

Location:	Tom Davies Square
Commencement:	4:49 PM
Adjournment:	6:20 PM

Minutes

Planning Committee Minutes of 3/5/18

Councillor McIntosh, In the Chair

Present Councillors Lapierre, Jakubo, Sizer, McIntosh, Landry-Altmann [A 4:51 p.m.]

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

Closed Session

The following resolution was presented:

PL2018-35 Sizer/Lapierre: THAT the Planning Committee move to Closed Session to deal with one (1) Proposed or Pending Acquisition or Disposition of Land Matters:

- Sale of Vacant Land - Main Street, Sudbury

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

CARRIED

At 4:50 p.m. the Planning Committee moved into Closed Session.

Recess At 4:57 p.m. the Planning Committee recessed.

Reconvene At 5:33 p.m. the Planning Committee commenced the Open Session in the Council Chamber.

Councillor McIntosh, In the Chair

Present Councillors Lapierre, Jakubo, Sizer, McIntosh, Landry-Altmann

City Officials Jason Ferrgian, Director of Planning Services; Eric Taylor, Manager of Development Approvals; Robert Webb, Supervisor of Development Engineering; Adam Kosnick, Manager of Regulated Services/Deputy City Clerk; Christine Hodgins, Legislative Compliance Coordinator; Lisa Locken, Clerk's Services Assistant

Declarations of Pecuniary Interest and the general nature thereof

None declared

Public Hearings

- 1 Karli Laamanen - Application for rezoning to in order to eliminate split-zonings, 62 Wuorinen Road, Lively

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

Report dated February 12, 2018 from the General Manager of Growth and Infrastructure regarding Karli Laamanen - Application for rezoning to in order to eliminate split-zonings, 62 Wuorinen Road, Lively.

Dave Dorland, D.S. Dorland Ltd., agent for the applicant, was present.

Eric Taylor, Manager of Development Approvals, 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:

PL2018-36 Lapierre/Sizer: THAT the City of Greater Sudbury approves the application by Karli Laamanen to amend Zoning By-law 2010-100Z from "RS", Rural Shoreline to "RU", Rural and from "RS", Rural Shoreline to "R1-1", Low Density Residential One Zone on those lands described as Part of PIN 73374-0313, Part 10, Plan 53R-20054, Lot 5, Concession 1, Waters Township, as outlined in the report entitled "Karli Laamanen" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of March 5, 2018, subject to the following condition:

1. That the applicant provide the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to enable the preparation of an amending zoning by-law. The survey plan shall identify as separate parts on a plan those portions of the land which are to be zoned "R1-1", Low Density Residential One and "RU", Rural.

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

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

- 2 Brian Yanchuk – Application for Zoning by-law Amendment in order to permit a disused rail car to be stored and used as accessory building for storage purposes

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

Report dated February 5, 2018 from the General Manager of Growth and Infrastructure regarding Brian Yanchuk – Application for Zoning by-law Amendment in order to permit a disused rail car to be stored and used as accessory building for storage purposes.

Brian Yanchuk, the applicant, was present.

Eric Taylor, Manager of Development Approvals, outlined the report.

Eric Taylor, Manager of Development Approvals, stated that the zoning by-law amendment does not deal with the actual restoration of the rail car, it deals with location, setbacks and use. He advised that the Committee could impose a condition that the owner enter into an agreement with the City to ensure that the applicant restores the rail car.

Mr. Yanchuk stated that he is a member of the Canadian Pacific Railway Historical Association as well as a retired woodworker. He advised that there are not many wooden cabooses around anymore and this one has a lot of Victorian accents. He is willing to provide the City with weekly updates including photos. He has spoke with four (4) to five (5) people across the country and they are willing to help restore the caboose. He has restored many items around his property and takes pride in his accomplishments. He stated that the caboose is currently located on his property and it was brought there on a flatbed truck. Once the restoration is complete, he welcomes anyone to come and view it.

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:

PL2018-37 Sizer/Lapierre: THAT the City of Greater Sudbury approves the application by Brian Yanchuk to amend Zoning By-law 2010-100Z from “RU”, Rural to “RU(S)”, Rural (Special) on those lands described as PIN 73366-0160, Part 1, Plan 53R-14199, Part 1, Plan 53R-10917, Part 1, Plan 53R-6951, Lot 10, Concession 1, Township of Fairbank, as outlined in the report entitled “Brian Yanchuk” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of March 5, 2018, subject to the following conditions:

1. That the permitted uses be amended to add a maximum of one rail car as being permitted as an accessory building for storage purposes; and,
2. The rail car shall be setback a minimum of 40 m from the front lot line and a minimum of 20 m from all side lot lines and 25 m from the high water mark of Fairbank Lake.

