

Location:	Tom Davies Square
Commencement:	4:49 PM
Adjournment:	11:09 PM

Minutes

Planning Committee Minutes of 11/19/18

Councillor Lapierre, In the Chair

Present	Councillors Lapierre, Jakubo, Sizer, Mayor Bigger
City Officials	Ed Archer, Chief Administrative Officer; Jason Ferrigan, Director of Planning Services; Keith Forrester, Manager of Real Estate; Kevin Fowke, General Manager of Corporate Services; Melissa Zanette, Chief of Staff; Kelly Gravelle, Deputy City Solicitor; Adam Kosnick, Manager of Regulated Services/Deputy City Clerk
	None declared
Closed Session	<p>The following resolution was presented:</p> <p>PL2018-177 Sizer/Jakubo: THAT the Planning Committee moves into Closed Session to deal with one (1) Proposed or Pending Acquisition or Disposition of Land Matter:</p> <ul style="list-style-type: none">• Sale of condominium unit, Durham Street, Sudbury <p>in accordance with the <i>Municipal Act</i>, 2001 s.239(2)(c)</p> <p>CARRIED</p> <p>At 4:50 p.m.. the Planning Committee moved into Closed Session.</p>
Recess	At 5:13 p.m.. the Planning Committee recessed.
Reconvene	At 5:40 p.m.. the Planning Committee commenced the Open Session in the Council Chamber.
	<h4>Councillor Lapierre, In the Chair</h4>
Present	Councillors Lapierre, Jakubo [D 10:46 p.m.], Sizer, Landry-Altman

City Officials Jason Ferrgian, 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 Officer; Adam Kosnick, Manager of Regulated Services/Deputy City Clerk; Rachel Adriaans, Legislative Compliance Coordinator; Lisa Locken, Clerk's Services Assistant

Declarations of Pecuniary Interests and the general nature thereof

None declared

Public Hearings

- 1 772252 Ontario Inc. – Application for rezoning in order to eliminate the split zoning that results from a proposed lot addition with abutting PIN 73570-0530, Falconbridge Road, Sudbury

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

Report dated October 25, 2018 from the General Manager of Growth and Infrastructure regarding 772252 Ontario Inc. – Application for rezoning in order to eliminate the split zoning that results from a proposed lot addition with abutting PIN 73570-0530, Falconbridge Road, Sudbury.

Will Gastriger, agent for 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:

PL2018-178 Jakubo/Sizer: THAT the City of Greater Sudbury approves the application by 772252 Ontario Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification from "FD", Future Development to "M1 (35)", Mixed Light Industrial/Service Commercial Special on lands described as Part of PIN 73570-0521, Part of Parcel 48177 S.E.S., in Lot 11, Concession 5, Township of Neelon, as outlined in the report entitled "772252 Ontario Inc." from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of November 19, 2018, subject to the following conditions:

- a) That the owner provide the Development Approvals Section with a registered survey plan outlining the land to be rezoned to enable the preparation of an amending zoning by-law;
- b) Conditional approval shall lapse on December 11, 2020 unless Condition a) above has been met or an extension has been granted by Council.

YEAS: Councillor Lapierre, Jakubo, Sizer, Landry-Altman
CARRIED

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

2 2541528 Ontario Limited - Application for rezoning to permit a contractor's yard, 4614 Desmarais Rd., Val Therese

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

Report dated October 29, 2018 from the General Manager of Growth and Infrastructure regarding 2541528 Ontario Limited – Application for rezoning to permit a contractor's yard, 4614 Desmarais Rd., Val Therese.

Tim McDowell, the applicant, was present.

Alex Singbush, Manager of Development Approvals, outlined the report.

Alex Singbush, Manager of Development Approvals, stated that the proposed site specific zoning would indicate all institutional uses remain on the property to allow future redevelopment, but would also permit a contractors yard. There would be additional conditions in respect to the storage but the main change would be from a public works yard to a contractors yard. He advised that he is not familiar with previous activity at the site; however, it has had limited use for the past decade but had the full complement of equipment on site. He further stated that no outdoor storage is allowed within nine (9) metres of the front of the property line and they are recommending a five (5) metre planting strip. The staff report recommends that no storage be allowed in the front yard.

Ward Councillor Lapierre advised that there are no sidewalks currently on Desmarais Road. He also inquired as to what was meant by refreshing the buildings as outlined in the report.

Alex Singbush, Manager of Development Approvals, indicated that the applicant wants to refresh the buildings, however, this term is from the applicant so he is not sure what this entails.

Ward Councillor Lapierre, asked how can they close access to August Street so they are forced to use Desmarais Road to access the property.

Alex Singbush, Manager of Development Approvals, stated that through the site plan approval process they can request the closing of August Street and the installation of planting strips or buffers.

Jason Ferrigan, Director of Planning Services, stated that August Street provides access to the abutting residential properties. In a previous similar application, they limited access to a road. The Planning Committee can provide instruction that the only access to the yard would be Desmarais Road.

Ward Councillor Lapierre inquired what the definition of an opaque fence is.

Alex Singbush, Manager of Development Approvals, stated that an opaque fence is not defined; however, it is usually board on board.

Ward Councillor Lapierre asked if the height requirement for the fence could be made higher to buffer noise for the existing properties.

Alex Singbush, Manager of Development Approvals, stated the height for the fencing is

designed by the Zoning By-law; however, the Committee could direct staff to require a higher fence.

Ward Councillor Lapierre stated that there is a need to look at traffic at the corner of MR 80 and Desmarais Road. When this property was developed, MR 80 was two (2) single lanes. He inquired if the roads department has looked at large trucks turning at this intersection.

Alex Singbush, Manager of Development Approvals, stated that the roads department advised that this intersection is reviewed on a regular basis. It is currently declared a truck route with twelve (12) percent of the traffic coming from trucks. They will continue to monitor this intersection and believe it can safely handle the truck traffic.

Ward Councillor Lapierre, inquired if an environmental assessment was completed and if no why not.

