

Minutes

Planning Committee Minutes of 1/6/20

Location:	Tom Davies Square - Council Chamber
Commencement:	12:03 PM
Adjournment:	2:03 PM

Councillor Cormier, In the Chair

Present	Councillors McCausland, Kirwan, Sizer, Cormier, Landry-Altman
City Officials	Kevin Fowke, General Manager of Corporate Services [A 12:07 p.m.]; Keith Forrester, Manager of Real Estate; Brigitte Sobush, Manager of Clerk's Services/Deputy City Clerk
Closed Session	<p>The following resolution was presented:</p> <p>PL2020-01 Kirwan/Landry-Altman: THAT the City of Greater Sudbury moves into Closed Session to deal with three (3) Proposed or Pending Acquisitions or Disposition of Land Matters:</p> <ul style="list-style-type: none">• Purchase of Property - Mountain Street, Sudbury• Purchase of Vacant Land - Anna Street, Chelmsford• Purchase of Property - Mountain Street, Sudbury <p>in accordance with the <i>Municipal Act, 2001</i>, s.239(2)(c) CARRIED</p> <p>At 12:04 p.m. the Planning Committee moved into Closed Session.</p>
Recess	At 12:15 p.m. the Planning Committee recessed.
Reconvene	At 1:00 p.m. the Planning Committee commenced the Open Session in the Council Chamber.

Councillor Cormier, In the Chair

Present	Councillors McCausland, Kirwan, Sizer, Cormier, Landry-Altman
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City Officials Jason Ferrigan, Director of Planning Services; Alex Singbush, Manager of Development Approvals; Robert Webb, Supervisor of Development Engineering; Mauro Manzon, Senior Planner; Brigitte Sobush, Manager of Clerk's Services/Deputy City Clerk; Lisa Locken, Clerk's Services Assistant; Nia Lewis, Clerk's Services Assistant

DECLARATIONS OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None declared.

Public Hearings

- 1 1085937 Ontario Inc. – Application for Zoning By-law Amendment in order to facilitate the approval of related Validation of Title request under Section 57 of the Planning Act, Municipal Road #15, Chelmsford

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

Report dated December 13, 2019 from the General Manager of Growth and Infrastructure regarding 1085937 Ontario Inc. – Application for Zoning By-law Amendment in order to facilitate the approval of related Validation of Title request under Section 57 of the Planning Act, Municipal Road #15, Chelmsford.

Ginette Filion, agent for the applicant, was present.

Alex Singbush, Manager of Development Approvals, outlined the report.

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:

PL2020-02 Landry-Altman/Kirwan: THAT the City of Greater Sudbury approves the application by 1085937 Ontario Inc. to amend Zoning By-law 2010-100Z, by changing the zoning classification on the subject lands from "A", Agricultural to "A(S)", Agricultural Special on those lands described as PIN 73345-0004, Parcel 1036, Lot 1, Concession 5, Township of Rayside, as outlined in the report entitled "1085937 Ontario Inc.", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on January 6, 2020, subject to the following condition:

1. That the amending zoning by-law contain the following site-specific provisions:
 - a) That a minimum lot frontage of 22 metres be permitted; and,
 - b) That all residential uses and all uses accessory to a residential use are to be prohibited.

YEAS: Councillors Landry-Altman, Sizer, Kirwan, McCausland, Cormier
CARRIED

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

2 1582628 Ontario Ltd. – Application for Zoning By-law Amendment in order to prevent a split-zoning, 488 Falconbridge Road, Sudbury

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

Report dated December 13, 2019 from the General Manager of Growth and Infrastructure regarding 1582628 Ontario Ltd. – Application for Zoning By-law Amendment in order to prevent a split-zoning, 488 Falconbridge Road, Sudbury.

1582628 Ontario Ltd., the applicant, was not present.

Alex Singbush, Manager of Development Approvals, outlined the report.

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:

PL2020-03 Kirwan/Landry-Altman: THAT the City of Greater Sudbury approves the application by 1582628 Ontario Ltd. to amend Zoning By-law 2010-100Z, by changing the zoning classification on the subject lands from “M1-1”, Business Industrial to “M1(41)”, Mixed Light Industrial/Service Commercial Special on a portion of those lands described as PIN 73570-0545, Lot 11, Concession 5, Township of Neelon, as outlined in the report entitled “1582628 Ontario Ltd.”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on January 6, 2020.

YEAS: Councillors Landry-Altman, Sizer, Kirwan, McCausland, Cormier

CARRIED

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

3 Marc & Louise Menard - Application for rezoning in order to permit a four-unit multiple dwelling, Emily Street, Hanmer

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

Report dated December 16, 2019 from the General Manager of Growth and Infrastructure regarding Marc & Louise Menard - Application for rezoning in order to permit a four-unit multiple dwelling, Emily Street, Hanmer.

Marc Menard, the applicant, was present.

Mauro Manzon, Senior Planner, outlined the report.

Planning Department Response to Committee Questions:

In response to questions from a Committee Member, Mr. Manzon stated that the units would

be rental units as they would not have street frontage, so they could not be sold as freehold townhome units. Mr. Manzon stated that the owner could apply for draft plan of condominium as an alternative form of ownership.