Councillor Landry-Altmann presented the following amendment:

CC2018-37A Landry-Altmann/Sizer: THAT the resolution be amended to include the following condition:

3. AND THAT prior to the enactment of the amending by-law the owner shall enter into an agreement with the City of Greater Sudbury respecting the restoration of the rail car.

YEAS: Councillors Landry-Altmann, Sizer, McIntosh

NAYS: Councillors Lapierre, Jakubo

CARRIED

The resolution as amended was presented:

Rules of Procedure

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

PL2018-37 Sizer/Lapierre: THAT the City of Greater Sudbury approves the application by Brian Yanchuk to amend Zoning By-law 2010-100Z from "RU", Rural to "RU(S)", Rural (Special) on those lands described as PIN 73366-0160, Part 1, Plan 53R-14199, Part 1, Plan 53R-10917, Part 1, Plan 53R-6951, Lot 10, Concession 1, Township of Fairbank, as outlined in the report entitled "Brian Yanchuk" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of March 5, 2018, subject to the following conditions:

1. That the permitted uses be amended to add a maximum of one rail car as being permitted as an accessory building for storage purposes; and,
2. The rail car shall be setback a minimum of 40 m from the front lot line and a minimum of 20 m from all side lot lines and 25 m from the high water mark of Fairbank Lake.
3. AND THAT prior to the enactment of the amending by-law, the owner shall enter into an agreement with the City of Greater Sudbury respecting the restoration of the rail car.

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

CARRIED

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

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 the following resolution emanated therefrom:

PL2018-38 Lapierre/Sizer: THAT the City of Greater Sudbury authorize the sale of 4614 Desmarais Road, Val Therese, legally described as: PIN 73504-2278(L T), formerly Parcel 14128, SES, and part of PIN 73504-1661 (LT), formerly Parcel 35202, SES, being Part 1, Plan SR-2975, part of Lot 6, Concession 3, Township of Hanmer;

AND THAT the appropriate by-law be prepared to authorize the sale and execution of the documents required to complete the real estate transaction;

AND THAT the net proceeds of the sale be credited to the Land Acquisition Reserve Fund.

CARRIED

Adopting, Approving or Receiving Items in the Consent Agenda

Councillor Lapierre requested that Consent Agenda Items C-3 and C-4 be pulled and dealt with separately.

The following resolution was presented:

PL2018-39 Sizer/Lapierre: THAT the City of Greater Sudbury approves Consent Agenda Items C-1 to C-2.

CARRIED

The following are the Consent Agenda items:

Routine Management Reports

C-1 Bonaventure Development Company Limited – Request to extend a draft approved plan of subdivision (Maley Drive/Valley Stream), Sudbury

Report dated February 12, 2018 from the General Manager of Growth and Infrastructure regarding Bonaventure Development Company Limited – Request to extend a draft approved plan of subdivision (Maley Drive/Valley Stream), Sudbury.

PL2018-40 Lapierre/Sizer: THAT the City of Greater Sudbury's delegated official be directed to amend the conditions of draft plan approval for a plan of subdivision on those lands described as Part of Parcel 6079 SES, Lot 12, Concession 3, Township of Neelon, as outlined in the report entitled "Bonaventure Development Company Limited (Maley Drive/Valley Stream)" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of March 5, 2018, as follows:

1. Replacing the words, "General Manager of Infrastructure Services" with "General Manager of Growth and Infrastructure" in Conditions 10,12,13,18 and 39.

2. By adding the following at the end of Condition 10. "A soils caution agreement, if required, shall be registered on title to the satisfaction of the Chief Building Official and City Solicitor."

3. Deleting Condition 11 and replacing it with the following:

"11. The owner shall provide a detailed lot grading and drainage plan prepared, signed, sealed and dated by a professional civil engineer with a valid Certificate of Authorization from the Association of Professional Engineers of Ontario, to the satisfaction of the General Manager of Growth and Infrastructure for the proposed lots, as part of the submission of servicing plans. This plan must show finished grades around new houses, retaining walls, side yards, swales, slopes and lot corners. The plan must show sufficient grades on boundary properties to mesh with lot grading of the new site to existing properties. A lot grading agreement shall be registered on title, if required, to the satisfaction of the Director of Planning Services and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the associated lot grading agreement.

