

Minutes

Planning Committee Minutes of 6/24/19

Location:	Tom Davies Square - Council Chamber
Commencement:	1:12 PM
Adjournment:	4:17 PM

Councillor Cormier, In the Chair

Present	Councillors Lapierre, Jakubo, Sizer, Cormier [D 3:20 p.m.] [A 4:01 p.m.], Landry-Altmann Councillor Vagnini [D 2:22 p.m.]
City Officials	Jason Ferrigan, Director of Planning Services; Alex Singbush, Manager of Development Approvals; Robert Webb, Supervisor of Development Engineering; Mauro Manzon, Senior Planner; Glen Ferguson, Senior Planner; Guido Mazza, Director of Building Services/Chief Building Official; Adam Kosnick, Manager of Regulated Services/Deputy City Clerk; Anne Purvis, POA Court Support Clerk; Julie Lalonde, Clerk's Services Assistant

DECLARATIONS OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Chair Cormier declared a conflict of interest in relation to Public Hearing 4 because he and one of the co-applicants work at the same firm.

Rules of Procedure

Councillor Landry-Altmann moved that the order of the Agenda be altered to deal with Referred and Deferred Matter R-3 at this time.

CARRIED BY TWO-THIRDS MAJORITY

Recess

At 1:18 p.m. the Committee recessed.

Reconvene

At 1:31 p.m. the Committee reconvened.

Rules of Procedure

Change of Chair and Committee Members

The past term's Committee members and Vice-Chair were brought in to hear Referred and Deferred matter R-3 as they were the original Planning Committee members who were present at the Public Hearing for this matter.

Referred and Deferred Matters

Councillor Lapierre, In the Chair

Present Councillors Lapierre, Jakubo, Sizer, Landry-Altmann

Councillor Vagnini

R-3 Darlene & Nathan Nicholson – Application for rezoning in order to permit a kennel having a reduced buffer distance to nearest residential building, 15 Kalio Road, Lively

Report dated June 3, 2019 from the General Manager of Growth and Infrastructure regarding Darlene & Nathan Nicholson – Application for rezoning in order to permit a kennel having a reduced buffer distance to nearest residential building, 15 Kalio Road, Lively.

Rules of Procedure

The Committee, by two-thirds majority, allowed Councillor Vagnini to address the Committee regarding this matter.

The following resolution was presented:

PL2019-79 Landry-Altmann/Sizer: THAT the City of Greater Sudbury denies the application by Darlene and Nathan Nicholson to amend Zoning By-law 2010-100Z to change the zoning classification from "RU", Rural to "RU(S)", Rural Special on those lands described as Part of PIN 73373-0100, Parcel 5579, Lot 1, Concession 4, Township of Waters as outlined in the report entitled "Darlene & Nathan Nicholson" from the General Manager of Growth and Infrastructure presented at the Planning Committee meeting of November 19, 2018.

Rules of Procedure

Councillor Landry-Altmann presented the following amendment:

THAT the resolution be amended and replaced with the following:

2019-79-A1 Landry-Altmann/Sizer: THAT the City of Greater Sudbury approves the application by Darlene and Nathan Nicholson to amend Zoning By-law 2010-100Z to change the zoning classification from "RU", Rural to "RU(S)", Rural Special on those lands described as Part of PIN 73373-0100, Parcel 5579, Lot 1, Concession 4, Township of Waters as

outlined in the report entitled “Darlene & Nathan Nicholson” from the General Manager of Growth and Infrastructure presented at the Planning Committee meeting of November 19, 2018, subject to the following conditions:

1. That prior to the passing of an amending zoning by-law:
 - i. The owner shall prepare and submit a methodologically acceptable Noise Study that is to be peer reviewed and shall identify appropriate noise mitigation measures, where and if required, to the satisfaction of the Director of Planning Services; and,
 - ii. The owner shall have entered into a site plan control agreement with the City of Greater Sudbury to the satisfaction of the Director of Planning Services.
2. That the amending zoning by-law provide for site-specific relief where required in order to permit the kennel;
3. That the subject lands be designated as a “Site Plan Control Area” pursuant to Section 41 (3) of the Planning Act, R.S.O. 1990, Chapter P. 13, as amended, and that the amending zoning by-law shall identify the lands as such; and,
4. That conditional approval shall lapse on July 9, 2021, unless Condition #1 above has been met or an extension has been granted by Council.

Recess

At 2:31 p.m. the Committee recessed.

Reconvene

At 2:42 p.m. the Committee reconvened.

Rules of Procedure

Councillor Jakubo presented the following amendment to the amendment:

PL2019-79-A2 Jakubo/Landry-Altmann: THAT the amendment be amended to have the date of “July 9, 2021” replaced with “July 9, 2020”.

YEAS: Lapierre, Landry-Altmann, Sizer, Jakubo
CARRIED

Rules of Procedure

With the concurrence of the Committee, the reading of the amended amendment was waived.

2019-79-A1 Landry-Altmann/Sizer: THAT the City of Greater Sudbury approves the application by Darlene and Nathan Nicholson to amend Zoning By-law 2010-100Z to change the zoning classification from “RU”, Rural to “RU(S)”, Rural Special on those lands described as Part of PIN 73373-0100, Parcel 5579, Lot 1, Concession 4, Township of Waters as outlined in the report entitled “Darlene & Nathan Nicholson” from the General Manager of Growth and Infrastructure presented at the Planning Committee meeting of November 19, 2018, subject to the following conditions:

1. That prior to the passing of an amending zoning by-law:
 - i. The owner shall prepare and submit a methodologically acceptable Noise Study that is to be peer reviewed and shall identify appropriate noise mitigation measures, where and if required, to the satisfaction of the Director of Planning Services; and,

ii. The owner shall have entered into a site plan control agreement with the City of Greater Sudbury to the satisfaction of the Director of Planning Services.

2. That the amending zoning by-law provide for site-specific relief where required in order to permit the kennel;

3. That the subject lands be designated as a "Site Plan Control Area" pursuant to Section 41 (3) of the Planning Act, R.S.O. 1990, Chapter P. 13, as amended, and that the amending zoning by-law shall identify the lands as such; and,

4. That conditional approval shall lapse on July 9, 2020, unless Condition #1 above has been met or an extension has been granted by Council.

YEAS: Lapierre, Landry-Altmann, Sizer, Jakubo

CARRIED

The resolution as amended was presented:

PL2019-79 Landry-Altmann/Sizer: THAT the City of Greater Sudbury approves the application by Darlene and Nathan Nicholson to amend Zoning By-law 2010-100Z to change the zoning classification from "RU", Rural to 'RU(S)', Rural Special on those lands described as Part of PIN 73373-0100, Parcel 5579, Lot 1, Concession 4, Township of Waters as outlined in the report entitled "Darlene & Nathan Nicholson" from the General Manager of Growth and Infrastructure presented at the Planning Committee meeting of November 19, 2018, subject to the following conditions:

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

i. The owner shall prepare and submit a methodologically acceptable Noise Study that is to be peer reviewed and shall identify appropriate noise mitigation measures, where and if required, to the satisfaction of the Director of Planning Services; and,

ii. The owner shall have entered into a site plan control agreement with the City of Greater Sudbury to the satisfaction of the Director of Planning Services.

2. That the amending zoning by-law provide for site-specific relief where required in order to permit the kennel;

3. That the subject lands be designated as a "Site Plan Control Area" pursuant to Section 41(3) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, and that the amending zoning by-law shall identify the lands as such; and,

4. That conditional approval shall lapse on July 9, 2020, unless Condition #1 above has been met or an extension has been granted by Council.

YEAS: Councillors Sizer, Jakubo, Lapierre, Landry-Altmann

CARRIED

Public comment has been received and considered and has affected Planning Committee's decision in the following manner:

a) Prior to the passing of an amending zoning by-law, the owner shall prepare and submit a methodologically acceptable noise study that is to be peer reviewed and shall identify appropriate noise mitigation measures, where and if required, to the satisfaction of the Director of Planning Services; and, the owner shall have entered into a site plan control agreement with the City of Greater Sudbury to the satisfaction of the Director of Planning

Services;

b) The amending zoning by-law provide for site-specific relief where required in order to permit the kennel;

c) The subject lands be designated as a "Site Plan Control Area" pursuant to section 41(3) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, and that the amending zoning by-law shall identify the lands as such; and,

d) That conditional approval shall lapse on July 9, 2020, unless condition 1 above has been met or an extension has been granted by Council.

