

## Minutes

### Planning Committee Minutes of 8/10/20

Location: Tom Davies Square -  
Council Chamber /  
Electronic  
Participation

Commencement: 2:05 PM

Adjournment: 2:40 PM

## **Councillor Cormier, In the Chair**

Present Councillors McCausland, Kirwan, Sizer [A 2:13 p.m.], Cormier, Landry-Altmann

City Officials Alex Singbush, Manager of Development Approvals; Robert Webb, Supervisor of Development Engineering; Kris Longston, Manager, Community and Strategic Planning; Glen Ferguson, Senior Planner; Mauro Manzon, Senior Planner; Melissa Riou, Senior Planner; Christine Hodgins, Deputy City Clerk; Lisa Locken, Clerk's Services Assistant; Patrick Beaudry, Clerk's Services Assistant

### **DECLARATIONS OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

None declared.

### **Public Hearings**

- 1 Francois Jean Gariepy – Application for Zoning By-law Amendment in order to prevent a split-zoning, 1243 Main Street, Val Caron

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

Report dated July 13, 2020 from the General Manager of Growth and Infrastructure regarding Francois Jean Gariepy – Application for Zoning By-law Amendment in order to prevent a split-zoning, 1243 Main Street, Val Caron.

Francois Jean Gariepy, the applicant, and Kevin Jarus, the agent for the applicant, were present.

Glen Ferguson, Senior Planner, outlined the report.

Mr. Jarus provided comments to the Committee.

The Chair asked whether there was anyone who wished to speak in favour or against this application and hearing 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:

PL2020-85 Kirwan/McCausland: THAT the City of Greater Sudbury approves the application by Francois Jean Gariepy to amend Zoning By-law 2010-100Z by changing the zoning classification on a portion of the subject lands from "RU", Rural to "RS", Rural Shoreline on those lands described as part of PIN 73502-0364, part of Parcel 2777, Lot 5, Concession 5, Township of Blezard, as outlined in the report entitled "Francois Jean Gariepy", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on August 10, 2020, subject to the following conditions:

1. That prior to the passing of an amending zoning by-law the owner shall submit a registered survey plan describing the lands to be rezoned to the satisfaction of the Director of Planning Services; and,
2. That conditional approval shall lapse on August 11, 2022 unless Condition #1 above has been met or an extension has been granted by Council.

#### Rules of Procedure

A Recorded Vote was held:

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

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

*At 2:13 p.m., Councillor Sizer arrived.*

- 2      Roy Gareau - Application for Official Plan Amendment in order to redesignate the subject land from "Mining/Mineral Reserve" to "Rural", 2099 Highway 69 North, Val Caron

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

Report dated July 8, 2020 from the General Manager of Growth and Infrastructure regarding Roy Gareau - Application for Official Plan Amendment in order to redesignate the subject land from "Mining/Mineral Reserve" to "Rural", 2099 Highway 69 North, Val Caron.

Kevin Jarus, the agent for the applicant, was present.

Mauro Manzoni, Senior Planner, outlined the report.

Mr. Jarus provided comments to the Committee.

The Chair asked whether there was anyone who wished to speak in favour or against this application and hearing 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:

PL2020-86 Kirwan/Sizer: THAT the City of Greater Sudbury approves the application by Roy Gareau to amend the City of Greater Sudbury Official Plan by redesignating the subject land from "Mining/Mineral Reserve" to "Rural" in order to permit the severance of a rural lot on lands described as PIN 73498-0267, Parcel 28779 S.E.S., in Lot 7, Concession 4, Township of Blezard, as outlined in the report entitled "Roy Gareau", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on August 10, 2020.

Rules of Procedure

A Recorded Vote was held:

**YEAS:** Councillors 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.

3 Proposed Zoning By-law Amendment for Breweries, Brewpubs, Distilleries and Wineries

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

Report dated July 20, 2020 from the General Manager of Growth and Infrastructure regarding Proposed Zoning By-law Amendment for Breweries, Brewpubs, Distilleries and Wineries.