4. Deleting Conditions 15, 16, 17, 19 and 21.

5. In Condition 23 deleting "May 19, 2018" and replacing it with "January 19, 2021".

6. In Condition 25 deleting reference to conditions "2", "19" and "21" and adding conditions "11" and "42".

7. Replacing the words, “General Manager of Growth and Development” with “General Manager of Growth and Infrastructure” in Condition 26.

8. That a new Condition 40 be added as follows:

“40. Final approval for registration may be issued in phases to the satisfaction of the Director of Planning Services, provided that:

i) Phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure and other essential services; and,

ii) all agencies agree to registration by phases and provide clearances, as required, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phases sought to be registered.”

9. That a new Condition 41 be added as follows:

“41. That the owner shall have completed all major outstanding infrastructure deficiencies that are critical to the overall function of the subdivision in previous phases of the plan that have been registered, or have made arrangements for their completion, prior to registering a new phase of the plan, to the satisfaction of the General Manager of Growth and Infrastructure.”

10. That a new Condition 42 be added as follows:

“42. That in accordance with Section 59(4) of the Development Charges Act, a notice agreement shall be registered on title to ensure that persons who first purchase the subdivided lands 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-2

Cavdon Developments Ltd. – Request to extend a draft approved plan of subdivision, Black Lake Road, Lively

Report dated February 5, 2018 from the General Manager of Growth and Infrastructure regarding Cavdon Developments Ltd. – Request to extend a draft approved plan of subdivision, Black Lake Road, Lively.

PL2018-41 Sizer/Lapierre: THAT the City of Greater Sudbury’s delegated official be directed to amend the conditions of draft plan approval for a plan of subdivision on those lands described as Part of Parcels 1880 and 416, Part of Lot 6, Concession 4, Township of Waters, as outlined in the report entitled “Cavdon Developments Ltd.” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of March 5, 2018, upon payment of City’s processing fee in the amount of \$2848.75 as follows:

1. Replacing the words, “General Manager of Infrastructure Services” with “General Manager of Growth and Infrastructure” in Conditions 10, 13 and 20.

2. By adding at the end of Condition 7, “sidewalks, stormwater management facilities and installation of services.”

3. By adding at the end of Condition 11, “the report shall set out any necessary improvements to downstream storm sewers and water courses. The civil engineering consultant shall meet with the Development Approval Section prior to commencing the storm water management report.”

4. By adding at the end of Condition 12, "A lot grading agreement shall be registered on title, if required, to the satisfaction of the Director of Planning Services and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the associated lot grading agreement."

5. By adding the following at the end of Conditions 16 and 17. "A soils caution agreement, if required, shall be registered on title to the satisfaction of the Chief Building Official and City Solicitor."

6. In Condition 22 deleting reference to Conditions "2", "11", and "14" and adding Condition "43".

7. In Condition 23 deleting "March 31 2018" and replacing it with "December 31, 2020".

8. By adding the following at the end of Condition 28. "The utilities servicing plan must be designed by a consulting engineer with a valid Certificate of Authorization from the Association of Professional Engineers of Ontario. The owner/applicant shall be responsible for all costs associated with the installation of said services."

9. In Condition 30 deleting reference to "Ministry of Natural Resources " and "MNR" and replacing them with "Ministry of Natural Resources and Forestry" and "MNRF"

10. That a new Condition 35 be added as follows:

"The owner shall be required to ensure that the corner radius for all intersecting streets is to be 9.0 m."

11. That a new Condition 36 be added as follows:

"36. The owner will be required to provide permanent site and erosion control drainage works to the subdivision's storm water outlet to the satisfaction of the General Manager of Growth and Infrastructure."

12. That a new Condition 37 be added as follows:

"37. The owner/applicant shall be responsible for the design of any required stormwater management facility as part of the servicing plans for the subdivision and the owner shall provide the lands for the stormwater management facility as a condition of this development."

13. That a new Condition 38 be added as follows:

"38. The owner shall be required to have all stormwater management facilities constructed and approved by the City prior to initial acceptance of roads and sewers or at such time as the Director of Planning Services may direct."

