

Minutes

Planning Committee Minutes of 5/6/19

Location:	Tom Davies Square - Council Chamber
Commencement:	4:48 PM
Adjournment:	6:44 PM

Councillor Cormier, In the Chair

Present Councillors McCausland, Sizer, Cormier, Landry-Altmann

City Officials Keith Forrester, Manager of Real Estate; Adam Kosnick, Manager of Regulated Services/Deputy City Clerk

Closed Session

The following resolution was presented:

PL2019-49 Sizer/McCausland: THAT the Planning Committee move into Closed Session to deal with one (1) Proposed or Pending Acquisition or Disposition of Land Matters:

- Sale of Land - Marion Street, Chelmsford

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

CARRIED

At 4:48 p.m. the Planning Committee moved into Closed Session.

Recess At 4:50 p.m. the Planning Committee recessed.

Reconvene At 5:30 p.m. the Planning Committee commenced the Open Session in the Council Chamber.

Councillor Cormier, In the Chair

Present Councillors McCausland, Sizer, Cormier, Landry-Altmann

City Officials Jason Ferrgian, Director of Planning Services; Alex Singbush, Manager of Development Approvals; Robert Webb, Supervisor of Development Engineering; Mauro Manzon, Senior Planner; Adam Kosnick, Manager of Regulated Services/Deputy City Clerk; Christine Hodgins, Legislative Compliance Coordinator; Laura Kenyon, Clerk's Services; Julie Lalonde, Clerk's Services Assistant; Renée Stewart, Clerk's Services Assistant

DECLARATIONS OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None declared.

Public Hearings

- 1 LIUNA Local 493 Property Corporation - Application for rezoning in order to permit a limited range of commercial uses in an existing office building zoned "I(26)", Institutional Special, 584 Clinton Avenue, Sudbury

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

Report dated April 9, 2019 from the General Manager of Growth and Infrastructure regarding LIUNA Local 493 Property Corporation - Application for rezoning in order to permit a limited range of commercial uses in an existing office building zoned "I(26)", Institutional Special, 584 Clinton Avenue, Sudbury.

Mike Ryan and Denis Larcher, LIUNA Local 493, the applicants, were present.

Mauro Manzon, Senior Planner, outlined the report.

Robb Webb, Supervisor of Development Engineering, stated that a test manhole is on the sanitary service line to each commercial and industrial institutional building in the City of Greater Sudbury. If there is a downstream problem at the sewage treatment plant, they are able to track it back to the source testing manholes in the road. The test manhole on service is to prove or disprove that someone is putting anything deleterious into the sanitary sewer system. He further stated that there are two (2) styles of test manholes. One would be a watermain pipe appended to the sanitary sewer system which has a manhole lid; the cost would be approximately under \$2000. In instances where it is in a parking lot or where vehicles travel, a full concrete manhole would need to be installed and the cost would be significantly higher.

Mr. Ryan stated that it was their intention to get the manhole installed and they have already spent \$13,000. A contractor dug down on the property and there were two (2) unidentified pipes. They would have had the work completed in late fall should things have gone as planned. It is not their intention to put a medical laboratory in the building. They had difficulties retaining a contractor and by the time they had, the deadline had lapsed. But they have every intention on completing the necessary work.

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:

PL2019-50 McCausland/Sizer: THAT the City of Greater Sudbury approves the application by LIUNA Local 493 Property Corporation to amend Zoning By-law 2010-100Z by changing the zoning classification from "I(26)", Institutional Special to a revised "I(26)", Institutional Special on those lands described as PIN 02245-0113, Parcels 46902 & 45814 S.E.S., Lots 241 to 247, Plan M-60, Part 6, Plan 53R-9906 in Lot 4, Concession 4, Township of McKim, as outlined in the report entitled "LIUNA Local 493 Property Corporation" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on May 6, 2019 subject to the following conditions:

1. That the permitted uses in the I(26) zone be amended by adding offices, custom print or copy shop, personal service shop, veterinary clinic and scientific or medical laboratory; and,
2. That prior to the adoption of the amending by-law, the owner shall address the following condition to the satisfaction of the Director of Planning Services:
 - a) Install a Precast Test Maintenance Hole (GSSD-1001.030) or Maintenance Access Chamber (GSSD-1001.040) on the sanitary sewer service.
3. Conditional approval shall lapse on May 28, 2021 unless Condition 2 above has been met or an extension has been granted by Council.

