition #41 and replacing with the following:

#41 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:

- i. 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.
- ii. 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.
- iii. A hierarchical approach to stormwater management must be followed as described by the Ministry of the Environment, Conservation and Parks and as amended by City of Greater

Sudbury most recent Storm Water Management Guide and Engineering Design Standards.

- iv. "Enhanced" level must be used for the design of stormwater quality controls as defined by the Ministry of the Environment, Conservation and Parks.
- v. Stormwater management must further follow the recommendations of the Algonquin Road Subwatershed Study.
- vi. The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any stormwater management plan;
- vii. 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.
- viii. Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties.
- ix. 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) That condition #45 be deleted and replaced with the following:

#45 The applicant/owner obtain a permit from Conservation Sudbury, under Section 28.1 of the Conservation Authorities Act, for any grading within the flood hazard (floodplain) or within 15 metres of the hazard. Submitted plans must be authored, signed, and sealed by a qualified professional licensed in the Province of Ontario.

f) That condition #46 be deleted and replaced with the following:

#46. The applicant/owner obtain a permit from Conservation Sudbury, under Section 28.1 of the Conservation Authorities Act, for the realignment of the watercourse. In addition to the realignment details, the owner/applicant must demonstrate:

- i. The channel capacity is equal in the realignment channel to the existing channel
- ii. The extent of the erosion hazard; and
- iii. The details of any crossings.

g) That the following condition be added:

#48. The applicant/owner submit plans showing the extent of wetland on the property. Mapping must be completed by a qualified professional (OWES-certified) and be accompanied by a report. If no wetlands are present, a report by a qualified professional is required. If wetlands are present, the following apply:

- i. The hydrologic impact of wetland loss must be quantified by a qualified professional. Any loss of hydrologic or hydraulic function must be mitigated, such there is no negative impacts to flooding and/or erosion to adjacent, upstream or downstream properties.
- ii. The applicant/owner must obtain a permit from Conservation Sudbury, under Section 28.1 of the Conservation Authorities Act, for any development proposed within 30 m of the wetland.

CARRIED

11. Managers' Reports

11.1 0 Dominion Drive, Hanmer – Consent Referral

The following resolution was presented:

PL2024-170

Moved By Councillor Lapierre

Seconded By Councillor Leduc

THAT the City of Greater Sudbury denies the request by 1000252971 Ontario Limited to allow Consent Applications B0065/2024, B0066/2024, B0067/2024, and B0068/2024 on those lands described as PIN 73504-2233, Parcel 20075A SEC SES SRO, Part Lot 6, Concession 1, except Parts 1-2, Plan 53R-14967, Township of Hanmer, to proceed by way of the consent process, as outlined in the report entitled “0 Dominion Drive, Hanmer” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of November 13, 2024.

DEFEATED

The following alternate resolution was presented:

PL2024-171

Moved By Councillor Lapierre
Seconded By Councillor Leduc

THAT the City of Greater Sudbury approves the request by 1000252971 Ontario Limited to allow Consent Applications B0065/2024, B0066/2024, B0067/2024, and B0068/2024 on those lands described as PIN 73504-2233, Parcel 20075A SEC SES SRO, Part Lot 6, Concession 1, except Parts 1-2, Plan 53R-14967, Township of Hanmer, to proceed by way of the consent process, as outlined in the report entitled "0 Dominion Drive, Hanmer" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of November 13, 2024.

CARRIED

12. Members' Motions

No Motions were presented.

13. Correspondence for Information Only

13.1 BuildingIN Project

For Information Only.

14. Addendum

No Addendum was presented.

15. Civic Petitions

No Petitions were submitted.

16. Question Period

Please visit: <https://www.greatersudbury.ca/agendas> to view questions asked.

17. Adjournment

Councillor Fortin moved to adjourn the meeting. Time: 2:28 p.m.

CARRIED