Melissa Riou, Senior Planner, outlined the report.

The Chair asked whether there was anyone who wished to speak in favour or against this application and hearing 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:

PL2020-87 McCausland/Landry-Altmann: THAT the City of Greater Sudbury approves the attached by-law which introduces a framework for Brewpubs and similar uses into the Zoning By-law, as outlined in the report entitled, "Proposed Zoning By-law Amendment for Breweries, Brewpubs, Distilleries, and Wineries", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on August 10, 2020.

Rules of Procedure

A Recorded Vote was held:

**YEAS:** Councillors 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.

**Adopting, Approving or Receiving Items in the Consent Agenda**

The following resolution was presented:

PL2020-88 Kirwan/Sizer: THAT the City of Greater Sudbury approves Consent Agenda Items C-1 to C-2.

Rules of Procedure

A Recorded Vote was held:

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

**CARRIED**

The following are the Consent Agenda Items:

**Routine Management Reports**

C-1 Riverglen Developments Ltd. – Application to extend a draft approved plan of subdivision approval (Riverdale Subdivision, Lively)

Report dated July 14, 2020 from the General Manager of Growth and Infrastructure regarding Riverglen Developments Ltd. – Application to extend a draft approved plan of subdivision approval (Riverdale Subdivision, Lively).

PL2020-89 Kirwan/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 73378-0092, Part of Parcel 1386 SWS, Lot 7, Concession 3, Township of Waters, File #780-8/89008, in the report entitled "Riverglen Developments Ltd.", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on August 10, 2020, upon payment of Council's processing fee in the amount of \$1,365.88 as follows:

1. By deleting Condition #12 and replacing it with the following:

"12. That this draft approval shall lapse on May 18, 2022.";

2. By deleting the words "9 and 14" in Condition #11 and replacing them with "and 9";

3. By deleting the words "Infrastructure Services" in Condition #13 and replacing them with "Growth and Infrastructure";

4. By deleting Condition #14 entirely and replacing it with the following:

"14. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the General Manager of Infrastructure, 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 recommend construction procedures for storm and sanitary sewers, storm-water management facilities, water-mains, roads to a 20 year design life, the amass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. Included in this report must be details regarding the removal of substandard soils (if any) and placement of engineered fill (if required) for the construction of homes. The owner shall also retain a hydro geological engineer to establish (minimum) monthly groundwater fluctuations

by piezometer for a minimum of one (1) year cycle within the proposed lots. Also, the report must include an analysis illustrating how the groundwater table will be lowered to a level that will not cause problems to adjacent boundary housing and will, in conjunction with the subdivision grading plan and the geotechnical report, show that basements of new homes will not require extensive foundation drainage pumping. The investigation shall include as a minimum commentary with respect to minimum allowable bearing capacity of native materials, ground water table control for a foundation, potential soil gas issues, differential consolidation of underlying soil strata, as well as frost protection of the foundation for residential structures. The geotechnical and hydro geological 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 City Solicitor.”

5. By deleting Condition #15 entirely and replacing it with the following:

“15. The owner shall employ the services of a registered Professional Engineer to ensure slopes are designed and constructed in a manner that shall ensure the safety of the occupants of the home and any structures to ensure the long-term stability of the constructed slopes, to the satisfaction of the Nickel District Conservation Authority.”;

6. By deleting Condition #17 entirely and replacing it with the following:

“17. The owner must identify the limits of the floodplain for lots adjacent to Junction Creek to the satisfaction of the Nickel District Conservation Authority. No development shall occur within the floodplain.”;

7. By deleting Condition #18 entirely and replacing it with the following:

“18. The owner shall provide to the City, as part of the submission of servicing plans a Sediment and Erosion Control Plan detailing the location and types of sediment and erosion control measures to be implemented during the construction of each phase of the project. Said plan shall be to the satisfaction of the General Manager of Growth and Infrastructure and the Nickel District Conservation Authority. The siltation control shall remain in place until all disturbed areas have been stabilized. All sediment and erosion control measures shall be inspected daily to ensure that they are functioning properly and are maintained and/or updated as required. If the sediment and erosion control measures are not functioning properly, no further work shall occur until the sediment and/or erosion problem is addressed.”;

8. By adding the following words to the end of Condition #19:

“A lot grading agreement, if required, shall be registered on title 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 any required lot grading agreement.”;

9. By deleting Condition #20 entirely and replacing it with the following:

“20. A storm-water management report and associated plans must be submitted by the Owner’s Consulting Engineer for approval by the City. The report must address the following requirements:

a) The underground storm sewer system within the plan of subdivision must be designed to accommodate and/or convey the minor storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City’s 2 year design storm. The

permissible minor storm discharge from the subject development must be limited to the existing pre-development site runoff resulting from a 2 year design storm. Any resulting post development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision;

b) The overland flow system within the plan of subdivision must be designed to accommodate and/or convey the major storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 100 year design storm or Regional storm event, whichever is greater, without causing damage to proposed and adjacent public and private properties. The permissible major storm discharge from the subject development must be limited to the existing pre-development runoff resulting from a 100 year design storm or Regional storm event, whichever is greater;

c) "Enhanced" level must be used for the design of storm-water quality controls as defined by the Ministry of the Environment, Conservation and Parks;

d) Storm-water management must follow the recommendations of the Junction Creek Sub-watershed Study;

e) The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any storm-water management plan;

f) The final grading of the lands shall be such that the surface water originating on or tributary to the said lands, including roof water from buildings and surface water from paved areas, will be discharged in a manner satisfactory to the General Manager of Growth & Infrastructure;

g) Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties;

h) Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted; and,

i) The owner shall be responsible for the design and construction of any required storm-water management works to the satisfaction of the General Manager of Growth & Infrastructure as part of the servicing plans for the subdivision and the owner shall dedicate the lands for storm-water management works as a condition of this development."

10. By adding the word "Services" after the words "Director of Planning" in Condition #30;

11. By adding a new Condition #32 as follows:

"32. 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.";

12. By adding a new Condition #33 as follows:

"33. A geotechnical report will be required, addressing the requirements for compliance to the "On-Site and Excess Soil Management" in O.Reg. 406/19 made under the Environmental Protection Act, if required, by the construction process planned for the subdivision including the excavation of basements, all to the satisfaction of the Chief Building Official."; and,

13. By adding a new Condition #34 as follows:

"34. The owner must identify the limits of the wetlands west of Birch Avenue and south of Black

Creek Drive. Parcels that contain wetland must demonstrate a sufficient building envelope outside of the wetland. For any lots that cannot demonstrate a building envelope outside of the wetland, the applicant must demonstrate, through the proper technical studies (ie. Geotechnical and/or hydrogeological studies), that development within the wetland is consistent with the requirements of Ontario Regulation 156/06 and the Conservation Authorities Act. All of this work must be done to the satisfaction of the Nickel District Conservation Authority.”

**CARRIED**

C-2 Tamara Butera – Request to extend a conditional approval on a rezoning application, 1306 Nesbitt Drive, Sudbury

Report dated July 9, 2020 from the General Manager of Growth and Infrastructure regarding Tamara Butera – Request to extend a conditional approval on a rezoning application, 1306 Nesbitt Drive, Sudbury.

PL2020-90 Kirwan/Sizer: THAT the City of Greater Sudbury approves the application by Tamara Butera to extend the approval of a Zoning By-law Amendment Application, File #751-6/18-7, on those lands described as Part of PIN 73596-0678, Part of Lot 75, Plan M-264, Lot 7, Concession 1, Township of McKim, for a period of one year until August 11, 2021, as outlined in the report entitled “Tamara Butera”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on August 10, 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**

PL2020-91 McCausland/Landry-Altman: THAT this meeting does now adjourn. Time: 2:40 p.m.

Rules of Procedure

A Recorded Vote was held:

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

**CARRIED**

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Christine Hodgins, Deputy City  
Clerk