Jason Ferrigan, Director of Planning Services, stated that in this particular instance, the application is requesting that the rezoning take the property from a less sensitive use to an equally less sensitive use under the Environmental Protection Act (EPA). The EPA does not trigger an environmental assessment when going from one use to a similar use.

Mr. McDowell stated that he visited with many area residents and provided them a sketch of what the proposal would look like. The property is in a disheveled state and he hopes to improve on this. A public works building is used by a contractor for the city. The new uses should provide less traffic than there is currently. Many residents expressed their concerns to him. They would like to see nice trees and the current fences fixed, and have indicated that they do not want a wooden fence. He also stated that his company is not part of McDowell Heavy Equipment Operators and some residents may be confused. The building as it sits now, is perfectly sound infrastructure. It would be a shame to tear it down. When he refers to refreshing the buildings this includes new siding, windows and a roof to make it look like new. The city has the property for sale, and it has to be used for something. He visited the neighbourhood twice and left flyers at the door and found that most complaints were regarding existing truck traffic. He further stated that they have a potential tenant that is a drilling contractor.

Jason Ferrigan, Director of Planning Services, stated that a definition of a contractor's yard is an area of land used for the storing of equipment, vehicles or materials used in the construction, landscaping, restoration and/or renovation industries and may include premises where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein. The question before the Committee is whether a contractor's yard is allowed. It is use versus user and it is for the Committee to decide if they will allow a contractor's yard, not who will be using it.

Alex Singbush, Manager of Development Approvals, stated that typically in terms of a contractor's yard they may perform shop work or assembly work that would include maintenance of that equipment.

Mr. McDowell stated that there is currently an oil change facility located within 20 feet of this property. He advised that they are hoping to reshape the back buildings and sheds that are falling apart and make them appealing to the eyes. He is in total agreement that the side buildings need a lot of work or to possibly be torn down. He is willing to do what is necessary.

Robert Legacy, concerned resident, stated that he lives across the street from the property in question. He is concerned what having a drilling contractor as a tenant would involve. There is

a playground located near here with a lot of children, and the increased traffic is a concern.

Tracy Laporte, concerned resident, lives across the street. Her biggest concern is the trees and how close they can be planted, as there is a pole in the way. She also would like to know if it would operate with regular hours during the day. She is also concerned with the dust if it would be used as a gravel yard.

Jason Ferrigan, Director of Planning Services, stated the noise by-law would allow a business to operate from 7 a.m. to 9 p.m.

Ward Councillor Lapierre, inquired if there would be mitigation plans to control the dust.

Mr. McDowell stated that currently the yard is hard packed gravel and he is not sure what can be done to control the dust besides spraying it with water. It is not going to be a gravel pit with trucks going in and out. Other drilling contractors get one truck per day. There should be decreased traffic now that it is not a 24 hour public works building.

Jason Ferrigan, Director of Planning Services, stated that in order to have the property rezoned to allow for residential uses, the applicant would need to submit an application. They would then look at the fit with the neighbourhood and surrounding infrastructure. They would also need to meet the requirements of the Environmental Protection Act before a building permit could be issued. The city does designate properties as being a brownfield, however, this has a fairly broad definition and this property may fit this description.

Recess

At 6:43 p.m. the Committee recessed.

Reconvene

At 6:58 p.m. the Committee reconvened.

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:

PL2018-179 Jakubo/Sizer: THAT the City of Greater Sudbury approves the application by 2541528 Ontario Limited to amend Zoning By-law 2010-100Z by changing the zoning classification from "I(6)", Institutional Special to "I(S)", Institutional Special to permit a contractor's yard on lands described as PINs 73504-1661 and 73504-2278, Parts 1 and 6, Plan SR 2975, Lot 6, Concession 3, Township of Hanmer as outlined in the report entitled "2541528 Ontario Limited" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of November 19, 2018, subject to the following conditions:

a) That prior to the adoption of the amending by-law:

i) the owner shall enter into a Site Plan Control Agreement with the City;

ii) a sanitary sewer test maintenance chamber shall be installed on the existing sanitary service to the satisfaction of the General Manager of Growth and Infrastructure.

b) That the amending by-law for the "I(S)", Institutional Special zoning indicates the following

site-specific provisions:

- i) The only permitted uses shall be Institutional uses, a contractor's yard and related accessory uses;
 - ii) Outdoor storage shall be permitted subject to the provisions of Section 4.28, except that outdoor storage shall not be located any closer than 9.0 metres of a residential zone boundary;
 - iii) That a minimum 5 metre planting strip shall be required abutting the full length of the north, south, and east perimeter of the subject lands;
 - iv) That the street line of Desmarais Road shall be deemed to be the front lot line;
 - v) That the location of the existing buildings shall be permitted;
- c) Conditional approval shall lapse on December 11, 2020 unless Condition a) above has been met or an extension has been granted by Council.

Councillor Lapierre presented the following amendment:

PL2018-179A Lapierre/Jakubo: THAT the resolution be amended to include the following site-specific provisions to condition b):

vi. That the driveway access be only from Desmarais Road.

AND THAT the resolution be amended to include the following words at the end of provision b) ii: "and any opaque fence shall have a minimum height of 2.5 metres".

YEAS: Councillors Lapierre, Jakubo, Sizer

NAYS: Councillor Landry-Altman

CARRIED

The resolution as amended was presented:

Rules of Procedure

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

PL2018-179 Jakubo/Sizer: THAT the City of Greater Sudbury approves the application by 2541528 Ontario Limited to amend Zoning By-law 2010-100Z by changing the zoning classification from "I(6)", Institutional Special to "I(S)", Institutional Special to permit a contractor's yard on lands described as PINs 73504-1661 and 73504-2278, Parts 1 and 6, Plan SR 2975, Lot 6, Concession 3, Township of Hanmer as outlined in the report entitled "2541528 Ontario Limited" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of November 19, 2018, subject to the following conditions:

- a) That prior to the adoption of the amending by-law:
 - i) the owner shall enter into a Site Plan Control Agreement with the City;
 - ii) a sanitary sewer test maintenance chamber shall be installed on the existing sanitary service to the satisfaction of the General Manager of Growth and Infrastructure.
- b) That the amending by-law for the "I(S)", Institutional Special zoning indicates the following

site-specific provisions:

- i) The only permitted uses shall be Institutional uses, a contractor's yard and related accessory uses;
 - ii) Outdoor storage shall be permitted subject to the provisions of Section 4.28, except that outdoor storage shall not be located any closer than 9.0 metres of a residential zone boundary, and any opaque fence shall have a minimum height of 2.5 metres;
 - iii) That a minimum 5 metre planting strip shall be required abutting the full length of the north, south, and east perimeter of the subject lands;
 - iv) That the street line of Desmarais Road shall be deemed to be the front lot line;
 - v) That the location of the existing buildings shall be permitted; and
 - vi) That the driveway access be only from Desmarais Road.
- c) Conditional approval shall lapse on December 11, 2020 unless Condition a) above has been met or an extension has been granted by Council.

