

Minutes

Planning Committee Minutes of 6/8/20

Location: Tom Davies Square -
Committee Room
C-11 / Electronic
Participation

Commencement: 12:18 PM

Adjournment: 2:59 PM

Councillor Cormier, In the Chair

Present Councillors McCausland, Kirwan, Cormier, Landry-Altmann
Councillor Jakubo

City Officials Keith Forrester, Manager of Real Estate; Brigitte Sobush, Manager of Clerk's
Services/Deputy City Clerk

Closed Session The following resolution was presented:

PL2020-52 Kirwan/McCausland: THAT the City of Greater Sudbury moves into
Closed Session to deal with one (1) Proposed or Pending Acquisition or Disposition of
Land Matters:

- Transfer of Closed Road Shore Allowance - West Bay Road, Garson

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

CARRIED

At 12:20 p.m. the Planning Committee moved into Closed Session.

Recess At 12:25 p.m. the Planning Committee recessed.

Reconvene At 1:00 p.m. the Planning Committee commenced the Open Session in Committee
Room C-11.

Councillor Cormier, In the Chair

Present Councillors McCausland, Kirwan, Sizer, Cormier, Landry-Altmann
Councillor Jakubo [A 2:03 p.m., D 2:42 p.m.]

City Officials Jason Ferrgian, Director of Planning Services; Alex Singbush, Manager of Development Approvals; Robert Webb, Supervisor of Development Engineering; Kris Longston, Manager, Community and Strategic Planning; Mauro Manzon, Senior Planner; Glen Ferguson, Senior Planner; Wendy Kaufman, Senior Planner; Guido Mazza, Director of Building Services/Chief Building Official; Brigitte Sobush, Manager of Clerk's Services/Deputy City Clerk; Lisa Locken, Clerk's Services Assistant; Anessa Gravelle, Clerk's Services Assistant; Patrick Beaudry, Clerk's Services Assistant

DECLARATIONS OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None declared.

Public Hearings

- 1 Diane & Marcel Boulais – Application for Zoning By-law Amendment in order to permit a medical office within an existing building, 4868 Municipal Road #80, Hanmer

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

Report dated May 8, 2020 from the General Manager of Growth and Infrastructure regarding Diane & Marcel Boulais – Application for Zoning By-law Amendment in order to permit a medical office within an existing building, 4868 Municipal Road #80, Hanmer.

Shanna Sullivan, agent for the applicant, was present.

Glen Ferguson, Senior Planner, outlined the report.

The Planning Department responded to questions from the agent.

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:

PL2020-53 McCausland/Sizer: THAT the City of Greater Sudbury approves the application by Diane and Marcel Boulais to amend Zoning By-law 2010-100Z by changing the zoning classification of the subject lands from "R3.D18(13)", Medium Density Residential Special to an amended "R3.D18(13)", Medium Density Residential Special on those lands described as PINs 73504-2236, 73504-2242, 73504-2263 & 73504-2281, Parcels 17916, 19968, 11485, & 19746, Lot 5, Concession 3, Township of Hanmer, as outlined in the report entitled "Diane & Marcel Boulais", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 8, 2020, subject to the following conditions:

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

- a) That the owner apply for a change of use building permit to the satisfaction of the Chief Building Official prior to the passing of an amending zoning by-law;
 - 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 remove the shipping container from the subject lands 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 the amending zoning by-law contain the following site-specific provisions:
 - a) That a medical office be added as a permitted use in the “R3,D18(13)” Zone; and,
 - b) That any necessary site-specific relief related to the parking provisions of the Zoning By-law be provided.
 3. That conditional approval shall lapse on June 23, 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, 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 Frank Wendorf – Application for Zoning By-Law Amendment, 2708 Bancroft Drive, Sudbury

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

Report dated May 15, 2020 from the General Manager of Growth and Infrastructure regarding Frank Wendorf – Application for Zoning By-Law Amendment, 2708 Bancroft Drive, Sudbury.

Frank Wendorf, the applicant, was present.

