

Minutes

Planning Committee Minutes of 8/8/16

Location: Council Chamber,
Tom Davies Square

Commencement: 1:32 PM

Adjournment: 3:36 PM

Councillor McIntosh, In the Chair

Present Councillors Dutrisac, Sizer, McIntosh, Cormier, Landry-Altmann
Councillor Vagnini

City Officials Jason Ferrigan, Director of Planning Services; Keith Forrester, Real Estate
Coordinator; Brigitte Sobush, Deputy City Clerk

Declarations of Pecuniary Interests and the general nature thereof

None declared

Closed Session

PL2016-129 Landry-Altmann/Cormier: THAT the Planning Committee meet in Closed Session to deal with one (1) Proposed or Pending Acquisition or Disposition of Land Matters:

- Sale of Property, Westview Crescent, Lively

in accordance with the Municipal Act, 2001, s.239(2)(c).

CARRIED

The Committee moved into closed session at 1:33 p.m.

Recess

At 1:50 p.m. the Planning Committee recessed.

Reconvene

At 2:00 p.m. the Planning Committee commenced the Open Session in the Council Chamber.

Councillor Fern Cormier, In the Chair

Present Councillors Dutrisac, Sizer, McIntosh, Cormier, Landry-Altmann

City Officials Jason Ferrigan, Director of Planning Services; Eric Taylor, Manager of Development Approvals; Guido Mazza, Director of Building Services / Chief Building Official; Kris Longston, Manager of Community and Strategic Planning; Jonathan Clark, Subdivision/Site Plan Control Engineer; Alex Singbush, Senior Planner; Glen Ferguson, Senior Planner; Melissa Riou, Senior Planner; Brigitte Sobush, Deputy City Clerk; Christine Hodgins, Legislative Compliance Coordinator; Lisa Locken, Clerk's Services Assistant; Nataly Wissell, Clerk's Services Assistant

Declarations of Pecuniary Interests and the general nature thereof

None declared

Matters Arising From The Closed Session

Councillor McIntosh reported the Committee met in closed session to deal with one (1) proposed or pending acquisition or disposition of land matters and the following resolution emanated therefrom:

PL2016-130 Sizer/Landry-Altmann: THAT the City of Greater authorizes the sale of 5 Westview Crescent, Lively, legally described as: part of PINs 73375-0936(LT), -0408(LT), and -0591(LT), being part of Parts 2, 3 and 4 on Plan 53R-10782, excepting Parts 1, 3, 4, 6 and 7 on Plan 53R-20639, Township of Waters;

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

AND THAT the net proceeds of the sale be credited to the Land Acquisition Reserve Fund.

CARRIED

Public Hearings

- 1 Lise Henri - Application to extend a temporary use by-law in order to permit a garden suite for an additional three (3) years, 2996 Valleyview Road, Val Caron

The Planning Committee meeting was adjourned and the Public Hearing was opened to deal with the following application.

Report dated July 14, 2016 from the General Manager of Infrastructure Services regarding Lise Henri - Application to extend a temporary use by-law in order to permit a garden suite for an additional three (3) years, 2996 Valleyview Road, Val Caron.

Lise Henri, the applicant was present.

Glen Ferguson, Senior Planner, outlined the application to the Committee.

The Chair asked whether there was anyone in the audience who wished to speak in favour or against this application and seeing 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:

PL2016-131 Landry-Altmann/Sizer: THAT the City of Greater Sudbury approves the application by Lise Henri to amend Zoning By-law 2010-100Z with respect to lands described as PIN 73500-0087, Parcel 46360, Part 1, Plan 53R-9283, Lot 12, Concession 5, Township of Blezard, in order to extend a garden suite permission in accordance with Section 39 of the Planning Act for an additional period of three (3) years.

YEAS: Councillors Dutrisac, Sizer, McIntosh, Cormier, Landry-Altmann

CARRIED

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

2 City of Greater Sudbury - Application for rezoning in order to permit the construction of a five (5) storey, 55 unit apartment building, Elm Street, Coniston.

The Planning Committee meeting was adjourned and the Public Hearing was opened to deal with the following application.

Report dated July 14, 2016 from the General Manager of Infrastructure Services regarding City of Greater Sudbury - Application for rezoning in order to permit the construction of a five (5) storey, 55 unit apartment building, Elm Street, Coniston.

Sheena Sharp, Coolearth Architecture and Les Lisk, Chair, Coniston Non-Profit Housing, agents for the applicant, were present.

Alex Singbush, Senior Planner, outlined the application to the Committee.

Ward Councillor Deb McIntosh expressed concerns regarding the flood plain and asked what accommodations are being made in regards to her concerns.

Alex Singbush, Senior Planner, stated that the Nickel District Conservation Authority issued a Section 28 permit and they will be required to raise the land at the entrance on part of the flood plane and take cuts on various sites to replace areas removed from the flood plane. He stated that by having the building located in the corner of the property the impacts on the flood plane are mitigated.

Ward Councillor Deb McIntosh inquired as to when the proposed cost sharing agreement would be back to the Planning Committee.

Eric Taylor, Manager of Development Approvals, stated that application for cost sharing will be brought forward this fall. He also stated that the City has an agreement of Purchase and Sale with the Coniston non-profit group and the property has already been considered surplus by City Council.

Jason Ferrigan, Director of Planning Services, stated that the Planning Department does not have information available regarding the purchase price of the property.

Eric Taylor, Manager of Development Approvals, stated that as part of the site plan review they will look at all the details such as storm water management and the type of paving required. The Site Plan Control is delegated to Planning staff under the delegation by-law so these conditions will not return to the Planning Committee for review.

Jason Ferrigan, Director of Planning Services, stated that the Planning Committee can give direction to staff through a resolution or by amending the current resolution regarding any conditions they would like added such as the use of permeable pavers. He stated that if the Committee decides to provide direction, it would be beneficial to provide some flexibility in relation to the knowledge that the Planning Department has regarding this site, such as where the bedrock is, what geotechnical considerations are and the opportunity to use permeable pavers which may not be able to be used across the entire site.

Alex Singbush, Senior Planner, stated that the cemetery in the area is accessed off Aubrey Street.

Jason Ferrigan, Director of Planning Services, stated the boundary for the cemetery may not be known, however, any issues would be covered under the Ontario Cemeteries Act, and has no bearing on the land use as the proposed application is not close to the location.

Ms. Sharp stated that they contacted the Nickel District Conservation Authority (NDCA) to locate the flood line and they used this in their design approach, however, they did not discuss permeable paving probably since the water table is so high. She advised that there was concern about the driveway and the need to build it up higher to accommodate emergency vehicles. They would require somewhere to hold the water and they identified an area towards the middle of the property to construct a lower grade in this area for drainage.

Mr. Lisk stated that the non-profit housing group has been looking for a location to build affordable rental units for seniors in Coniston since 2010 through the Coniston Action Network. The city offered this plot of land. He advised the proposed units will be net zero energy and cost effective for seniors.

Ward Councillor Deb McIntosh, stated that she is in support of this application however she does have a concern that the ATV's and snowmobiles trail will move to the Jean Tellier trail, which is a walking trail.

Ms. Sharp stated that the issue regarding the trails has not been raised previously.

Mr. Lisk stated they placed the building at this location to protect the trail from snowmobiles and all terrain vehicles and they would like this walking trail to be used to utilize the nearby schools. He advised that the area will be sectioned off with an easement and the parking lot will block access to the trail and the turnaround at the end of Elm Street will help to mitigate the flow.

Ward Councillor Deb McIntosh, stated that Coniston is a perfect place for a development like this. It is a full service community and no vehicle is required as it provides all the amenities. She advised that there is a shortage of single family homes available in the area and by providing this development, seniors can stay in the community and free up some homes for younger families.

Mr. Lisk stated that their goal is to free up homes for younger families and that they hope to make the local schools more viable by increasing enrolment in the schools.

Megan Fielding, area resident, stated that she would like to know the timeline for the project,

what safety measures are being taken for the high volume of traffic during development period and after the new residents occupy the building. She is also concerned that the project is being built very close to a residential area and asked what measures are being taken for the green plan.

Ms. Sharp stated that the project is to commence next spring and they hope to have it completed within one year.

Jason Ferrigan, Director of Planning Services, stated that the application was submitted to various departments for their comments. Roads and Transportation Services advised that they did not anticipate that the development of fifty-five (55) units would generate significant traffic volumes and that construction vehicles would be controlled under the building permit process.

Ms. Sharp stated that they are still in the re-zoning stage and have not yet decided on the materials or structure system so there is no plan to mitigate traffic at this stage.

Mr. Lisk stated that by constructing this building, there will no longer be a thoroughfare to Ridout Street. This should cut down on vehicle traffic, snowmobiles and ATV's.

Alex Singbush, Senior Planner, stated that there are a number of factors that come into play when choosing where to locate the building including the required services such as water and sewer that are currently available on Elm Street, as well as the flood plain, the topography of site and access to services and roadways. He advised that there is a five (5) metre set back required and they will need a landscape buffer. Items like fencing and vegetation will also be considered.

Mr. Lisk stated that they looked at five (5) possible sites in Coniston and this was the only location that had proper sewer and water in place.

Ms. Sharp stated the purchase of sale had a clause that stated that there be minimal cutting of trees. The non-profit organization wants to be a good neighbour. She advised there will be no windows constructed on the side that is adjacent to the residential area.

The Chair asked whether there was anyone in the audience who wished to speak in favour or against this application and seeing 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:

PL2016-132 Sizer/McIntosh: THAT the City of Greater Sudbury approves the application by the City of Greater Sudbury to amend Zoning By-law 2010-100Z by changing the zoning classification from "OSC", Open Space Conservation and "FD", Future Development to "R3-1(S)", Medium Density Residential One Special on those lands described as Part of PINs 73561-0035 and 75360-1248, Lot 4, Concessions 3 & 4, Township of Neelon, subject to the following conditions:

1. That the owner provide the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to enable the preparation of an amending zoning by-law.
2. That the amending by-law includes an "H" Holding provision restricting the use of the subject lands to those uses which legally existed on the date the By-law applying the "H" Holding symbol. The "H" Holding symbol shall only be removed by Council upon the owner

agreeing to the satisfaction of the General Manager of Infrastructure Services and the City Solicitor to carry out any improvements to the municipal water supply system that may be required to provide adequate flows for domestic water and fire protection.

3. That no main buildings or structures shall be permitted within any portion of the lands located west of Part 5, as shown on the applicant's sketch as included in the report from the General Manager of Infrastructure Services dated July 12, 2016, the location of which will be finalized in the registered survey plan to be provided to the Development Approvals Section.

YEAS: Councillors Dutrisac, Sizer, McIntosh, Cormier, Landry-Altmann

CARRIED

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

3 2245639 Ontario Ltd. - Application for rezoning in order to recognize an existing multiple dwelling containing eight (8) dwelling units and a convenience store, 975 Lorne Street, Sudbury

The Planning Committee meeting was adjourned and the Public Hearing was opened to deal with the following application.

Report dated July 14, 2016 from the General Manager of Infrastructure Services regarding 2245639 Ontario Ltd. - Application for rezoning in order to recognize an existing multiple dwelling containing eight (8) dwelling units and a convenience store, 975 Lorne Street, Sudbury.

The applicant was not present.

Glen Ferguson, Senior Planner, outlined the application to the Committee.

Glen Ferguson, Senior Planner, stated that there is some legal on-street parking available in the area as well as public transit. There will also be a requirement for the applicant to install bicycle racks. He advised that one (1) parking space per unit would not provide any visitor parking spaces, however this is an older existing building and not new construction. He stated that there would normally be a requirement for twelve (12) parking spaces for the apartments and three (3) for the convenience store, fifteen (15) spaces in total. He advised that seven (7) of the ten (10) parking spaces are considered legally non-complying and that the seven (7) were the amount originally required with this building. He stated that the original Site Plan Agreement was for seven (7) units and since 1991 additional illegal units were added and it is currently at twelve (12) units. The owners have been issued an order to comply to scale back to eight (8) units.

Eric Taylor, Manager of Development Approvals, stated that there was a site plan for seven (7) units and more units were illegally added. The application by the new owner will lower the units to eight (8) legal units. There has always been commercial usage zoned for this building. He stated that the permit would be for one (1) additional residential unit however more permits may be required for some of the other units due to alterations that have been made. He stated that if the zoning remains as it is now, the issues with the illegal units would be matters dealt with by Building Services, for work that was completed without a building permit, and that the improvements that may occur through the amendment to the site plan, such as landscaping improvements, would not occur if this application is not approved.

Glen Ferguson, Senior Planner, stated that the convenience store occupies approximately 1000 square feet.

Eric Taylor, Manager of Development Approvals, stated that the parking requirement for the convenience store is one (1) parking space per 20 square metres therefore this convenience store of approximately 1000 square feet would require five (5) parking spaces.

Jason Ferrigan, Director of Planning Services, stated that this application will legalize seven (7) existing units and an additional eighth (8th) unit. He stated that normally parking would require 1.5 spaces per unit, however, this structure was previously approved with the reduced parking and can be supported by the walk-ability of the neighbourhood and the access of public transit. He advised that when they are reviewing the second phase of the Official Plan Review next year, they will be including a transport demand management so that in situations where reduced parking spaces may be approved, reports will be prepared by qualified professionals in this area.