YEAS: Councillors Lapierre, Jakubo, Sizer

NAYS: Councillor Landry-Altmann

CARRIED

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

- a) additional height of 2.5 metre opaque fence
- b) only access to the property be from Desmarais Road

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

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

Darlene and Nathan Nicholson, the applicants, were present.

Glen Ferguson, Senior Planner, outlined the application.

Glen Ferguson, Senior Planner, stated that there is a house now showing on lot 212 Moxam Landing Road, the photo was shown prior to the house being built in 2016. The 21 metre reference is to the lot line. When they look at the distance beyond the lot line to the nearest structure, it is 46 metres. At the time the kennel use was established, there were other dwellings within the 300 metre buffer required.

Mrs. Nicholson stated that on March 13, 2013 they applied for a business licence and paid the fee of \$100. As per the City's website, "the primary purpose of business licensing is to ensure that businesses follow the City's municipal land use regulations, building, fire, and other community safety requirements, as well as nuisance control measures." In July 2013 they had numerous inspections and had received approvals from all departments and they opened on July 29, 2013. They are inspected each year by city staff and have always passed. They were advised that there is a noise issue; however, the by-law department has never attended.

They hired ProSonics Limited to do acoustic sound testing at the perimeter of the property. The city had a peer review done of this study by RWDI, and they had a few items that they questioned. She stated that she sent an email to Glen Ferguson, Senior Planner, on July 11, 2017 asking the city how they would like the test performed and received no response. She advised that ProSonics Limited did a follow up test in January 2018 at the southerly most lot line nearest the closest house at 212 Moxam Landing Road. The kennel yard had 25 dogs in it and no measures were used to reduce noise that day. The test came in at 38.4 decibels and the provincial standards allow 45 decibels in the daytime and 40 decibels at night. The city sent the second noise test to RWDI for peer review. She reviewed the memorandum from the Planning Report, dated October 22, 2018, from Jason Ferrigan, Director of Planning Services. The report mentions the quasi-steady impulse sound both ProSonics and RWDI agree that NPC-300 is the guide to use for the study. One engineer states that a dog barking is a quasi-steady and the other states that this is not correct. Dr. Lightstone, President of Valcoustics Canada Ltd., advised her that quasi-steady impulse sound is similar to a train or the time between the sounds is quite short. Another characteristic is that the series is made up of identical sounds, an example of which would be a drummer. If he hits the drum once it would be an impulse sound, however, a drum roll would be considered a quasi-steady sound. He further advised that he would not consider dogs barking to be a quasi-steady sound. She further stated that the memorandum states that no recommendations respecting mitigation measures were identified. Dr. Lightstone advised her that the new neighbours would be responsible for any noise mitigation. The City of Greater Sudbury gave her a licence to run a kennel and have inspected the facility every year since opening. They have continued to make this a noise issue, which it is not.

Mr. Nicholson inquired why Greater Sudbury requirements vary so much from other northern cities. Why are they working with 30 year old by-laws. He stated that the setback requirements are much lower for other municipalities. North Bay requires 45 metres from the lot line; Sault Ste. Marie requires 30 metres; Timmins requires 30 metres; and Parry Sound requires 150 metres from the nearest dwelling. Sudbury requires a 300 metre setback from the lot line. By-law 2010-266 states that a kennel is described as an establishment where dogs, cats or other small domestic animals or household pets are bred or raised primarily for the purpose of sale, or are trained or boarded for gain or profit, but does not include a veterinary clinic. If you look at other kennels in the Sudbury area, many of them have residents living in close proximity. The Minnow Lake dog park is open 17 hours per day with unsupervised outdoor play time. Their kennel is open between 7:30 a.m. and 8:30 p.m. with five to six hours of play time. He inquired as to why they are working with 30 year old by-laws that have outdated information. Sudbury did not have a noise by-law when they started the process of opening a kennel, however, they do now. He stated that the City has not been able to validate any noise complaints and they have not been charged.

Mrs. Nicholson stated that the new building they are requesting is for an indoor playroom and a hydrotherapy pool. She further advised that the maximum number of kennels they have is 27 and they do not have plans to increase this amount.

Derry Mctaggart, a client of the kennel, stated that she does not want to see the kennel be put out of business and feels the rezoning should be allowed. She advised that there are other ways to mitigate these issues.

Dot Klein, a client of the kennel, stated that she has visited the kennel in all seasons at different times and there has never been a barking issue. She is offended with the signs regarding 'stop the illegal kennel'. If someone does not like something they should not be

allowed to put signs up, as it is discriminatory.

Hanna Juoksu, an employee of the kennel, stated that there is not a problem with barking. She advised that if a dog barks, they use elastic bands around their snout or a muzzle. This free range pet resort is important for the community, their clients and their dogs.

Carmen Huggins, a client of the kennel, stated that eight (8) Sudbury residents would lose their jobs if this kennel is closed or moved to another location. She supports this business since it will accommodate dogs for cancer patients from all over Ontario since most hotels will not allow a dog to stay in their rooms. This business is close and conveniently located. She advised that it is more of a daycare for dogs than a typical boarding kennel. You can check on the care your pet is receiving via your cell phone. There are thousands of tourists, besides medical tourists, that travel to the area with their dogs, and without this kennel many people would not consider staying here. This business is a real treasure that the City must keep. Let Sudbury be considered a dog and business friendly city.