Wendy Kaufman, Senior Planner, outlined the report.

The Planning Department responded to questions from Committee members.

The applicant responded to questions from Committee members.

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:

PL2020-54 McCausland/Kirwan: THAT the City of Greater Sudbury approves the application by Frank Wendorf to amend Zoning By-law 2010-100Z by changing the zoning classification

on the subject lands from “R1-5”, Low Density Residential One to “R3(S)”, Medium Density Residential Special on those lands described as PIN 73576-0481, Parts 1 & 2, Plan 53R-4187, Parcels 15345 & 37658, Lot 10, Concession 3, Township of Neelon, as outlined in the report entitled “Frank Wendorf”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 8, 2020, subject to the following conditions:

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

i. A multiple dwelling with a maximum of four (4) dwelling units shall be permitted;

ii. Access will only be permitted by way of one driveway with a maximum width of 6.3 m from Laberge Lane; and

iii. A planting strip shall be required along the north and the west property line, with the exception of a reduced planting strip width of 0.895 m with no screening device beside the existing garage.

Rules of Procedure

A Recorded Vote was held:

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

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

3 Chemy Development Inc. - Application for rezoning in order to permit a 40-unit row dwelling complex, 3672 Highway 144, Chelmsford

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

Report dated May 19, 2020 from the General Manager of Growth and Infrastructure regarding Chemy Development Inc. - Application for rezoning in order to permit a 40-unit row dwelling complex, 3672 Highway 144, Chelmsford.

Peter Nault, Devla Properties Inc., the agent, was present.

Mauro Manzon, Senior Planner, outlined the report.

The Planning Department responded to questions from the applicant.

The applicant responded to questions from Committee members.

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:

PL2020-55 Sizer/Landry-Altmann: THAT the City of Greater Sudbury approves the application by Chemy Development Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification from "C2", General Commercial to "R3 Special", Medium Density Residential

Special on lands described as Part of PIN 73349-2060, Part of Parts 2 & 3, Plan 53R-18073 in Lot 1, Concession 3, Township of Balfour, as outlined in the report entitled "Chemyl Development Inc.", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 8, 2020, subject to the following conditions:

1. That prior to the adoption of the amending by-law, the owner shall provide the Development Approvals Section with a final plan of survey in order to enact the amending by-law;
2. That the amending by-law include the following site-specific provisions to be applied to row dwellings:
 - i) The minimum front yard setback shall be 14 metres;
 - ii) A maximum two (2) metre-high opaque wall or opaque fence shall be permitted within the required front yard;
 - iii) The minimum rear yard setback shall be six (6) metres;
 - iv) The minimum privacy yard depth shall be six (6) metres;
 - v) A minimum 1.8 metre court shall be required between buildings;
 - vi) No minimum difference in setbacks shall be required for adjacent groups of row dwellings;
 - vii) Planting strips shall be provided subject to the provisions of Section 4.15, with the following exceptions:
 - (a) Where a planting strip along the westerly interior side lot line contains an opaque wall or opaque fence having a height of 1.5 metres or more, the width of the required planting strip may be reduced to 1.5 metres;
 - (b) Where a planting strip along the easterly interior side lot line abutting PIN 73349-1207 contains an opaque wall or opaque fence having a height of 1.5 metres or more, the width of the required planting strip may be reduced to 1.2 metres.
3. Conditional approval shall lapse on June 23, 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, Sizer, Landry-Altmann, Cormier
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 one (1) Proposed or Pending Acquisition or Disposition of Land Matters. The following resolution emanated therefrom:

PL2020-56 Kirwan/McCausland: THAT the City of Greater Sudbury authorizes the transfer of the closed shore road allowance, West Bay, Garson, legally described as part of PIN

73511-0292(LT), being Part 4, Plan 53R-16422, to the owner of 1475 West Bay Road, Garson, City of Greater Sudbury;

AND THAT a by-law be prepared to authorize the transfer and the execution of the documents required to complete the real estate transaction in accordance with the terms set out in the report.

Rules of Procedure

A Recorded Vote was held:

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

Adopting, Approving or Receiving Items in the Consent Agenda

Rules of Procedure

Councillor Cormier requested that Consent Agenda item C-1 and C-2 be pulled and dealt with separately.

The following resolution was presented:

PL2020-57 McCausland/Landry-Altmann: THAT the City of Greater Sudbury approves Consent Agenda Item C-3.

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-3 Primo Tilton Construction Ltd. - Application to extend a draft approved plan of subdivision approval, Part of Parcel 10382, Lot 4, Concession 5, Township of Broder (Mariposa Subdivision, Sudbury)

Report dated May 8, 2020 from the General Manager of Growth and Infrastructure regarding Primo Tilton Construction Ltd. - Application to extend a draft approved plan of subdivision approval, Part of Parcel 10382, Lot 4, Concession 5, Township of Broder (Mariposa Subdivision, Sudbury).

PL2020-58 McCausland/Landry-Altmann: 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 Parcel 10382, Lot 4, Concession 5, Township of Broder, File # 780-6/88019, in the report entitled "Primo Tilton Construction Ltd.", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 8, 2020, upon payment of Council's processing fee in the amount of \$2,731,75 as follows:

1.By adding the following at the end of Condition #13:

“A Sound Attenuation Agreement, if required, shall be registered on title to the satisfaction of the Chief Building Official and the City Solicitor.”;

2.By deleting Condition #16 and replacing it with the following:

“16. That this draft approval shall lapse on March 16, 2023.”;

3.By deleting Conditions #18, #24, #35, #37, #46;

4.By adding the following at the end of Condition #20:

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

5. By deleting Condition #26 and replacing it with the following:

“26.Tawny Port Drive is to be constructed to a residential road standard with a 1.5m wide sidewalk on the north side of the street. Tuscany Trail is to be constructed to a residential road standard with a 1.5m wide sidewalk on the south side of the street, and the new section of Maurice Street is to be constructed to a residential road standard with a 1.5m wide sidewalk on the west side of the street from the east end of Tuscany Trail to the south end of existing Maurice Street.”;

6. By deleting Condition #45 and replacing it with the following:

“45. That the owner shall prepare and submit an Erosion and Sediment Control Plan, which must be approved and in place prior to and throughout construction of the development to the satisfaction of the Nickel District Conservation Authority.”;

7. By deleting the words “the General Manager of Growth and Development and” in Condition #48;

8. By adding a new Condition #49 as follows:

“49. A storm-water management report and associated plans must be submitted by the Owner’s 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 two year design storm. Any resulting post development runoff in excess of the two year design storm must be conveyed through overland flow system within the City’s right-of-way;

b) “enhanced” level must be used for the design of storm-water quality controls as defined by the Ministry of the Environment, Conservation and Parks;

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

d) 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 and Infrastructure;

e) Minor storm drainage from the plan of subdivision shall not be drained overland onto

adjacent properties; and,

f) Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted.

g) The owner is required to provide a cash contribution in lieu of onsite storm-water quantity controls and for storm-water improvements within the watershed as outlined in the Algonquin Road Watershed Storm-water Management Study; and,

h) 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.”; and,

9. By adding a new Condition #50 as follows:

“50. 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

Consent Agenda item C-1 was dealt with separately.

C-1 1887409 Ontario Ltd. – Consent Referral Request on Consent Applications B0103/2019, B0104/2019 & B0105/2019, Edgecliff Crescent, Garson

Report dated March 13, 2020 from the General Manager of Growth and Infrastructure regarding 1887409 Ontario Ltd. – Consent Referral Request on Consent Applications B0103/2019, B0104/2019 & B0105/2019, Edgecliff Crescent, Garson.

The following resolution was presented:

PL2020-59 Sizer/McCausland: THAT the City of Greater Sudbury denies the request by 1887409 Ontario Ltd. to allow Consent Applications B0103/2019, B0104/2019 and B0105/2019 on those lands described as PIN 73494-1106, Part of Lot 6, Concession 1, Township of Garson, to proceed by way of the consent process, as outlined in the report entitled “1887409 Ontario Ltd.”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 8, 2020.