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 the vote on the application.

The following resolution was presented:

PL2020-04 Landry-Altman/Kirwan: THAT the City of Greater Sudbury approves the application by Marc & Louise Menard to amend Zoning By-law 2010-100Z, by changing the zoning classification from "R2-2(34)", Low Density Residential Two Special to "R3(S)", Medium Density Residential Special on lands described as Part of PIN 73503-1678, Part 1, Plan 53R-20643 in Lot 3, Concession 3, Township of Hanmer, as outlined in the report entitled "Marc & Louise Menard", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on January 6, 2020, subject to the following conditions:

1. A maximum of four dwelling units shall be permitted; and
2. A minimum landscaped open space area of 28% shall be permitted.

YEAS: Councillors Landry-Altman, Sizer, Kirwan, McCausland, Cormier
CARRIED

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

Matters Arising from the Closed Session

Councillor Kirwan reported that the Committee met in Closed Session to deal with three (3) Proposed or Pending Acquisition or Disposition of Land Matters and the following resolutions emanated therefrom:

PL2020-05 Kirwan/Landry-Altman: THAT the City of Greater Sudbury authorize the purchase and demolition of 324 Mountain Street, Sudbury, legally described as PIN 02132-0282 (LT), Lot 26, Plan M-55A, City of Greater Sudbury;

AND THAT the acquisition, demolition, designated substance survey and all other costs associated with the demolition be funded from the Mountain Street Stormwater Capital Project Account;

AND THAT a by-law be prepared to authorize the purchase and the execution of the documents required to complete the real estate transaction.

CARRIED

PL2020-06 Landry-Altman/Kirwan: THAT the City of Greater Sudbury authorize the purchase of vacant land on Anna Street, Chelmsford, legally described as part of PIN 73349-1721 (LT), Township of Balfour;

AND THAT the acquisition be funded from the Land Acquisition Reserve Fund;

AND THAT a by-law be prepared to authorize the purchase and the execution of the documents required to complete the real estate transaction.

CARRIED

PL2020-07 Kirwan/Landry-Altman: THAT the City of Greater Sudbury authorize the purchase and demolition of 330 Mountain Street, Sudbury, legally described as PIN 02132-0283 (LT), Lot 25, Plan M-55A, City of Greater Sudbury;

AND THAT the acquisition, demolition, designated substance survey and all other costs associated with the demolition be funded from the Mountain Street Stormwater Capital Project Account;

AND THAT a by-law be prepared to authorize the purchase and the execution of the documents required to complete the real estate transaction.

CARRIED

Adopting, Approving or Receiving Items in the Consent Agenda

The following resolution was presented:

PL2020-08 Landry-Altman/Kirwan: THAT the City of Greater Sudbury approves Consent Agenda Items C-1 to C-4.

CARRIED

The following are the Consent Agenda Items:

Routine Management Reports

- C-1 Oldenburg Inc. – Request to extend a conditional approval on a rezoning application, 185 & 227 Lorne Street, Sudbury

Report dated December 13, 2019 from the General Manager of Growth and Infrastructure regarding Oldenburg Inc. – Request to extend a conditional approval on a rezoning application, 185 & 227 Lorne Street, Sudbury.

PL2020-09 Kirwan/Landry-Altman: THAT the City of Greater Sudbury approves the application by Oldenburg Inc. to extend the approval of a Zoning By-law Amendment Application, File # 751-6/15-26, on those lands described as PINs 73585-0909 & 73585-1128 & Part of PIN 73585-1085, Lots 88 & 89, Plan M-31S, Part of Alder Street Located South of Victoria Street & North of Willow Street, Lot 6, Concession 3, Township of McKim, for a period of one year until November 22, 2020, as outlined in the report entitled “Oldenburg Inc.”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on January 6, 2020.

CARRIED

- C-2 Rogers Communications Inc. – Application for public consultation on a proposed ground-based radio-communication and broadcasting antenna system, 2345 Regent Street, Sudbury

Report dated December 13, 2019 from the General Manager of Growth and Infrastructure regarding Rogers Communications Inc. – Application for public consultation on a proposed ground-based radio-communication and broadcasting antenna system, 2345 Regent Street,

Sudbury.

PL2020-10 Landry-Altman/Kirwan: THAT the City of Greater Sudbury directs the City's Designated Municipal Officer to indicate a position of concurrence to Innovation, Science and Economic Development Canada with respect to the proposed radio-communication and broadcasting antenna system that is to be located on those lands known and described as PIN 73478-1048, Parts 1 & 2, Plan 53R-17777, Part of Lot 4, Concession 6, Township of Broder, as outlined in the report entitled "Rogers Communications Inc.", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on January 6, 2020, subject to the following condition:

1. That the proponent address those concerns related to the existing site plan control agreement applicable to the subject lands to the satisfaction of the Director of Planning Services; and,
2. That Innovation, Science and Economic Development Canada be advised by the Director of Planning Services if and once all concerns related to the existing site plan control agreement have been addressed, prior to the approval and installation of the antenna system on the subject lands.