Rae Ann Naponse, a staff member of the kennel, stated that the kennel followed the proper procedures for obtaining their business licence. The business was open and running for three (3) years before any issues arose. They claim that it is too close to other residents; the City should have looked into this, it's not their fault. Only after Darlene filed to have a new building, the noise complaints began to be heard. She followed proper procedure and took every precaution necessary. She advised that she is also a customer, and it pains her to see it potentially shut down. Without this place her dog ruins her parents' home and causes issues. Her dog is a therapy dog for herself and her family.

Wendy Hoyland, a client of the kennel, stated that they relocated to the Sudbury area three (3) years ago. It is comforting to know that their pet can go to this kennel, as it provides a sense of comfort. The safety and reliability of Darlene and her staff is incredible. It is a safe reliable environment for pets.

Teresa Christie, a client of the kennel, stated that she lives close to the kennel and has never heard any noise. Her dog is a farm dog and mostly socializes with goats and chickens. Darlene worked with her dog to help socialize it with other dogs. Darlene is a small business owner and she finds it disturbing that someone who meets the needs of so many people is being challenged by concerned residents, trying to make this business go forward.

Kaila and Kyle Thaxer, stated that they are in support of local businesses and they are a small business themselves. The City issued the permits for the kennel and they have an ethical obligation to honor it. He stated that more dogs does not necessarily make more sounds. It is a bad idea to allow disgruntled neighbours to dictate the legal requirements. They advised that a business should not be penalized by the mistakes of other people.

Vanessa and Gary Poxleitne, concerned residents, stated that they have a global business in Sudbury that recruits many people from all over the world. One of the attractions is that there is a safe friendly free range kennel in Sudbury. They have a client from Minnesota and the only way he would come to this area is if he could bring his dog. They refer clients to the kennel on a regular basis. They would like to continue to see Sudbury grow. They advised that pets are very important and they are proud when they recruit international people to Sudbury and there is a system in place that allows for care of their pets.

Diane Villeneuve, a client of the kennel, stated that the kennel was issued a business licence and if there is a noise issue, they should not be treated differently than any other infractions. She inquired why the City does not get another peer review of the sound test. She stated that

they have worked very hard to make sure the dogs do not bark. When a dog does bark they take it under control right away.

Margaret Lalonde, a client of the kennel, stated that she is in support of the kennel. They gave her a licence and she built up a business and now they want to take it all away. There are other kennels in Sudbury that are within the 300 metre requirement. She advised it is not acceptable to take away the Nicholsons livelihoods.

Lorna Ansama, concerned resident, stated that she loves the kennel. Regarding the residents on the south not being on the map, staff advised that many other homes in the area are within the buffer zone. She advised that she lived in this area and no other homes were there when the licence was issued. She inquired what would happen if someone applied for a building permit and several years later found out it was not approved, would they be in the same situation as the Nicholsons. The Council would be liable if they do not approve this application. She asked that the councillors really think about their decision as residents are losing confidence with the City.

Linda Koziol-Crawford, a client of the kennel, stated that where they live in Garson, they consistently hear noise from the nearby firing range. There is noise everywhere in the city it is not just the kennel that has dogs barking. She stated that when they go to the kennel, they often think the dogs are inside as there are never dogs barking, however, they are usually outside. We all live in some kind of noise no matter where we live. She does not feel there should be a complaint about noise issues.

Ian Crawford, a client of the kennel, stated that they have been using the kennel exclusively for three (3) years and are very satisfied with the services provided. There are many people that are in favour of the kennel and they will be frustrated if this kennel is closed.

Tina Wilson, client of the kennel, stated that her family has used the kennel services for five (5) years. She advised that most of their family is from out of town so they must use a kennel when they go to visit relatives. They have utilized other local kennels and they do not compare. It is a commitment to own a kennel. Their dog gets to play outside for most of the day with an inordinate amount of attention in a clean environment. She further stated that every single small business should be celebrated by our City. The City provided the licence in 2013 and advised them four (4) years later that they made a mistake and that they need to close their very successful business, a much needed service, and to blame this on noise complaints is ludicrous. If this is the case, every other kennel in the City should come under scrutiny. She is hoping the Planning Committee will make a decision using common sense.

Sandra Patry, a client of the kennel, stated that she has a difficult dog that has a lot of energy and requires a lot of work. She stated that she had previous dogs who were at another kennel and were in cages all day. Her current dog would not do well in a setting like this since he is quite hyper. She hopes that the Committee reconsiders their decision and give them their rezoning. This is not like any other kennel. This is like having a child with special needs and having a place that can properly deal with them, like this kennel.

Irene Ellor, a client of the kennel, stated that the kennel provides a great service to Sudbury and it is a shame that they are being harassed.

Thomas Bertuli, a client of the kennel, stated that there are two (2) issues here, those that use and love the services of the kennel and the Planning Department. He advised that he cannot blame the Planning Department for any decision they came to. They are using 30 year old standards to solve modern problems. The Committee has a chance to bring these standards

up to modern day by allowing the rezoning.

Lousia Whitehead, a client of the kennel, stated that she uses the kennel for her three (3) dogs. Friends Fur-Ever followed the proper steps to operate this business and she is surprised that they are here for a noise complaint. It has been known since day one that their intention was to operate a dog boarding service. They do not deserve the unethical and ignorant signage that the kennel has to deal with. Many people rely on this service.

Tom Price, area resident, stated that he does not have a dog but is surrounded by neighbours that have dogs, as well as wolves in the area that howl late at night. He pointed out that there are two (2) horse farms between the kennel and the neighbours that are complaining. Residents do not complain about the noise from the horses. This is not about noise, it is about a mistake that was made. These people should not be penalized for the mistakes of the City. They have acted in good faith and honestly. He hopes the Planning Committee can go back and come up with a compromise.

