

Minutes

Planning Committee Minutes of 10/28/19

Location:	Tom Davies Square - Council Chamber
Commencement:	12:13 PM
Adjournment:	1:37 PM

Councillor Cormier, In the Chair

Present Councillors McCausland, Kirwan, Cormier

City Officials Keith Forrester, Manager of Real Estate; Brigitte Sobush, Manager of Clerk's Services/Deputy City Clerk; Paul Javor, Drainage Engineer [D 12:16 p.m.]

Closed Session

The following resolution was presented:

PL2019-133 Kirwan/McCausland: THAT the Planning Committee move into Closed Session to deal with four (4) Proposed or Pending Acquisition or Disposition of Land Matter:

- Proposed Purchase of Property - Mountain Street Stormwater Improvements Phase II
- Purchase of Property - Mountain Street
- Purchase of Property - Mountain Street
- Sale of Closed Road - Old Trespass Road

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

CARRIED

At 12:14 p.m. the Planning Committee moved into Closed Session.

Recess At 12:18 p.m. the Planning Committee recessed.

Reconvene At 1:01 p.m. the Planning Committee commenced the Open Session in the Council Chamber.

Councillor Cormier, In the Chair

Present Councillors McCausland, Kirwan, Cormier

City Officials Jason Ferrigan, Director of Planning Services; Alex Singbush, Manager of Development Approvals; Robert Webb, Supervisor of Development Engineering; Kelly Gravelle, Deputy City Solicitor; Brigitte Sobush, Manager of Clerk's Services/Deputy City Clerk; Lisa Locken, Clerk's Services Assistant; Renee Stewart, CRM & Knowledgebase Administrator

DECLARATIONS OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None declared.

Public Hearings

- 1 2622513 Ontario Inc. – Application for Zoning By-law Amendment in order to expand the permitted maximum floor area for a business office within an existing building, 2750 Bancroft Drive, Sudbury

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

Report dated October 2, 2019 from the General Manager of Growth and Infrastructure regarding 2622513 Ontario Inc. – Application for Zoning By-law Amendment in order to expand the permitted maximum floor area for a business office within an existing building, 2750 Bancroft Drive, Sudbury.

Greg Raymond, the applicant was present.

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

Planning Department Response to Committee Questions:

In response to a question from the Committee, Mr. Singbush advised that the applicant requested the property be rezoned to an amended I(34), Institutional Special to expand from institutional uses to business office uses instead of C3 rezoning which encompasses a broad range of uses. This allows for a more efficient analysis of the potential impact of office use in a neighbourhood.

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:

PL2019-134 Kirwan/McCausland: THAT the City of Greater Sudbury approves the application by 2622513 Ontario Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification on the subject lands from "I(34)", Institutional Special to an amended "I(34)", Institutional Special on those lands described as PIN 73575-0449, Parts 2 & 3, 5 to 7, Plan 53R-18250, Part of Lots 9 & 10, Concession 3, Township of Neelon, as outlined in the report

entitled "2622513 Ontario Inc." from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on October 28, 2019, subject to the following conditions:

1. That the owner submit a Parking Layout Plan demonstrating compliance with all required parking provisions under the City's Zoning By-law to the satisfaction of the Director of Planning Services prior to the passing of an amending zoning by-law;
 - a. Submit a Parking Layout Plan demonstrating compliance with all required parking provisions under the City's Zoning By-law to the satisfaction of the Director of Planning Services; and
 - b. Install a test maintenance hole on the sanitary sewer service to the satisfaction of the Director of Planning Services.
2. That the amending zoning by-law contain the following site-specific provisions:
 - a. That a business office be added as a permitted use in addition to those uses permitted in the "I" Zone; and
 - b. That any further and appropriate relief that is required in order to accommodate required parking spaces for a business office be provided.
3. That conditional approval shall lapse on November 5, 2021 unless Condition #1 above has been met or an extension has been granted by Council.

YEAS: Councillors Cormier, McCausland, Kirwan

CARRIED

As no public comment, written or oral, were received, there was not effect on the Planning Committee's decision.

- 2 Alain & Linda Groleau – Application for Zoning By-law Amendment in order to permit a duplex dwelling or semi-detached dwelling, Notre Dame Avenue, Hanmer

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

Report dated October 1, 2019 from the General Manager of Growth and Infrastructure regarding Alain & Linda Groleau – Application for Zoning By-law Amendment in order to permit a duplex dwelling or semi-detached dwelling, Notre Dame Avenue, Hanmer.

