

Location:	Tom Davies Square
Commencement:	5:33 PM
Adjournment:	6:40 PM

Minutes

Planning Committee Minutes of 9/11/17

Councillor Lapierre, In the Chair

Present Councillors Lapierre, Jakubo, Sizer, Landry-Altman

City Officials Jason Ferrgian, Director of Planning Services; Eric Taylor, Manager of Development Approvals; Robert Webb, Supervisor of Development Engineering; Alex Singbush, Senior Planner; Adam Kosnick, Manager, 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 **The Planning Committee meeting was adjourned and the Public Hearing was opened to deal with the following application:**

Report dated August 22, 2017 from the General Manager of Growth and Infrastructure regarding Motor Sports Holdings Inc. – Application for rezoning in order to permit a recreational vehicle sales and servicing establishment, 85 National Street, Garson.

Rico Rinaldi, the applicant and Mike Ladyk, 3rd Line Studio, agent for the applicant were 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 matter.

The following resolution was presented:

PL2017-134 Landry-Altman/Sizer: THAT the City of Greater Sudbury approves the application by Motor Sports Holdings Inc. to amend Zoning By-law 2010-100Z to change the zoning classification from "M3", Heavy Industrial to "M3(S)", Heavy Industrial Special on those lands described as PIN 73496-0652, Part of Lot 25, Plan M-1049, Lot 10, Concession 1, Township of Garson, subject to the following condition:

1. That the amending zoning by-law contain site-specific provisions that a recreational vehicle sales and servicing establishment, including the sale, servicing and inspection of recreational vehicles, motorcycles and related equipment, be permitted on the lands in addition to those land uses permitted in the "M3" Zone.

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

Report dated August 22, 2017 from the General Manager of Growth and Infrastructure regarding 1085904 Ontario Inc. – Application for rezoning to permit a three unit multiple dwelling, 1605 Weller Street, Sudbury.

Rocco and Patt Faiella, the applicants and Dave Dorland, agent for the applicants, were present.

Alex Singbush, Senior Planner, outlined the report.

Alex Singbush, Senior Planner, stated that there is a bus route on Bancroft Drive, however, he did not know if the bus travels on Weller Street. He advised that the boulevard in front of the house is City property and parking would not be allowed in that area.

Mr. Rocco Faiella stated that they acquired the property in 2011, and it was uninhabitable due to water damage. They demolished the original structure and re-built with the intention of building a triplex. He advised that they had a rezoning application for a triplex at the same time as the construction was occurring. They believed that the rezoning application would be approved and were surprised when it was declined. He stated that the neighbour to the east of the property previously had chronic water issues in his basement, which were resolved after completing work on this property. On the west side of the property, they have completed extensive landscaping including removing many dead trees from the neighbour's property and installing a fence. He stated that the Provincial Government has an initiative for enhanced intensification for properties within city limits, which this property would accomplish. He advised that they have not received any complaints or negative feedback towards the project. When they submitted the rezoning application in 2011, they met with Ward Councillor Reynolds, who supported the project.

Mr. Patt Faiella stated that they have provided complete transparency with this application. He noted that they could have just had an illegal apartment, as there are many throughout the city, but they wanted it to be legal. He advised that they remove snow during the winter months, and they have gone to a great extent to make sure there are no issues. He advised

there are more challenges in building in older areas with smaller lots.

Mr. Dorland stated that the direction of City council is to increase intensification with urban land use. He stated that this application would be approved under the second unit by-law if it was a semi-detached house without a rezoning. This property has an area of approximately 580 square metres which is more than the 550 square metres required for a semi-detached property. From a density perspective, if this lot were to be developed as two (2) semi-detached properties it could have four (4) units which would only require four (4) parking spaces. He stated that many residences in the area do not have proper parking spaces and some have no parking at all. He advised that the original application asked for five (5) parking spaces, however, they now only require four (4) spaces which leaves more room for landscaping. Many of the requirements have been met including the application for a building permit and they have obtained approval for the Source Water Protection Plan.

Eric Taylor, Manager of Development Approvals, stated that parking is not permitted under the zoning by-law in the front yard which has a requirement of a minimum of six (6) metres from the front street. The landscaping component cannot be provided for this property and it is not two (2) separate lots. The by-law still requires that all provisions of the by-law be met which includes fifty percent landscaped area and this cannot be achieved if they install four (4) parking spaces. The issue staff have is the lack of landscaping in the front yard. He stated that the landscaping provisions of the zoning by-law have not changed since 2011 when the applicant originally applied for a building permit. The original permit was for two (2) units with two (2) parking spaces, and there was no building permit issued for a third unit.

Mr. Patt Faiella stated that the original structure was approximately 800 square feet and there was parking in the front. He advised it was always their intention to build three (3) units and there have always been three (3) doors into the new building, which have been viewed during each building inspection. Each unit has its own entrance and is self-contained and the third door provides access to the basement unit.

Jason Ferrigan, Director of Planning Services, stated that the intensification policy does not mean automatic approval and applications must be compatible with the neighbourhood. They look at intensification and appropriateness and in this case it is not appropriate. The Province provided direction to communities to intensify areas, however, they must meet other conditions.

Mr. Dorland stated that his clients are willing to address any issues. The structure has been built and it would be beneficial since there is a shortage of accommodation in the City, including student accommodation. He advised the parking noted in the application is adequate and is not out of character with the neighbourhood, and the neighbours did not have complaints. He asked that the committee consider an alternative recommendation.

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 matter.

The following resolution was presented:

PL2017-135 Landry-Altman/Sizer: THAT the City of Greater Sudbury denies the application by 1085904 Ontario Ltd. to amend the Zoning By-law 2010-100Z to change the zoning classification from "R2 2", Low Density Residential Two to "R2-2(S)", Low Density Residential

Two Special in order to permit three dwelling units on those lands described as PIN 73579 0177, Parcel 11761 SES, Lot 1, Concession 3, Township of McKim.

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

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

The Committee denied the application for rezoning to permit a three unit multiple dwelling, 1605 Weller Street, Sudbury for the following reasons:

- As outlined in the staff report.

Adopting, Approving or Receiving Items in the Consent Agenda

The following resolution was presented:

PL2017-136 Sizer/Landry-Altmann: THAT the City of Greater Sudbury approves Consent Agenda Item C-1 to C-5.

CARRIED

The following are the Consent Agenda items:

Routine Management Reports

C-1 Skead Heritage Homes Inc. - Extension to Draft Plan of Subdivision Approval, Bell Street, Skead

Report dated August 18, 2017 from the General Manager of Growth and Infrastructure regarding Skead Heritage Homes Inc. - Extension to Draft Plan of Subdivision Approval, Bell Street, Skead.

PL2017-137 Landry-Altmann/Sizer: THAT the City of Greater Sudbury's delegated official be directed to amend the conditions of draft approval for plan of subdivision on those lands known as including Part of Parcel 50058 SES, Parts 1, 2, 3 & 12, Plan 53R-14175, Part of Parcel 50057 SES, Part 1, Plan 53R-19536, Lot 6, