

Minutes

Planning Committee Minutes of 8/12/19

Location:	Tom Davies Square - Council Chamber
Commencement:	2:05 PM
Adjournment:	4:01 PM

Councillor Cormier, In the Chair

Present	Councillors Cormier, McCausland, Kirwan, Sizer, Landry-Altmann
City Officials	Jason Ferrigan, Director of Planning Services; Alex Singbush, Manager of Development Approvals; Robert Webb, Supervisor of Development Engineering; Kris Longston, Manager of Community and Strategic Planning; Glen Ferguson, Senior Planner; Brigitte Sobush, Manager of Clerk's Services/Deputy City Clerk; Franca Bortolussi, Acting Administrative Assistant to the City Solicitor and Clerk; Danielle Wicklander, Legislative Compliance Coordinator; Christine Hodgins, Legislative Compliance Coordinator; Lisa Locken, Clerk's Services Assistant; Melissa Lamontagne, Clerk's Services Assistant

DECLARATIONS OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None declared.

Addendum

No Addendum was presented.

Public Hearings

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

Report dated July 11, 2019 from the General Manager of Growth and Infrastructure regarding Denis & Lise Henri - Application to extend a temporary use by-law in order to permit a Garden Suite for an additional three years, 2996 Valleyview Road, Val Caron.

Lise Henri, the applicant was present.

Glen Ferguson, Senior Planner, outlined the report.

Glen Ferguson, Senior Planner, stated that staff make contact with land owners when their expiry is approaching. He further stated that garden suites are initially approved for ten (10) years and the Planning Act allows for three (3) year extensions.

Glen Ferguson, Senior Planner, stated that the Planning Act only allows for a maximum of three (3) year extensions after the initial ten (10) year approval.

Ms. Henri stated that she was not notified by Planning staff that her application was expiring.

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:

Rules of Procedure

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

PL2019-100 Kirwan/Landry-Altmann: THAT the City of Greater Sudbury approves the application by Denis & Lise Henri to amend Zoning By-law 2010-100Z with respect to those lands described as PIN 73500-0087, Parcel 46360, Part 1, Plan 53R-9283, Lot 12, Concession 5, Township of Blezard, to extend a Garden Suite permission in accordance with Section 39 of the Planning Act for an additional three years, as outlined in the report entitled "Denis & Lise Henri" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on August 12, 2019.

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

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

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

Report dated July 23, 2019 from the General Manager of Growth and Infrastructure regarding Harini Krupa Inc. – Application for Zoning By-law Amendment in order to permit a dog training school within an existing commercial building, 450 Municipal Road #55, Lively.

Harini Krupa Inc., the applicant, was not present.

Glen Ferguson, Senior Planner, 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:

PL2019-101 Kirwan/Landry-Altmann: THAT the City of Greater Sudbury approves the application by Harini Krupa Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification on the subject lands from "C2", General Commercial to "C2(S)", General

Commercial Special on those lands described as PINs 73378-0482, 73378-0483, 73378-0493, 73378-0494, 73378-0497, and Part of PIN 73378-0722, Parts 1 & 2, Plan SR3322, Parcels 10755, 11058, 11066, 16793 & 21345A, Lot 7, Concession 4, Township of Waters, as outlined in the report entitled “Harini Krupa Inc.” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on August 12, 2019, subject to the following conditions:

1. That prior to the passing of an amending zoning by-law:

a) The owner shall apply for a building permit for a change of use to the satisfaction of the Chief Building Official;

b) That the owner shall provide a parking layout plan demonstrating compliance with all parking space provisions of the Zoning By-law to the satisfaction of the Director of Planning Services; and,

c) That the owner prepare and confirm a floor layout plan for the internal space to be occupied by the dog training school to the satisfaction of the Director of Planning Services.

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

a) That in addition to those uses permitted in the parent “C2” Zone, an indoor dog training school and related indoor accessory uses also shall be permitted within the existing building;

b) That the indoor dog training school permission not extend to or include any breeding, raising and/or boarding of domestic animals or household pets;

c) That no outdoor activity areas, outdoor dog runs, open animal pens or any other outdoor accessory uses in relation to the indoor dog training school be permitted;

d) That no buffer to any residential building or residential zone be required;

e) That the indoor dog training school be entirely contained within the existing building and be limited to having a maximum floor area as it existed on July 12, 2019; and,

f) That any site-specific relief related to the parking provisions of the Zoning By-law be provided.

3. That conditional approval shall lapse on August 13, 2021 unless Condition #1 above has been met or an extension has been granted by Council.

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

CARRIED

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

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

Report dated July 23, 2019 from the General Manager of Growth and Infrastructure regarding Shane Ross – Application for Zoning By-law Amendment in order to recognize an existing multiple dwelling containing three residential dwelling units, 91 & 93 Dell Street, Sudbury.

Shane Ross, the applicant, was not present.

Glen Ferguson, Senior Planner, outlined the report.

Glen Ferguson, Senior Planner, stated that if the application was denied, the extra unit would need to be removed, which would be dealt with through Building Services and the By-law department.

Glen Ferguson, Senior Planner, stated that the applicant provided a sketch outlining a proposal for four (4) parking spaces in the front yard. As part of the rezoning application, they proposed to landscape the entirety of parking space number one (1) with green landscape as well as the strip between parking space two (2) and three (3). The applicant calculated that this collectively would be the 25% of required landscaping. The applicant also indicated that the stairs leading to the sidewalk would be hard landscaped, which would be an established walkway considered landscaping open space under definition of the by-law.

Jason Ferrigan, Director of Planning Services, stated that it is not the city's goal to eliminate triplexes as a form of residential living. This dwelling is located in an older established neighbourhood within the city and developed prior to the Planning Act coming into effect. In 2010, Council passed by-law 2010-100Z which established the R2-2 Zone in this area on the recommendation of staff. When staff reviewed this application they looked very specifically at the properties that abut it as well as properties in the area to make sure it is an appropriate level of intensification. He further stated that their job is to provide the Planning Committee with the best advice which should be taken under advisement before rendering a decision. He advised that he believes this application was brought forward after a recent purchase of sale transaction of the property. He cannot speculate if the owner was trying to legitimize the property.

Jason Ferrigan, Director of Planning Services, stated that this application is a proposal for intensification. When you have such a proposal, you need to look at the surrounding environment and if the application will have a negative impact on it. The Official Plan speaks to intensifying in areas and sets out very clear criteria that staff uses in assessing these proposals, one of which is the ability to provide adequate parking. In reviewing this application, it does not meet all the criteria that needs to be met for intensification.

Glen Ferguson, Senior Planner, stated that no negative comments were received.

Glen Ferguson, Senior Planner, stated that the traffic section reviewed the application and one of the area of concern was safety in ingress areas which would provide a shorter frontage for parking. He advised that currently vehicles are parking across the city right of way. The department also had concerns, because of the reduced frontage, regarding other recreational vehicles and snow will be stored.

Glen Ferguson, Senior Planner, stated that Building Services has no record of how long the third unit has existed. The applicant is the new owner of the property and they are not sure when it was added.

Jason Ferrigan, Director of Planning Services, stated it is appropriate to use Official Plan framework to assess additions that are already in place which is the case with this application. It gives the City the opportunity to assess a proposal of this type and how it measures against the community standards that Council has imposed.

Glen Ferguson, Senior Planner, stated that the required parking spaces are 1.5 per dwelling unit. As a duplex three (3) parking spaces would be required and as a multiple dwelling five (5) parking spaces are required.

Alex Singbush, Manager of Development Approvals, stated that purchasers often do a

property search through Building Services, which is usually completed by a law firm upon closing. It is the choice of the buyer. They can request a permit history search and this property would likely be listed as a two (2) family dwelling.

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:

PL2019-102 Landry-Altmann/Kirwan: THAT the City of Greater Sudbury denies the application by Shane Ross to amend Zoning By-law 2010-100Z by changing the zoning classification on the subject lands from "R2-2", Low Density Residential Two to "R2-2(S)", Low Density Residential Two Special on those lands described as PIN 02130-0142, Lot 297, Plan 18S, Lot 5, Concession 4, Township of McKim, as outlined in the report entitled "Shane Ross" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on August 12, 2019.

YEAS: Councillors Sizer, Kirwan

NAYS: Councillors Cormier, McCausland, Landry-Altmann
DEFEATED

Recess

At 3:24 p.m. the Committee recessed.

Reconvene

At 3:46 p.m. the Committee reconvened.

Rules of Procedure

The following alternate resolution was presented:

PL2019-103 Landry-Altmann/McCausland: THAT the City of Greater Sudbury approves the application by Shane Ross to amend Zoning By-law 2010-100Z by changing the zoning classification of the subject lands from "R2-2", Low Density Residential Two to "R2-2(S)", Low Density Residential Two Special on those lands described as PIN 02130-0142, Lot 297, Plan 18S, Lot 5, Concession 4, Township of McKim, presented at the Planning Committee meeting on August 12, 2019, subject to the following conditions:

1. That prior to the passing of the amending zoning by-law:

a. The owner shall submit a building permit application to permit the third residential dwelling unit to the satisfaction of the Chief Building Official; and,

b. That the owner install and landscape a minimum of 25% landscaped open space in the existing front yard to the satisfaction of the Director of Planning Services.

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

a. That a multiple dwelling containing a maximum of three residential dwelling units be permitted in addition to those uses permitted in the parent "R2-2" Zone;

b. That three parking spaces located in the front yard shall be required and be permitted to

encroach into the Dell Street right-of-way;

c. That a minimum of 25% landscaped open space in the front yard be required; and,

d. That any other relief determined to be required to implement the amending zoning by-law shall be permitted.

3. That conditional approval shall lapse on August 13, 2021 unless Condition #1 above has been met or an extension granted by Council.

Rules of Procedure

Councillor Landry-Altmann presented a friendly amendment to change the date in condition 3 from '2021' to '2020'.

The following is the resolution with the inclusion of the friendly amendment:

PL2019-103 Landry-Altmann/McCausland: THAT the City of Greater Sudbury approves the application by Shane Ross to amend Zoning By-law 2010-100Z by changing the zoning classification of the subject lands from "R2-2", Low Density Residential Two to "R2-2(S)", Low Density Residential Two Special on those lands described as PIN 02130-0142, Lot 297, Plan 18S, Lot 5, Concession 4, Township of McKim, presented at the Planning Committee meeting on August 12, 2019, subject to the following conditions:

1. That prior to the passing of the amending zoning by-law:

a. The owner shall submit a building permit application to permit the third residential dwelling unit to the satisfaction of the Chief Building Official; and,

b. That the owner install and landscape a minimum of 25% landscaped open space in the existing front yard to the satisfaction of the Director of Planning Services.

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

a. That a multiple dwelling containing a maximum of three residential dwelling units be permitted in addition to those uses permitted in the parent "R2-2" Zone;

b. That three parking spaces located in the front yard shall be required and be permitted to encroach into the Dell Street right-of-way;

c. That a minimum of 25% landscaped open space in the front yard be required; and,

d. That any other relief determined to be required to implement the amending zoning by-law shall be permitted.

3. That conditional approval shall lapse on August 13, 2020 unless Condition #1 above has been met or an extension granted by Council.

YEAS: Councillors Cormier, McCausland, Sizer, Landry-Altmann

NAYS: Councillors Kirwan

CARRIED

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

Adopting, Approving or Receiving Items in the Consent Agenda

The following resolution was presented:

PL2019-104 Landry-Altmann/Kirwan: THAT the City of Greater Sudbury approves Consent Agenda Item C-1.

CARRIED

The following is the Consent Agenda item:

Routine Management Reports

C-1 Deeming By-law for Lots 93 and 94, Plan M-70A, 10–10A Clyde Street, Capreol

Report dated July 18, 2019 from the General Manager of Growth and Infrastructure regarding Deeming By-law for Lots 93 and 94, Plan M-70A, 10–10A Clyde Street, Capreol.

PL2019-105 Kirwan/Landry-Altmann: THAT the City of Greater Sudbury approves designating Lots 93 and 94, 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”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on August 12, 2019, and

AND THAT Staff be directed to prepare a by-law for Council to enact deeming Lots 93 and 94, Plan M-70A not to be part of a plan of subdivision for the purposes of Subsection 50(3) of the Planning Act.

CARRIED

Managers' Reports

R-1 Coniston Seniors Non-Profit Housing Corporation–Application for extension to a cost sharing agreement between Coniston Seniors Non-Profit Housing Corporation and the City of Greater Sudbury

Report dated July 24, 2019 from the General Manager of Growth and Infrastructure regarding Coniston Seniors Non-Profit Housing Corporation–Application for extension to a cost sharing agreement between Coniston Seniors Non-Profit Housing Corporation and the City of Greater Sudbury.

The following resolution was presented:

PL2019-106 Kirwan/Landry-Altmann: THAT the City of Greater Sudbury approves the request for extension of the cost sharing request by the Coniston Seniors Non-Profit Housing Corporation for the upgrading of approximately 283m length of 200mm watermain on Concession Street for the proposed Seniors Development on Part of PIN's 73561-0035 and 75360-1248, Lot 4, Concessions 3 & 4, Township of Neelon, Elm Street, Coniston as outlined in the report entitled “Coniston Seniors Non-Profit Housing Corporation” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on August 12, 2019.

CARRIED

R-2 Main Street Revitalization Initiative: Town Centre Community Improvement Plan Amended Application for 47A Levack Drive

Report dated July 18, 2019 from the General Manager of Growth and Infrastructure regarding Main Street Revitalization Initiative: Town Centre Community Improvement Plan Amended Application for 47A Levack Drive.

The following resolution was presented:

PL2019-107 Landry-Altmann/Kirwan: THAT the City of Greater Sudbury approves the amended application for 47A Levack Drive received under the Town Centre Community Improvement Plan and authorize staff to amend and enter into any necessary agreements with the property owner, as described in the report entitled "Main Street Revitalization Initiative: Town Centre Community Improvement Plan", the General Manager of Growth and Infrastructure presented at the Planning Committee meeting on August 12, 2019.

CARRIED

Members' Motions

No Motions were presented.

Civic Petitions

No Civic Petitions were submitted.

Question Period

No Questions were asked.

Adjournment

Kirwan/Landry-Altmann: THAT this meeting does now adjourn. Time: 4:01 p.m.

CARRIED

Brigitte Sobush, Manager of Clerk's
Services/Deputy City Clerk