Alain Groleau, the applicant, was present.

Celia Teale, ARG Devco, agent for the applicant, was present.

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

Applicant or Agent's Comments and Responses to Committee Questions:

Ms. Teale stated that they would like the Committee to consider amending the condition that requires that the garage be removed prior to the by-law being passed. They would like to apply for a demolition permit for the garage at the same time as they apply for a building permit.

In response to the Committee's questions, Mr. Groleau advised that the garage needed to be demolished as it is non-compliant.

Ms. Teale stated that the garage is non-compliant and must be removed as it is not attached to an existing building and does not have a main use.

In response to a question from the Committee, Ms. Teale advised that Mr. Groleau did not know that demolition of the garage would be required prior to applying for a building permit or passing of the by-law.

In response to a question from the Committee, Mr. Groleau stated that he needs to find a contractor to demolish the garage.

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:

PL2019-135 McCausland/Kirwan: THAT the City of Greater Sudbury approves the application by Alain & Linda Groleau to amend Zoning By-law 2010-100Z by changing the zoning classification on the subject lands from "R1-5", Low Density Residential One to "R2-2", Low Density Residential Two on those lands described as PIN 73508-0831, Parcel 21912, Lot 2, Concession 12, Township of Capreol, as outlined in the report entitled "Alain & Linda Groleau" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on October 28, 2019, subject to the following condition:

1. That the detached garage located on the lands be removed or otherwise brought into compliance with the City's Zoning By-law to the satisfaction of the Chief Building Official and the Director of Planning Services prior to the passing of an amending zoning by-law.
2. That conditional approval shall lapse on November 5, 2021 unless Condition #1 above has been met or an extension has been granted by Council.

Rules of Procedure

Councillor Kirwan presented the following amendment:

PL2019-135-A1 Kirwan/McCausland: THAT the resolution be amended to remove conditions 1 and 2.

YEAS: Councillors Cormier, McCausland, Kirwan
CARRIED

The resolution as amended was presented:

PL2019-135 McCausland/Kirwan: THAT the City of Greater Sudbury approves the application by Alain & Linda Groleau to amend Zoning By-law 2010-100Z by changing the zoning classification on the subject lands from "R1-5", Low Density Residential One to "R2-2", Low Density Residential Two on those lands described as PIN 73508-0831, Parcel 21912, Lot 2, Concession 12, Township of Capreol, as outlined in the report entitled "Alain & Linda Groleau" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on October 28, 2019.

YEAS: Councillors Cormier, McCausland, Kirwan

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 four (4) Proposed or Pending Acquisition or Disposition of Land Matters and the following resolution emanated therefrom:

PL2019-136 Kirwan/McCausland: THAT the City of Greater Sudbury authorizes the sale of part of closed Old Trespass Road, Garson, legally described as part of PIN 73496-0447(LT), being part of Part 3, Plan 53R-16246, Township of Garson;

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 are credited to the Land Acquisition Reserve Fund.

CARRIED

Adopting, Approving or Receiving Items in the Consent Agenda

The following resolution was presented:

PL2019-137 McCausland/Kirwan: THAT the City of Greater Sudbury approves Consent Agenda Items C-1 to C-2.

CARRIED

The following are the Consent Agenda items:

Routine Management Reports

C-1 Dominion Park Developments - Extension to Draft Plan of Subdivision Approval, part of PIN 73504-2533, being part of former Parcel 1323 SES in Lot 6, Concession 2, Township of Hanmer

Report dated October 1, 2019 from the General Manager of Growth and Infrastructure regarding Dominion Park Developments - Extension to Draft Plan of Subdivision Approval, part of PIN 73504-2533, being part of former Parcel 1323 SES in Lot 6, Concession 2, Township of Hanmer.

PL2019-138 Kirwan/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 known as part of PIN 73504-2533, being part of former Parcel 1323 SES in Lot 6, Concession 2, Township of Hanmer, File 780-7/92014, as outlined in the report entitled 'Dominion Park Developments' from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on October 28, 2019, as follows:

a) By replacing the reference to the 'Municipality' or 'City of Greater Sudbury' with the 'City' in Condition #2, #3, #4, #7, and #9.

b) By replacing the reference to 'one-foot' with '0.3 metre' in Condition #3.

c) By replacing Condition #4 with the following:

"4. That prior to the signing of the final plan, the Director of Planning Services shall be advised by the Ontario Land Surveyor responsible for preparation of the final plan, that the lot areas, frontages and depths appearing on the final plan do not violate the requirements of the Restricted Area By-laws of the Municipality in effect at the time such plan is presented for approval."

d) By adding the following to the end of Condition #5:

", prior to any encumbrances."

e) By replacing Condition #7 with the following:

"7. That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Greater Sudbury, concerning the provision of roads, walkways, street lighting, sanitary sewers, watermains, storm sewers and surface drainage facilities."

f) By replacing the reference to "Planning Services Division" or "Director of Planning" with "Director of Planning Services" in Condition #15, #19 and #32.

g) By replacing the reference to "Nickel District Conservation Authority" with "Conservation Sudbury" in Condition #15.

h) By replacing Condition #20 with the following:

"20. That this draft approval shall lapse on December 12, 2022."

i) By replacing the reference to "Economic Development and Planning Services Department" with "Director of Planning Services" in Condition #21.

j) By replacing the reference to the "General Manager of Public Works" with "General Manager of Growth and Infrastructure" in Condition #21 and #31.

k) By replacing the reference to 'developer's' with 'owner's' in Condition #26.

l) By adding the following to the end of Condition #27:

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

m) By deleting Condition #31.

n) By adding the following to the end of Condition #34:

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

o) By adding the following as Condition #39:

"39. 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."

CARRIED

Dalron Construction Ltd. – Extension to draft plan of subdivision approval, Main Street, Val Caron

Report dated October 1, 2019 from the General Manager of Growth and Infrastructure regarding Dalron Construction Ltd. – Extension to draft plan of subdivision approval, Main Street, Val Caron.

PL2019-139 McCausland/Kirwan: 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 known as Part of PIN 73502-0800, Part 1, Plan 53R-18607, Lot 6, Concession 5, Township of Blezard, File 780-7/07003, as outlined in the report entitled "Dalron Construction Ltd." from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on October 28, 2019 upon the payment of the processing fee of \$1958.50 as follows:

a) By replacing the reference to the 'General Manager of Infrastructure' or the 'General Manager of Infrastructure Services' with the 'General Manager of Growth and Infrastructure' in Condition #3, #11, #16, #31, #33, and #35.

b) By replacing the reference to the 'Municipality' or 'City of Greater Sudbury' with the 'City' in Condition #4, #5, #6, #7, and #9.

c) By replacing Condition #12 with the following:

"12. That this draft approval shall lapse on December 5, 2022."

d) By replacing Condition #14 with the following:

"14. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the Director of Planning Services, 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 recommended construction procedures for storm and sanitary sewers, watermain, roads to a 20 year design life, the mass filling of lands, surface drainage works, erosion control, slope stability, slope treatment, building foundations, and ensure sump pits are not located in the ground water table and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services. A soils caution agreement, if required, shall be registered on title, to the satisfaction of the Chief Building Official and the City Solicitor."

e) By adding the following to Condition #15:

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

f) By replacing the reference to "Nickel District Conservation Authority" with "Conservation Sudbury" and removing the reference to 'the Department of Fisheries and Oceans' in Condition #21.

g) By replacing the reference to 'developers/owners' with 'owner' in Condition #29(ii).

h) By adding a new Condition #36:

"36. 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.”

CARRIED

Managers' Reports

R-1 Deeming By-law for Lots 190 and 191, Plan M-70A, 9 Randolph Street, Capreol

Report dated October 1, 2019 from the General Manager of Growth and Infrastructure regarding Deeming By-law for Lots 190 and 191, Plan M-70A, 9 Randolph Street, Capreol.

The following resolution was presented:

PL2019-140 Kirwan/McCausland: THAT the City of Greater Sudbury approves designating Lots 190 and 191, Plan M-70A in Lot 11, Concession 1, Norman Township, as being deemed not to be part of a registered plan for the purposes of Section 50(3) of the Planning Act as outlined in the report entitled “Deeming By-law for Lots 190 and 191, Plan M-70A, 9 Randolph Street, Capreol”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on October 28, 2019;

AND THAT staff be directed to prepare a by-law to enact deeming Lots 190 and 191, Plan M-70A not to be part of a plan of subdivision for the purposes of Subsection 50(3) of the Planning Act.

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

McCausland/Kirwan: THAT this meeting does now adjourn. Time: 1:37 p.m.

CARRIED

Brigitte Sobush, Deputy City Clerk