14. That a new Condition 39 be added as follows:

"39. The owner shall provide sodded rear yard drainage swales as a condition of the initial acceptance of the subdivision infrastructure to the satisfaction of the Director of Planning Services."

15. That a new Condition 40 be added as follows:

"40. Final approval for registration may be issued in phases to the satisfaction of the Director of Planning Services, provided that:

i) Phasing is proposed in an orderly progression, in consideration of such matters as the

timing of road improvements, infrastructure and other essential services; and,

ii) all agencies agree to registration by phases and provide clearances, as required, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phases sought to be registered.”

16. That a new Condition 41 be added as follows:

“41. The owner shall provide the required soils report, stormwater, water, sanitary sewer and lot grading master planning reports and plans to the Director of Planning Services prior to the submission of servicing plans for any phase of the subdivision.”

17. That a new Condition 42 be added as follows:

“42. That the owner shall have completed all major outstanding infrastructure deficiencies that are critical to the overall function of the subdivision in previous phases of the plan that have been registered, or have made arrangements for their completion, prior to registering a new phase of the plan, to the satisfaction of the General Manager of Growth and Infrastructure.”

18. That a new Condition 43 be added as follows:

“43. That in accordance with Section 59(4) of the Development Charges Act, a notice agreement shall be registered on title to ensure that persons who first purchase the subdivided lands after registration of the plan of subdivision are informed, at the time the land is transferred, of all development charges related to development.”

CARRIED

Item C-3 was dealt with separately.

C-3 Dalron Construction Ltd. (Foxborough Subdivision) - Request to extend a draft approved plan of subdivision (O’Neil Drive East), Garson

Report dated February 12, 2018 from the General Manager of Growth and Infrastructure regarding Dalron Construction Ltd. (Foxborough Subdivision) - Request to extend a draft approved plan of subdivision (O’Neil Drive East), Garson.

Motion for Deferral

Councillor Lapierre moved to defer this item to a meeting at a later date to allow for further discussions between the applicant and City staff.

CARRIED

Item C-4 was dealt with separately.

C-4 Part of Alder Street, Sudbury - Road Closure and Declaration of Surplus Land

Report dated February 12, 2018 from the General Manager of Corporate Services regarding Part of Alder Street, Sudbury - Road Closure and Declaration of Surplus Land.

PL2018-42 Lapierre/Sizer: THAT the City of Greater Sudbury declares surplus to the City's needs part of Alder Street, Sudbury, south of Victoria Street and north of Willow Street, excepting a 13 metre by 13 metre block of land, legally described as part of PIN 73585-1085(LT), part of Alder Street, Plan 31SA, City of Greater Sudbury;

AND THAT the land be offered for sale to the abutting owner pursuant to the procedures

governing the sale of limited marketability surplus land as outlined in Property By-law 2008-174;

AND THAT a by-law be prepared to authorize the closing of the road, as outlined in the report entitled "Part of Alder Street, Sudbury - Road Closure and Declaration of Surplus Land" from the General Manager of Corporate Services dated February 9, 2018, presented at the Planning Committee meeting on March 5, 2018.

CARRIED

Correspondence for Information Only

C-5 2017 Property Sales and Acquisitions

Report dated February 12, 2018 from the General Manager of Corporate Services regarding 2017 Property Sales and Acquisitions.

For information only.

Addendum

No Addendum was presented.

Civic Petitions

No Civic Petitions were submitted.

Question Period and Announcements

Status of Blasting Report and Sidewalks and Grading for Subdivisions

Councillor Sizer asked what the status is of the blasting report that the Committee requested at the December 11, 2017 Planning Committee meeting. He also asked if the report could include a requirement to distribute blasting information at the Town Hall meetings the contractors hold prior to blasting as well as increasing the distribution areas for notification. He further asked if residents can be informed of sidewalk locations and further information on grading when purchasing a lot in a new subdivision.

Jason Ferrigan, Director of Planning Services, stated that they are currently consulting with Building Services about the report, however, they did not discuss the timing of the report. He expects the report will be ready at some point in the second quarter of 2018. With respect to sidewalks and final grading plan, they appreciate the feedback. They are currently reviewing the subdivision process guide and lot grading review, and will bring the final report back to a future Planning Committee meeting.

Notices of Motion

No Notices of Motion were presented.

Adjournment

Sizer/Lapierre: THAT this meeting does now adjourn. Time: 6:20 p.m.

CARRIED

Adam Kosnick, Deputy City Clerk