Kathy Blanchard, a client of the kennel, stated that there will always be noise. She supports the kennel and it is the only place where she will bring her dog. She advised that there are other kennels that have small dog runs for the dogs but not free range service. This is a vital service for people in the area as well as visitors. She further stated that they are not asking to add any more dogs and they have noise studies that outline there is not a problem. She hopes that Council will reconsider their decision and allow the kennel to continue. They are not asking to allow any more dogs.

Therese Philion, a client of the kennel, stated that she keeps hearing about the licensing, if there was a mistake made in 2013, the City owes them an apology.

John Watterson, a client of the kennel, stated that his dog is his primary family. He relies on the kennel to take care of his dog when he visits family out of town. They are caring, knowledgeable and professional. There are over 1600 customers who rely on their services for vacations or for unexpected hospital stays or for a daycare for dogs. Many citizens in Greater Sudbury do not have to worry about their pets suffering in the kennel, as they are free range. A study in the UK stated that dogs that are in kennels instead of free range facilities show signs of mental illness. The closest free range facility is in Barrie. If this kennel was not here, many of these dogs would end up tied up in backyards, causing noise complaints. There should be a compromise offered, they have offered to build an indoor facility which would diminish any sounds coming from the dogs. This would address any concerns, we should be proud to have this facility and the positive impact it has.

Recess

At 8:30 p.m. the Committee recessed.

Reconvene

At 8:48 p.m. the Committee reconvened.

Matthew Wiecha, concerned area resident, stated that he does not have a problem with their business just where it is located. He stated that this is an illegal kennel. It is an intrusive use of land to have 20 to 30 dogs outside all day. There are by-laws in place to prevent this. The by-law requires 300 metres, which is three (3) full football fields required to the nearest property. These by-laws were conceived with a sound dampening building in mind, not dogs outside. The only sound dampening is a wire fence. Information on the City's website regarding starting a kennel clearly states that you must check the by-laws and obtain building

permits; this was not done in this case. They attended a Minor Variance meeting and their application was denied. At this meeting, they spoke of funds they received from the Northern Ontario Heritage Fund. These funds and/or grants are only to be received if all by-laws are adhered to and permits are obtained, which in this case they did not. However, they still accepted the money. As for noise, the best tool is your ears. They have been listening to this noise for over 2000 days and that is the perfect test sample. The noise study the applicant had stated that rustling leaves drown out the dogs and crickets are louder than a large pack of dogs. By their own admission, at times they found it necessary to throw a steel implement towards the dogs to quiet them down. The land is RU special designation and is a corner lot, most of which is swamp. He stated if five (5) years ago they had applied for a building permit it would have been discovered that they were in contravention of the by-law and would have re-located elsewhere. He advised that customers of the kennel have been trespassing on their property and defacing their signs with hateful graffiti. He further advised that they have received threats and were served notice by the Nicholsons that they were going to be sued. A mistake was made in issuing the business licence and they have reaped five (5) years of immense profits at their expense. The onus is on the citizen to check the by-laws and get proper permits. They are very upset about this issue.

Stephane Chiasson, concerned area resident, stated that he resides in one of the houses within the 300 metre buffer of the kennel and that he owned his property before the kennel was open. They did not question when they opened the kennel and thought it must be legally enforced since they had signage and were open. The buffer was established for closed kennels, not free range kennels. The applicants were issued a licence incorrectly and no building permits were obtained. It does not address open free range kennels. Everyone has experienced barking dogs; however, these barking dogs wake them up each day. The kennel business hours are not enforced and there are early and late drop offs. He advised that they have made many complaints to by-law; however the complaints were put on the back burner as by-law advised it is a ongoing file. The applicants were previously denied a minor variance and 14 months later they are still being affected by this. If they want to sell their house, they have to declare that there is a by-law infraction. This application does not provide a guarantee that extra dogs are not planned or allowed. He stated that long weekends are worse since the kennel gets more business. The kennel is profiting at their cost. A buffer reduction to 21 metres to the closes property lines is not minor. They are not asking that the kennel be closed, just relocated.

Richard McKay, concerned area resident, stated his house was built longer than the kennel was open and is directly across the road from the kennel. He advised that they are unable to enjoy their property since there is constant barking and dog fights from this free range kennel. Dogs are dropped off as early as 6:00 a.m. in the morning and picked up as late as 10:00 p.m. at night. Each time a dog is dropped off, the dogs start barking; in the evenings the noise is worse. They are opposed to the existing kennel and are unable to enjoy our property or peace of life. They are also concerned about the existing and proposed kennel's effect on their property values. He stated that they have been harassed by supporters on the street. The kennel is not in the right location.

Chris Leduc, concerned area resident, stated that he is a dog owner and loves dogs, however, he is tired of being awakened in the early morning by the sound of dogs barking. They cannot invite friends or families over since there are 20 to 30 dogs constantly barking, making it impossible to sit on the patio. He advised since the noise has become an issue, the owners of the kennel have been monitoring it. However, how many dogs will they have and how much noise will they make? No one will be monitoring how many dogs they will have or how much

noise they make. The noise drives you insane and is unbearable. There are rules and by-laws and stating that it is outdated dogs have always made noise and have been annoying. Someone made a mistake and it needs to be corrected and the residents should not have to bear the brunt of this.

Claudette McKay, concerned area resident, stated that she has a stressful job and she likes to go home to a peaceful place. However, this is not the case because of dogs barking at the kennel. At the beginning it was not too bad as there were not as many dogs. When they first moved to the area, it was luxury and very peaceful until the kennel was opened. They can no longer sit outside due to the disturbance. Other people in the area have dogs; when it is one (1) dog barking, the owner can quiet it. However, when it is 30 dogs, barking it is very annoying. She opposes the kennel.

Maurice Rousselle, concerned area resident, advised that he lives directly next door to the kennel. He stated that the kennel is very noisy despite any sound study, and there are many videos proving that. When they bought their property, they thought there were by-laws in place for certain zoning. They do not support this application.