YEAS: Councillors McCausland, Sizer, 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 Sportfax Limited - Application for rezoning in order to allow all uses permitted under "C3", Limited General Commercial zoning, 2140 Long Lake Road, Sudbury

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

Report dated April 15, 2019 from the General Manager of Growth and Infrastructure regarding Sportfax Limited - Application for rezoning in order to allow all uses permitted under "C3", Limited General Commercial zoning, 2140 Long Lake Road, Sudbury.

Don Longarini, Sportfax Limited, the applicant, was present.

Mauro Manzon, Senior Planner, outlined the report.

Mauro Manzon, Senior Planner, stated that the Site Plan Agreement that is currently registered on title illustrates a one (1) metre high fence along the southerly lot line. Typically a fence would be used for screening, but given that the property to the south has been developed as a commercial mall, under today's Zoning By-law they would not require a fence. The intent of bringing this information forward was to convey that the current Site Plan is somewhat out of date. The City does not intend to enforce the outdated requirements. However, it is in the interest of the owner to know that they are in non-compliance with the Site Plan. Should they ever sell the property and the purchaser pulled the agreement and

noted the non-compliance it becomes an issue. Correcting it is a simple matter but it does not need to delay the zoning approval by applying it as a condition of approval.

Alex Singbush, Manager of Development Approvals, stated that as uses change within buildings, Building Services does an assessment through the Building Code to check the occupancies and how they relate to the Building Code. Often a commercial space may change and have different standards. Building Services uses the change in occupancy to assess the changes and to ensure that the building remains code compliant.

Mr. Longarini stated that he is currently working with Building Services on the interior design. He does not have any plans on changing his business.

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:

PL2019-51 Sizer/McCausland: THAT the City of Greater Sudbury approves the application by Sportfax Limited to amend Zoning By-law 2010-100Z by changing the zoning classification from "C3(11)", Limited General Commercial Special to a revised "C3(11)", Limited General Commercial Special on lands described as PINs 73475-0869 & 73475-0890, Parcels 12823 & 14329 S.E.S., in Lot 6, Concession 6, Township of Broder, as outlined in the report entitled "Sportfax Limited" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on May 6, 2019, subject to the following conditions:

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

a) That the permitted uses in the C3(11) zone be amended by adding personal service shop, pharmacy, retail and related accessory uses;

b) A minimum of 11 parking spaces shall be required for permitted uses within the existing building;

2. That prior to the adoption of the amending by-law, the owner shall provide a current floor plan for verification and submit a building permit application if required to the satisfaction of the Chief Building Official;

3. Conditional approval shall lapse on May 28, 2021 unless Condition 2 above has been met or an extension has been granted by Council.

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

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

Matters Arising from the Closed Session

Councillor Cormier reported that the Committee met in Closed Session to deal with one (1) Proposed or Pending Acquisition or Disposition of Land Matter and the following resolution emanated therefrom:

PL2019-52 McCausland/Sizer: THAT the City of Greater Sudbury authorize the sale of vacant land on Marion Street, Chelmsford, legally described as part of PIN 73349-0225(LT), Township of Balfour;

AND THAT by-laws be presented authorizing the sales and the execution of the documents required to complete the real estate transactions;

AND THAT the net proceeds of the sales are credited to the Land Acquisition Reserve Fund.
CARRIED

Adopting, Approving or Receiving Items in the Consent Agenda

Rules of Procedure

Councillor Landry-Altmann Consent Agenda item C-2 be pulled and dealt with separately.

The following resolution was presented:

PL2019-53 Sizer/McCausland: THAT the City of Greater Sudbury approves Consent Agenda Items C-1 and C-3 to C-4.

CARRIED

The following are the Consent Agenda items:

Routine Management Reports

C-1 Dalron Construction Limited Subdivision Extension (Fairlane Drive, Sudbury)

Report dated April 4, 2019 from the Chief Administrative Officer regarding Dalron Construction Limited Subdivision Extension (Fairlane Drive, Sudbury).