Recess

At 2:47 p.m. the Committee recessed.

Reconvene

At 2:51 p.m. the Committee reconvened.

Rules of Procedure

Change of Chair and Committee Members

The present term's Committee members and Chair returned for the rest of the Planning Committee meeting.

Councillor Cormier, In the Chair

Present Councillors McCausland, Kirwan, Sizer, Cormier, Landry-Altmann

Public Hearings

- 1 Nicole Giroux - Application to extend a temporary use by-law in order to permit a garden suite, 327 Gravel Drive, Hanmer

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

Report dated May 31, 2019 from the General Manager of Growth and Infrastructure regarding Nicole Giroux - Application to extend a temporary use by-law in order to permit a garden suite, 327 Gravel Drive, Hanmer.

Nicole Giroux, the applicant, was present.

Mauro Manzon, 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:

PL2019-80 Sizer/McCausland: THAT the City of Greater Sudbury approves the application by Nicole Giroux to amend Zoning By-law 2010-100Z with respect to lands described as Parcel 49981 S.E.S., Part 1, Plan 53R-14091 in Lot 2, Concession 3, Township of Hanmer in order to extend the use of a garden suite in accordance with Section 39.1(4) of the Planning Act for a temporary period of three (3) years, as outlined in the report entitled "Nicole Giroux" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 24, 2019.

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

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

- 2 Nickel Belt Boom Truck Ltd. - Applications for Official Plan Amendment and rezoning in order to permit the expansion of a recreation vehicle sales and service establishment onto abutting rural lands, Joannette Road, Chelmsford

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

Report dated May 31, 2019 from the General Manager of Growth and Infrastructure regarding Nickel Belt Boom Truck Ltd. - Applications for Official Plan Amendment and rezoning in order to permit the expansion of a recreation vehicle sales and service establishment onto abutting rural lands, Joannette Road, Chelmsford.

Adrian Bortoluzzi, agent for the applicant, and Guy Blais, the applicant, were present.

Mauro Manzon, 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 resolutions were presented:

Resolution regarding Official Plan Amendment:

PL2019-81 McCausland/Sizer: THAT the City of Greater Sudbury approves the application by Nickel Belt Boom Truck Ltd. to amend the City of Greater Sudbury Official Plan to provide a site-specific exception to the policies of Section 5.2.5 concerning Rural Industrial/Commercial uses in Rural Areas in order to permit the expansion of a recreation vehicle sales and service establishment on lands described as Part of PIN 73350-0593 in Lot 4, Concession 2, Township of Balfour, as outlined in the report entitled "Nickel Belt Boom Truck Ltd." from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 24, 2019, subject to the following conditions:

1. That the Official Plan Amendment be enacted concurrently with the zoning

amendment;

2. Conditional approval shall lapse on July 9, 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

Resolution regarding the Rezoning Application:

PL2019-82 Sizer/McCausland: THAT the City of Greater Sudbury approves the application by Nickel Belt Boom Truck Ltd. to amend Zoning By-law 2010-100Z by changing the zoning classification from "RU", Rural to a revised "RU(4)", Rural Special on lands described as Part of PIN 73350-0593 in Lot 4, Concession 2, Township of Balfour, as outlined in the report entitled "Nickel Belt Boom Truck Ltd." from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 24, 2019, subject to the following conditions:

1. That prior to the adoption of the amending by-law, the owner shall address the following conditions:

- i) 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;
- ii) Remove the shipping containers from the property to the satisfaction of the Director of Planning Services; and,
- iii) Amend the Site Plan Control Agreement with the City to include the subject lands.

2. That the RU(4) special zoning be amended by applying the following site-specific provisions to the lands to be rezoned:

- i) The only permitted uses shall be the outdoor display and sales of recreation vehicles and the accessory outdoor storage of recreation vehicles;
- ii) An opaque fence with a minimum height of 2.2 metres shall not be required for the accessory outdoor storage of recreation vehicles;
- iii) A natural vegetative buffer shall be maintained as follows:
 - a) A minimum 14 metre-wide buffer abutting the rear lot lines of Parts 1 and 2, Plan SR-3123;
 - b) A minimum 30 metre-wide buffer abutting the rear lots lines of Parts 3 to 8, Plan SR-3123;
 - iv) A planting strip with a minimum depth of 5 metres shall be provided along the southerly interior side lot line abutting Part 1, Plan SR-3123;
 - v) For the purposes of this by-law, the accessory outdoor storage of recreation vehicles shall be defined as follows:

"An outdoor area that is provided for the parking and storage of recreation vehicles for remuneration, but does not include a camping ground or facilities for

the disposal of recreation vehicle wastewater.”

3. Conditional approval shall lapse on July 9, 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 Baikinson Land Corp - Site-specific amendment to Zoning By-law 2010-100Z in order to permit four (4) row dwellings containing 16 model home dwelling units, St. Albert Street, Chelmsford

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

Report dated May 31, 2019 from the General Manager of Growth and Infrastructure regarding Baikinson Land Corp - Site-specific amendment to Zoning By-law 2010-100Z in order to permit four (4) row dwellings containing 16 model home dwelling units, St. Albert Street, Chelmsford.

Jason Ferrigan, Director of Planning Services, 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:

PL2019-83 McCausland/Sizer: THAT the City of Greater Sudbury approves the application by Baikinson Land Corp. to amend Zoning By-law 2010-100Z by changing the zoning classification from “R3(67)”, Medium Density Residential Special to a revised “R3(67)”, Medium Density Residential Special on lands described as Part of PIN 73348-0644, Parts 1 to 6, 8, 10, 12 to 14, Plan 53R-21106 in Lot 2, Concession 2, Township of Balfour, as outlined in the report entitled “Baikinson Land Corp”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 24, 2019, subject to the following condition:

a) That the following clause be added to Part 11, Section 1, Subsection 10, Paragraph (ooo) as Clause (iii):

All provisions of this by-law applicable to the Model Homes provisions of Section 4.20 shall apply subject to the following modification:

Four (4) buildings containing 16 model home dwelling units shall be permitted.

YEAS: 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.

Change of Chair

At 3:20 p.m., Chair Cormier, vacated the chair.

Councillor Kirwan, In the Chair

Councillor Cormier departed at 3:20 p.m.

- 4 Marc & Julie Bodson - Application for rezoning in order to sever a residential lot containing an existing dwelling and to permit a reduced lot frontage for the rural remainder, 1830 Yorkshire Drive, Val Caron

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

Report dated May 31, 2019 from the General Manager of Growth and Infrastructure regarding Marc & Julie Bodson - Application for rezoning in order to sever a residential lot containing an existing dwelling and to permit a reduced lot frontage for the rural remainder, 1830 Yorkshire Drive, Val Caron.

Marc Bodson, the applicant, was present.

Mauro Mazon, Senior Planner, outlined the report.

Donna Chudzak, area resident, expressed concern regarding the cut and fill to be used for the applicant's driveway and whether or not her property would be affected.

Councillor Kirwan stated that her concerns would be addressed and information would be provided to her.

The applicant stated that his property never flooded due to the fact that the property was back filled and built a slab on grade. He indicated his future plan is to build a slab on grade home.

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 resolutions were presented:

Resolution regarding the Rezoning Application:

PL2019-84 Sizer/McCausland: THAT the City of Greater Sudbury approves the application by Marc and Julie Bodson to amend Zoning By-law 2010-100Z by changing the zoning classification from "RU", Rural to "R1-1", Low Density Residential One and "RU(S)", Rural Special on lands described as PINs 73505-0907 & 73505-1023, Parcels 1031 & 1032 S.E.S., in Lot 7, Concession 1, Township of Hanmer, as outlined in the report entitled "Marc and Julie Bodson" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of June 24, 2019, subject to the following conditions:

1. That the subject lands be rezoned as follows:

i) PINs 73505-0907 & 73505-1023, excluding an approximate 0.62 ha southeast portion of PIN 73505-0907 identified as Parts 1, 2 and 5 on the preliminary plan, as "RU(S)", Rural Special, subject to the following site-specific provisions:

a. The minimum lot frontage shall be 25 metres; and,

b. Buildings, structures and septic systems shall be located outside the regulated area of Conservation Sudbury.

ii) Part of PIN 73505-0907, being an approximate 0.62 ha southeast portion identified as Parts 1, 2 and 5 on the preliminary plan, as "R1-1", Low Density Residential One.