Bethany Muncaster, client of the kennel, stated that the noise complaints have no basis. When you are inside the home of the Nicholsons you cannot hear the dogs. There is more noise coming from school yards. She advised that you would need to shut down all of the kennels in Sudbury if noise is the issue. She stated that if all the kennels closed in Sudbury, the dog community will not go quietly.

José Rousselle, concerned area resident, advised that she lives directly next door to the kennel. She stated that the dogs at the kennel bark all night long. She advised that she is a full-time student and has a part-time job and she is exhausted because of the consistent dog barking. They often play music to drown out the noise from the dogs barking.

Logan Dubois, website developer for the kennel, stated that Friends Fur-Ever is the best dog kennel and it contributes so much to this city. He advised that they have over 500 visitors to their website each month, seventy-five percent of which are newcomers from all over. The kennel contributes economically to this City and supports jobs. He also stated that he lived on site at the kennel for two (2) years, as he is related to the owners, and he has never been bothered by the noise. He would hate for the City to be hypocritical by shutting down this kennel and allowing others to remain open. The needs of the many outweigh the wants of a few.

Guy Mahaffey, a client of the kennel, stated that this is an important matter and he wants to see the Committee grant the rezoning application. This is important for the orderly operation of the municipal government, as well as the human aspect that should be considered. By granting them permission, it will send a signal that when the City issues a business permit that it can be relied upon. In 2013, when the permit was issued, they were not told that they needed to apply for a rezoning by-law amendment. The onus to know all municipal by-laws should not be on the shoulders of the Nicholsons. When the City issued the permit, it would be assumed that all the prerequisites had been met. He asked the Committee to take into consideration all the significant financial implications that would apply if they deny this application and shut down the kennel, and he is asking that they approve this application. He inquired as to why the City performed a peer review of the noise study.

Dana Lynn Vella, a client of the kennel, stated that she has a very energetic dog who needs to run and socialize with other dogs. She has checked out the facilities of other area kennels;

however, they do not provide the services that she needs. She advised that she needs the services of this kennel.

John Huggins, a client of the kennel, stated that he is having difficulty understanding how the City can pull a business licence. He advised that he was the owner of the first licenced kennel in Sudbury that opened in 1978. At the time, he had neighbours across the street and he has never heard of the 300 metre distance by-law and does not think it makes any sense. They have spent a great deal of money investing in this kennel. The kennel is on 16.2 acres and is large enough to run a kennel. He understands that people have built their homes within the 300 metres, but does not believe that 300 metres is required. The Committee should approve this rezoning application.

Barry Van Horne, concerned area resident, stated that he lives near the kennel and he has never heard the dogs. He also inquired as to why Mr. Ferguson did not reply to the email sent by Darlene Nicholson.

Steven Evans, a client of the kennel, stated that he is previously from Hamilton and there are many free range kennels there. He and his wife made a decision to return to Sudbury, and having a free range kennel here helped them make this decision. He advised that his wife is a doctor here and she helps recruit other doctors into the area and they often mention the kennel service that is here and that it is comparable to the kennels in southern Ontario. It is important to recruit professionals to Sudbury and it helps when there are businesses like Friends Fur-Ever.

Hannah Dubois, employee of the kennel, stated that a Freedom of Information (FOI) request was completed regarding the noise complaints. The reports that they received indicated that the By-law Department advised that dogs barking does not constitute persistent noise which is constant and nonstop. One complaint stated that the dogs are barking early in the morning; however this is not possible because the kennel does not open until 7:30 a.m. Residents within one (1) kilometer all have dogs, so the noise may be from one of those dogs. Another complaint was about dogs barking all day long inside of a building. The by-law officers advised that they sat on the road to listen for barking but heard none. The officers noted that there was very faint sound of barking when they visited on different occasions but not in a persistent manor. The kennel advised by-law that they were prepared to provide video to them of the times when the complaints came in, however, they did not want this information. Friends Fur-Ever have never been in violation of any noise complaints.

Ron Poterowski, concerned area resident, stated that this hearing is about legalities. The City made a mistake by approving a permit; however, they should not deny this application for rezoning.

Tina Koop, an employee of the kennel, stated the noise volume from the kennel is not what they are claiming. She works at the kennel for 30 hours a week and they work to keep the noise volume down. She read a letter of support from a customer of the kennel.

David Ryan Coady, ex-employee of the kennel, stated that the hours of the kennel are 7:30 a.m. until 8:00 p.m. and all dogs are picked up by 5:00 p.m. All staff members were trained to deal with any barking noise, and noise was dealt with immediately in a kind and compassionate manner. The kennel spent thousands of dollars on noise studies to prove that there is not a noise issue.

Rules of Procedure

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

Ward Councillor Vagnini inquired if the purpose of the additional building is to contain the animals.

Ward Councillor Vagnini also inquired that with the current by-law, could he potentially have 20 dogs at his residence.

Jason Ferrigan, Director of Planning Services, stated that the current animal control by-law places no limit on the number of animals an individual can have.

Ward Councillor Vagnini stated that the people responsible for issuing the business licence are no longer with the City. He inquired if with this application would there be an increase in dogs or a super kennel.

Mrs. Nicholson stated they want to install six (6) luxury suites in the new building and the old building would become the grooming centre. They also want to install a hydrotherapy pool for orthopedic recovery for dogs. They currently have 27 spaces and are intent on keeping the same amount of spaces.

Ward Councillor Vagnini stated that he does not believe the Nicholsons entered into this process to break any by-laws. The onus was on the City to issue the building permit, which they did. He advised that he has visited the kennel on different days in different areas to listen for noise and the crickets were louder than the dogs. The By-law Department indicated that they have responded to complaints but have never issued a ticket.

Glen Ferguson, Senior Planner, stated that section 4.34 of the Zoning By-law states that generally throughout the municipality, shipping and storage containers are not permitted, only in special circumstances. He advised that in reference to Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) membership shipping or storage containers are allowed in conjunction with agricultural uses.

Mrs. Nicholson stated that shipping containers are allowed on rural properties for agricultural uses. They have chickens and turkeys and maintain their OMAFRA membership and are taxed as a farm.

Alex Singbush, Manager of Development Approvals, stated that the definition for a kennel does not specifically state that the kennel be enclosed but it does for an animal shelter.

Jason Ferrigan, Director of Planning, stated an animal shelter would house the animals indoors which would mitigate the negative impacts and nuisance factors. A kennel has an outdoor component so when the Zoning By-law was passed in 2010, it was decided to enact the 300 metre separation distance to help mitigate the nuisance factors.

Jason Ferrigan, Director of Planning Services, stated that a peer review is a common practice for municipalities when there is no in-house expertise to utilize. In the peer review process the applicant is responsible for providing the study and the City has a peer reviewer review the study and provides feedback. In this instance, the City hired RWDI to provide the review of the applicant's noise study from ProSonics. They also requested that RWDI provide some mitigation suggestions. There was a conversation between the two expert consultants and the conclusion was that there was a difference of opinion and it would complicate this even further if they brought in a third opinion. As outlined in the report, there was an exchange on assumptions and methodology; however, the consultants did not get to the point where they

talked about mitigation measures.

Jason Ferrigan, Director of Planning Services, stated that the boundary settings are part of the comprehensive Zoning By-law which Council passed in 2010 by amalgamating the zoning by-laws. The province provides guidelines regarding rezoning as it relates to situations like this one and this was updated by the province in 2013.

Jason Ferrigan, Director of Planning Services, stated that as a general rule, the Planning Department generally returns emails within 24 hours. In regards to the email Mrs. Nicholson sent to Glen Ferguson, Senior Planner, Mr. Ferguson did not reply as he did. He is Mr. Ferguson's supervisor, so it was forwarded to himself for response, which he did on December 14th, 2017, 3 days after it was first sent.

Mrs. Nicholson stated that one of the complainants who complained about the noise from the dogs, cannot possibly hear the dogs as he lives one (1) kilometer away. They would be the only kennel with a hydrotherapy pool north of Barrie. She advised that there are only five (5) houses within the 300 metre zone and some of the area neighbours constructed their houses after her kennel was already operating.

Resolution to Proceed past 10:00 p.m.

Jakubo/Sizer: THAT this meeting proceeds past the hour of 10:00 p.m.

CARRIED UNANIMOUSLY

Mrs. Nicholson stated that they have a camera system at their kennel that can prove there is no barking from 8:00 p.m. to 7:30 a.m. as the dogs are sleeping. She further stated that claims against the kennel regarding animal abuse are unfounded. The dogs of the client in question are still customers of the kennel. The OSPCA inspected after the complaint of abuse and found no abuse and they were not charged. She advised that they are the best kennel in Sudbury. She advised that if the City had informed them in 2013 that the kennel would not be allowed on this property they would not have quit their jobs or invested money in the kennel. She is insured and licenced. They had an engineer inspect the current kennel to ensure that it meets the requirements of a kennel, which it did; they just did not apply for a change of use permit. Not once during any of the inspections from the City did anyone indicate that they did not have proper permits.

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.

Motion for Deferral

Councillor Landry-Altman moved to defer this item to a Planning Committee meeting of April 8, 2019.

CARRIED

Staff Direction

The following resolution was presented:

PL2018-180 Landry-Altman/Jakubo: THAT staff be directed to review the setback for kennels in the Rural Zone and bring a report forward to City Council's consideration no later than March 2019.

CARRIED

Matters Arising from the Closed Session

Councillor Lapierre reported that the Committee met in Closed Session to deal with one (1) Proposed or Pending Acquisition or Disposition of Land Matters and one resolution emanated therefrom.

Motion for Deferral

Councillor Jakubo moved to defer this item to the Council Meeting of December 11, 2018.

CARRIED

Adopting, Approving or Receiving Items in the Consent Agenda

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

The following resolution was presented:

PL2018-181 Sizer/Jakubo: THAT the City of Greater Sudbury approves Consent Agenda Items C-1 and C-3.

CARRIED

The following are the Consent Agenda items:

Routine Management Reports

C-1 Sitiri Investments Ltd. - Application to extend draft plan of subdivision approval. Part of PIN 73478-0809, Part of Parcel 11257 S.E.S., Parts 1-3, Plan 53R-19865 in Lot 3, Concession 5, Township of Broder, Algonquin Road, Sudbury

Report dated October 29, 2018 from the General Manager of Growth and Infrastructure regarding Sitiri Investments Ltd. - Application to extend draft plan of subdivision approval, Part of PIN 73478-0809, Part of Parcel 11257 S.E.S., Parts 1-3, Plan 53R-19865 in Lot 3, Concession 5, Township of Broder, Algonquin Road, Sudbury .

PL2018-182 Jakubo/Sizer: THAT the City of Greater Sudbury's delegated official be directed to amend the conditions of draft approval for the draft plan of subdivision on lands described as Part of PIN 73478-0809, Part of Parcel 11257 S.E.S., Parts 1-3, Plan 53R-19865 in Lot 3, Concession 5, Township of Broder City of Greater Sudbury, File 780-6/12004, as outlined in the report entitled "Sitiri Investments Ltd." from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of November 19, 2018 as follows:

a) By amending the draft plan lapsing date in Condition #10 to December 23, 2019;

b) By replacing Condition #18 with the following:

"That the owner shall update the Traffic Impact Study for any units beyond the initial 30 units and agree to participate in the cost of any upgrades or improvements identified in the study to the satisfaction of the General Manager of Growth and Infrastructure."

c) By adding the following to Condition #21:

“A soils caution agreement shall be registered on title, if required, to the satisfaction of the Chief Building Official and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement.”

d) By adding the following to Condition #23:

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

e) By adding the following to Condition #28:

“A sound attenuation caution agreement shall be registered on title, if required, to the satisfaction of the Chief Building Official and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement.”

f) By replacing Condition #41 with the following:

“Based upon the recommendations of the Algonquin Watershed Study, a quantity control pond is not required at this location. The owner shall enter into an agreement to cost share with the City for downstream stormwater conveyance improvements. The owner is to provide stormwater quality control to an enhanced level protection for the stormwater generated by the development.”

g) By adding the following as Condition #42:

“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 2245639 Ontario Ltd. – Request for extension of the conditional approval of rezoning application File 751-6/16-16, 975 Lorne Street, Sudbury

Report dated October 29, 2018 from the General Manager of Growth and Infrastructure regarding 2245639 Ontario Ltd. – Request for extension of the conditional approval of rezoning application File 751-6/16-16, 975 Lorne Street, Sudbury.

PL2018-183 Jakubo/Sizer: THAT the City of Greater Sudbury approves the extension of rezoning application File 751-6/16-16 by 2245639 Ontario Ltd. for a period of one (1) year to August 9, 2019 on lands described as PIN 73588-0563, Parcel 4102, Lots 151 & 152, Plan M-76, Lot 8, Concession 2, Township of McKim, as outlined in the report entitled “2245639 Ontario Ltd.” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of November 19, 2018.

CARRIED

C-2 was dealt with separately.

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

Report dated October 29, 2018 from the General Manager of Growth and Infrastructure regarding L.S. Bock Developments Inc. - Request for a one-year extension of conditional approval of rezoning application File 751-6/14-29, 953 Howey Drive, Sudbury .

The following resolution was presented:

PL2018-184 Sizer/Jakubo: 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 one (1) year to March 31, 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 of November 19, 2018.

CARRIED

Referred and Deferred Matters

R-1 Ile Manage Law Inc. – Application for Zoning By-law Amendment in order to add a contractor’s yard and a commercial or public garage as permitted uses, 1744 Pioneer Road, Garson

The following resolution was presented:

PL2018-185 Jakubo/Sizer: THAT the City of Greater Sudbury approves the application by Ile Manage Law Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification from "M1(23)", Mixed Light Industrial/Service Commercial Special to an amended "M1(23)", Mixed Light Industrial/Service Commercial Special on those lands described as PINs 73479-0545 & 73479-0543, Parcels 31173 & 28463, Parts 3 to 7 and 10 to 12, Plan 53R-20166, Lots 11 & 12, Concession 6, Township of Dill, as outlined in the report entitled "Ile Manage Law Inc." from the General Manager of Growth and Infrastructure, presented at the Planning Committee meetings of November 5, 2018 and November 19, 2018, subject to the following conditions:

- a) THAT prior to the enactment of the amending by law the owner shall submit a registered survey of the lands to be rezoned in order to allow for the preparation of the amending zoning by-law to the satisfaction of the Director of Planning Services;
- b) AND THAT the amending zoning by-law contain the following site-specific provisions:
 - i. That a contractor’s yard and commercial or public garage be added as the only permitted uses along with the currently permitted building supply and lumber outlet;
 - ii. That no outdoor storage be permitted within 50 metres of a Residential Zone; and
 - iii. That the restriction on the uses being limited to the existing buildings be amended to limit the total gross floor area of all buildings to a maximum of 2000 m².
- c) AND THAT conditional approval shall lapse on September 25, 2020, unless Condition a) above has been met or an extension has been granted by Council.

Councillor Jakubo presented the following amendment:

PL2018-185A Jakubo/Sizer: THAT the resolution be amended to include the following site-specific provisions to condition b):

iv. That a planting strip with a minimum width of 15 metres be required abutting parts 1 and 4 Plan SR1164;

v. That a planting strip with a minimum width of 12 metres be required abutting Desloges Road; and

vi. That the driveway access be only from Pioneer Road.

CARRIED

Rules of Procedure

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

The resolution as amended was presented:

PL2018-185 Jakubo/Sizer: THAT the City of Greater Sudbury approves the application by Ile Manage Law Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification from "M1(23)", Mixed Light Industrial/Service Commercial Special to an amended "M1(23)", Mixed Light Industrial/Service Commercial Special on those lands described as PINs 73479-0545 & 73479-0543, Parcels 31173 & 28463, Parts 3 to 7 and 10 to 12, Plan 53R-20166, Lots 11 & 12, Concession 6, Township of Dill, as outlined in the report entitled "Ile Manage Law Inc." from the General Manager of Growth and Infrastructure, presented at the Planning Committee meetings of November 5, 2018 and November 19, 2018, subject to the following conditions:

a) THAT prior to the enactment of the amending by law the owner shall submit a registered survey of the lands to be rezoned in order to allow for the preparation of the amending zoning by-law to the satisfaction of the Director of Planning Services;

b) AND THAT the amending zoning by-law contain the following site-specific provisions:

i. That a contractor's yard and commercial or public garage be added as the only permitted uses along with the currently permitted building supply and lumber outlet;

ii. That no outdoor storage be permitted within 50 metres of a Residential Zone; and

iii. That the restriction on the uses being limited to the existing buildings be amended to limit the total gross floor area of all buildings to a maximum of 2000 m².

iv. That a planting strip with a minimum width of 15 metres be required abutting parts 1 and 4 Plan SR1164;

v. That a planting strip with a minimum width of 12 metres be required abutting Desloges Road; and

vi. That the driveway access be only from Pioneer Road.

c) AND THAT conditional approval shall lapse on September 25, 2020, unless Condition a) above has been met or an extension has been granted by Council.

CARRIED

Public comment was received and considered and effected Planning Committee's decision in the following manner:

- a) A planting strip with a width of 15 metres;
- b) Only driveway access between Pioneer Road.

Councillor Jakubo departed at 10:46 p.m.

Resolution to proceed past 11:00 p.m.

Jakubo/Sizer: THAT this meeting proceeds past the hour of 11:00 p.m.

CARRIED UNANIMOUSLY

Managers' Reports

R-2 Blasting Report

Report dated November 7, 2018 from the General Manager of Growth and Infrastructure regarding Blasting Report.

For Information Only.

Addendum

No Addendum was presented.

Civic Petitions

No Civic Petitions were submitted.

Question Period and Announcements

No Questions were asked.

Notices of Motion

No Notices of Motion were presented.

Adjournment

Sizer/Jakubo: THAT this meeting does now adjourn. Time: 11:09 p.m.

CARRIED

Adam Kosnick, Deputy City Clerk