PL2019-54 McCausland/Sizer: 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 described as Part of PIN 73593-0389, Part of Parcel 15951, Lot 4, Concession 1, Township of McKim, File # 780-6/11006, as outlined in the report entitled "Dalron Construction Limited Subdivision Extension (Fairlane Drive, Sudbury)", presented at the Planning Committee meeting on May 6, 2019, upon payment of Council's processing fee in the amount of \$1227.50 as follows:

1. By deleting the words "Infrastructure Services" and replacing them with "Growth and Infrastructure" in Condition #7 and #30.
2. By deleting Condition #8 entirely and replacing it with the following: "8. That this draft approval shall lapse on May 8, 2022."
3. By adding the word "Services" after "Director of Planning" in Condition #7 and #29.
4. By adding the words "A soils caution agreement, if required, shall be registered on title, to the satisfaction of the Chief Building Official and the City Solicitor." at the end of Condition

#10.

5. By adding the words “A lot grading agreement, if required, shall be registered on title, to the satisfaction of the Director of Planning Services and the City Solicitor.” at the end of Condition #12.

6. By deleting condition #28 entirely and replacing it with the following:

“That prior to the signing of the final plan, the owners/applicants shall contact the Sudbury District Ministry of Environment, Conservation and Parks (MECP), and satisfy all requirements set out by the Province of Ontario under the Endangered Species Act, 2007. In addition, the owners/applicants shall, to the satisfaction of the Director of Planning Services, demonstrate that all requirements set out by the Province of Ontario under the Endangered Species Act have been satisfied prior to any site alteration or development taking place on the subject lands.”

7. By adding a new Condition #31 as follows:

“31. 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

C-3 Catherine Drive, Garson – Declaration of Surplus Vacant Land

Report dated April 11, 2019 from the General Manager of Corporate Services regarding Catherine Drive, Garson – Declaration of Surplus Vacant Land.

PL2019-55 McCausland/Sizer: THAT the City of Greater Sudbury declares surplus to the City's needs the vacant land on Catherine Drive, Garson, legally described as part of PIN 73495-0564(LT), being part of Lot 126 on Plan M-148, Township of Garson;

AND THAT the vacant land be offered for sale to the abutting property owner pursuant to the procedures governing the sale of limited marketability surplus land as outlined in Property By-law 2008-174, as outlined in the report entitled “Catherine Drive, Garson – Declaration of Surplus Vacant Land” from the General Manager of Corporate Services, presented at the Planning Committee meeting on May 6, 2019.

CARRIED

C-4 Maki Avenue, Sudbury, Part of Road Allowance - Declaration of Surplus Land

Report dated April 11, 2019 from the General Manager of Corporate Services regarding Maki Avenue, Sudbury, Part of Road Allowance - Declaration of Surplus Land.

PL2019-56 Sizer/McCausland: THAT the City of Greater Sudbury declare surplus to the City's needs part of the road allowance north of Maki Avenue, Sudbury, legally described as part of PIN 73594-0417(LT), and part of PIN 73594-0435(LT), being part of Lot 5, Concession 1, Township of McKim;

AND THAT the land be offered for sale to the abutting property owners pursuant to the procedures governing the sale of limited marketability surplus land as outlined in Property By-law 2008-174, as outlined in the report entitled "Maki Avenue, Sudbury, Part of Road Allowance - Declaration of Surplus Land" from the General Manager of Corporate Services,

presented at the Planning Committee meeting on May 6, 2019.

CARRIED

C-2 was dealt with separately.

C-2 L.S. Bock Developments Inc. - Request for a six-month extension of conditional approval of rezoning application File # 751-6/14-29, 953 Howey Drive, Sudbury

Report dated April 9, 2019 from the General Manager of Growth and Infrastructure regarding L.S. Bock Developments Inc. - Request for a six-month extension of conditional approval of rezoning application File # 751-6/14-29, 953 Howey Drive, Sudbury.

The following resolution was presented:

PL2019-57 Sizer/McCausland: THAT the City of Greater Sudbury approves the extension of rezoning application File # 751-6/14-29 by L.S. Bock Developments Inc. for a period of six (6) months to September 30, 2019 on lands described as PIN 73582 0090, Parcel 13056 S.E.S., Lot 116, Plan M-131 in Lot 3, Concession 3, Township of McKim as outlined in the report entitled "L.S. Bock Developments Inc." from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on May 6, 2019.

CARRIED

Members' Motions

No Motions were presented.

Addendum

No Addendum was presented.

Civic Petitions

No Civic Petitions were submitted.

Question Period

Please visit:

<http://agendasonline.greatersudbury.ca/?pg=agenda&action=navigator&id=1311&lang=en> to view questions asked.

Adjournment

McCausland/Sizer: THAT this meeting does now adjourn. Time: 6:44 p.m.

CARRIED

Adam Kosnick, Deputy City Clerk