Rules of Procedure

A Recorded Vote was held:

NAYS: Councillors McCausland, Kirwan, Sizer, Landry-Altmann, Cormier
DEFEATED

Rules of Procedure

Councillor Cormier presented the following alternate resolution:

PL2020-60 Cormier/McCausland: THAT the City of Greater Sudbury approves the request by 1887409 Ontario Ltd. to allow Consent Applications B0103/2019, B0104/2019 and B0105/2019, as well as three additional future Consent Applications, to proceed by way of the consent process as opposed to the subdivision planning process on those lands described as PIN 73494-1106, Part of Lot 6, Concession 1, Township of Garson, subject to the following

conditions:

1. That this Resolution is recommended to Council notwithstanding approved Recommendation 2004-76 from the Priorities Committee dated October 27, 2004, that was subsequently ratified by Council as Item C-4 2004-555 on October 28, 2004;
2. That the minimum fire flow for the six lots be 85% of the prescribed fire flow target;
3. That the three additional future applications for consent are received to the satisfaction of the City's Consent Official within 30 days of this Resolution; and,
4. That the six lots establish public road frontage on Edgecliff Crescent and that each provide for a minimum lot frontage of 24 metres, a minimum lot depth of 45 metres and a minimum lot area of 1,080 square metres.

Rules of Procedure

A Recorded Vote was held:

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

Consent Agenda item C-2 was dealt with separately.

C-2 Wayne & Carrie Ann MacLean - Request to extend a conditional approval on a rezoning application, 2687 Highway #144, Chelmsford

Report dated May 8, 2020 from the General Manager of Growth and Infrastructure regarding Wayne & Carrie Ann MacLean - Request to extend a conditional approval on a rezoning application, 2687 Highway #144, Chelmsford.

The following resolution was presented:

PL2020-61 Cormier/Kirwan: THAT the City of Greater Sudbury approves the application by Wayne and Carrie-Ann MacLean to extend the approval of a Zoning By-law Amendment Application, File # 751-5/15-10, on those lands described as PIN 73350-0102, Parcel 16989 SWS, Lot 6, Concession 2, Township of Broder, for a period of one year until April 25, 2021, as outlined in the report entitled "Wayne & Carrie-Ann MacLean", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 8, 2020.

Rules of Procedure

A Recorded Vote was held:

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

Managers' Reports

R-1 Policy Options for Small Scale Breweries, Distilleries and Brewpubs

Report dated April 28, 2020 from the General Manager of Growth and Infrastructure regarding Policy Options for Small Scale Breweries, Distilleries and Brewpubs.

The following resolution was presented:

PL2020-62 McCausland/Kirwan: THAT the City of Greater Sudbury directs staff to initiate an amendment to the Zoning By-law to incorporate a new framework for Large-Scale Breweries, Small Scale Breweries, Distilleries and Brewpubs as outlined in the report entitled "Policy Options for Small Scale Breweries, Distilleries and Brewpubs", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 8, 2020.

Rules of Procedure

A Recorded Vote was held:

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

Members' Motions

No Motions were presented.

Correspondence for Information Only

I-1 Local Planning Appeal Tribunal Decision-Case PL190425-Application for Minor Variance A0092/2019-2220 South Bay Road, Sudbury

Report dated May 8, 2020 from the General Manager of Growth and Infrastructure regarding Local Planning Appeal Tribunal Decision-Case PL190425-Application for Minor Variance A0092/2019-2220 South Bay Road, Sudbury.

For Information Only.

Addendum

No Addendum was presented.

Civic Petitions

No Civic Petitions were submitted.

Question Period

No Questions were asked.

Adjournment

PL2020-63 Landry-Altmann/Kirwan: THAT this meeting does now adjourn. Time: 2:59 p.m.

Rules of Procedure

A Recorded Vote was held:

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

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