CARRIED

C-3 Walden Lands Inc. - Application to extend draft plan of subdivision approval, Parcel 13763 S.W.S., thirdly, being Part 1, Plan 53R-8730 in Lot 8, Concession 4, Township of Waters, Municipal Road 55, Lively (Pineridge Subdivision)

Report dated December 13, 2019 from the General Manager of Growth and Infrastructure regarding Walden Lands Inc. - Application to extend draft plan of subdivision approval, Parcel 13763 S.W.S., thirdly, being Part 1, Plan 53R-8730 in Lot 8, Concession 4, Township of Waters, Municipal Road 55, Lively (Pineridge Subdivision).

PL2020-11 Kirwan/Landry-Altman: 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 Parcel 13763 S.W.S., thirdly, being Part 1, Plan 53R-8730 in Lot 8, Concession 4, Township of Waters, City of Greater Sudbury, File 780-8/04008, as outlined in the report entitled "Walden Lands Inc.", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on January 6, 2020, as follows:

a) By replacing the references to "Nickel District Conservation Authority" with "Conservation Sudbury" in Conditions #14, 16, 22, 24 and 35.

b) By adding the following to Condition #14:

"A lot grading agreement shall be registered on title, if required, to the satisfaction of the Director of Planning Services and the City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement."

c) By adding the following to Condition #15:

"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."

d) By amending the draft plan lapsing date in Condition #20 to February 3, 2023.

e) By adding the following to Condition #21:

“A sound attenuation 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.”

f) By adding the following as Condition #38:

“The property will require a subdivision agreement and during that process, based on anticipated quantities of removal of rock through blasting, the following conditions will be imposed:

a. The developer will be required to provide a geotechnical report on how the work related to blasting shall be undertaken safely to protect adjoining structures and other infrastructure. The geotechnical report shall be undertaken by a blasting consultant defined as a professional engineer licensed in the Province of Ontario with a minimum of five (5) years experience related to blasting.

b. The blasting consultant shall be retained by the developer and shall be independent of the contractor and any subcontractor doing blasting work. The blasting consultant shall be required to complete specified monitoring recommended in the report of vibration levels and provide a report detailing those recorded vibration levels. Copies of the recorded ground vibration documents shall be provided to the contractor and contract administration weekly or upon request for this specific project.

c. The geotechnical report will provide recommendations and specifications on the following activity as a minimum but not limited to:

- Pre-blast survey of surface structures and infrastructure within affected area;
- Trial blast activities;
- Procedures during blasting;
- Procedures for addressing blasting damage complaints;
- Blast notification mechanism to adjoining residences; and,
- Structural stability of exposed rock faces.

d. The above report shall be submitted for review to the satisfaction of the Chief Building Official prior to the commencement of any removal of rock by blasting.

e. Should the developer’s schedule require to commence blasting and rock removal prior to the subdivision agreement having been signed, a site alteration permit shall be required under the City of Greater Sudbury’s By-law #2009-170 and shall require a similar geotechnical report as a minimum prior to its issuance.”

CARRIED

C-4 Rheal Belanger – Request to extend a conditional approval on a rezoning application, 3171 & 3181 Highway #144, Chelmsford

Report dated December 20, 2019 from the General Manager of Growth and Infrastructure regarding Rheal Belanger – Request to extend a conditional approval on a rezoning application, 3171 & 3181 Highway #144, Chelmsford.

PL2020-12 Landry-Altman/Kirwan: THAT the City of Greater Sudbury approves the application by Rheal Belanger to extend the approval of a Zoning By-law Amendment Application, File # 751-5/14-7, on those lands described as Part of PINs 73350-0043 & 73348-0237, Part of Parcels 1412 & 2204, Lots 3 & 4, Concession 2, Township of Balfour, for

a period of three months until February 4, 2020, as outlined in the report entitled "Rheal Belanger", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on January 6, 2020.

CARRIED

Managers' Reports

R-1 Provincial Planning Reform: Bill 108 Implementation

Report dated December 12, 2019 from the General Manager of Growth and Infrastructure regarding Provincial Planning Reform: Bill 108 Implementation.

The following resolution was presented:

PL2020-13 Kirwan/Landry-Altman: THAT the City of Greater Sudbury directs staff to prepare amendments to the Official Plan and Zoning By-law to permit additional residential units and hold a Public Hearing on the amendments no later than Q2 2020, as outlined in the report entitled "Provincial Planning Reform: Bill 108 Implementation", from the General Manager of Growth and Infrastructure, presented to Planning Committee on January 6, 2020;

AND THAT the City of Greater Sudbury adopts the service standards for major land use planning applications effective January 1, 2020.

CARRIED

Members' Motions

No Motions were presented.

Addendum

No Addendum was presented.

Civic Petitions

No Civic Petitions were submitted.

Question Period

No Questions were asked.

Adjournment

PL2020-14 Landry-Altman/Kirwan: THAT this meeting does now adjourn. Time: 2:03 p.m.

CARRIED

Brigitte Sobush, Deputy City Clerk