Glen Ferguson, Senior Planner, stated the garage located at the rear property is not on the subject lands. There is a partial third story, which is a loft kitchen area of one of the units.

Guido Mazza, Director of Building Services/Chief Building Official, stated that the loft was built in 1991 without the benefit of a building permit. There were units in this location that had to be removed to clean up fire and safety aspects of the building.

The Chair asked whether there was anyone in the audience who wished to speak in favour or against this application and seeing 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 members the reading of the motion was waived.

PL2016-133 McIntosh/Sizer: THAT the City of Greater Sudbury approves the application by 2245639 Ontario Ltd. to amend Zoning By-law 2010-100Z to change the zoning classification from "C2", General Commercial to "C2(S)", General Commercial Special in order to recognize a multiple dwelling containing eight (8) dwelling units and a convenience store on the ground floor of the existing building as being the only permitted uses on the subject lands described as PIN 73588-0563, Parcel 4102, Lots 151 & 152, Plan M-76, Lot 8, Concession 2, Township of McKim, subject to the following conditions:

1. THAT prior to the enactment of the amending by-law the owners shall apply for and receive final approval for a building permit to the satisfaction of the Chief Building Official;
2. THAT prior to the enactment of the amending by-law the owner shall have entered into an amended site plan agreement with the City to be registered on title to the satisfaction of the Director of Planning Services; and,
3. THAT the amending zoning by-law contain the following site-specific provisions:
 - i. That the only permitted uses on the lands be a multiple dwelling containing a maximum of eight dwelling units and a convenience store located on the ground floor within the existing building;
 - ii. That a minimum of ten parking spaces be provided on the lands including two parking

spaces that are to be provided within the existing building;

iii. That a minimum of six outdoor bicycle parking spaces be provided on the subject lands; and,

iv. That the resulting minimum landscaped open space percentage applicable to the lands be incorporated into the amending by-law following the completion of the site planning process.

YEAS: Councillors Dutrisac, Sizer, McIntosh, Cormier, Landry-Altmann

CARRIED

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

Consent Agenda

The following resolution was presented:

PL2016-134 Landry-Altmann/McIntosh: THAT The City of Greater Sudbury approves Planning Committee Consent Agenda Items C1 to C2.

CARRIED

The following are Consent Agenda Items:

Routine Management Reports

C-1 Bernard Laporte - Request for extension of conditional approval of rezoning application File # 751-6/14-10, 351 Elm Street, Sudbury

Report dated July 14, 2016 from the General Manager of Infrastructure Services regarding Bernard Laporte - Request for extension of conditional approval of rezoning application File # 751-6/14-10, 351 Elm Street, Sudbury.

PL2016-135 McIntosh/Landry-Altmann: THAT the City of Greater Sudbury approves the extension of rezoning application File # 751-6/14-10 by Bernard Laporte on lands described as PIN 73586-0329, Lot 6 and West 6 ft. of Lot 5, Plan 8S in Lot 7, Concession 3, Township of McKim for a period of one (1) year to July 8, 2017.

CARRIED

C-2 Ontario's Long Term Affordable Housing Strategy (LTAHS) Update (Bill 204)

Report dated July 20, 2016 from the General Manager of Infrastructure Services regarding Ontario's Long Term Affordable Housing Strategy (LTAHS) Update (Bill 204).

PL2016-136 Landry-Altmann/McIntosh: THAT the City of Greater Sudbury approves the report from the General Manager of Infrastructure Services, dated July 20, 2016, on Ontario's Long Term Affordable Housing Strategy Update;

AND THAT a copy of the report be forwarded to the Ontario Ministry of Municipal Affairs as the City of Greater Sudbury's comments on the Long Term Affordable Housing Strategy Update (Bill 204) and on the Inclusionary Zoning Consultation Discussion Guide.

CARRIED

Correspondence for Information Only

C-3 Updating the City's Site Plan Control Guide

Report dated July 14, 2016 from the General Manager of Infrastructure Services regarding Updating the City's Site Plan Control Guide.

Addendum

No Addendum was presented.

Civic Petitions

No Civic Petitions were submitted.

Question Period and Announcements

No questions were asked.

Notices of Motion

No Notices of Motion were presented.

ADJOURNMENT

McIntosh/Landry-Altmann: THAT this meeting does now adjourn. Time: 3:56 p.m.

Brigitte Sobush, Deputy City Clerk