2. That prior to the enactment of the amending by-law, the owner shall address the following conditions:

a. That lands located within the designated flood plain have been removed from the flood plain to the satisfaction of Conservation Sudbury in order to provide driveway access to the rural remainder;

b. Provide the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to R1-1 to enable the preparation of an amending zoning by-law.

3. Conditional approval shall lapse on July 9, 2021 unless Condition 2 above has been met or an extension has been granted by Council.

YEAS:Councillors Landry-Altmann, Sizer, Kirwan

CARRIED

Resolution regarding Consent Referral Request:

PL2019-85 McCausland/Sizer: THAT the City of Greater Sudbury permits the application to create one (1) additional lot on lands described as PINs 73505-0907 & 73505-1023, Parcels 1031 & 1032 S.E.S., in Lot 7, Concession 1, Township of Hanmer to proceed by way of the consent process as outlined in the report entitled "Marc and Julie Bodson" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of June 24, 2019.

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

CARRIED

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

Councillor Cormier, having declared a conflict of interest in the foregoing matter, did not take part in the discussion, vote on any matter or try to influence the vote in respect thereof.

Change of Chair

At 4:01 p.m., Chair Kirwan, vacated the chair.

Councillor Cormier, In the Chair

Councillor Cormier arrived at 4:01 p.m.

Managers' Reports

- R-1 Main Street Revitalization Initiative: Town Centre Community Improvement Plan Application for 525 Notre Dame Avenue

Report dated June 3, 2019 from the General Manager of Growth and Infrastructure regarding Main Street Revitalization Initiative: Town Centre Community Improvement Plan Application for 525 Notre Dame Avenue.

The following resolution was presented:

PL2019-86 Sizer/McCausland: THAT the City of Greater Sudbury approves the application for 525 Notre Dame Avenue received under the Town Centre Community Improvement Plan and authorize staff to enter into any necessary agreements with the property owner, as outlined in the report entitled "Main Street Revitalization Initiative" from the General Manager of Growth and Infrastructure, presented at the Planning Committee Meeting on June 24, 2019.
CARRIED.

- R-2 LaSalle Boulevard Corridor Plan and Strategy - Proposed Official Plan Amendment

Report dated June 3, 2019 from the General Manager of Growth and Infrastructure regarding LaSalle Boulevard Corridor Plan and Strategy - Proposed Official Plan Amendment.

The following resolution was presented:

PL2019-87 McCausland/Sizer: THAT The City of Greater Sudbury directs staff to commence public consultation on the proposed Official Plan Amendment and to hold a public hearing on the proposed amendments in the fourth quarter of 2019;

AND THAT the City of Greater Sudbury directs staff to return with the findings of a commercial parking ratio study to inform potential zoning by-law amendments associated with the LaSalle Boulevard Corridor Plan and Strategy in the fourth quarter of 2019, as outlined in the report entitled "LaSalle Boulevard Corridor Plan and Strategy - Proposed Official Plan Amendment", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 24, 2019.

CARRIED

Members' Motions

No Motions were presented.

Addendum

No Addendum was presented.

Civic Petitions

Councillor Landry-Altmann submitted two petitions to the Deputy City Clerk which will be forward to the General Manager of Growth and Infrastructure. The first petition is regarding the installation of sidewalks on Montrose Avenue. The second petition is requesting that measures be taken to ensure that Montrose Avenue does not become a throughway between Lasalle and Maley Drive.

Question Period

No Questions were asked.

Adjournment

Sizer/McCausland: THAT this meeting does now adjourn. Time: 4:17 p.m.

CARRIED

Adam Kosnick, Deputy City
Clerk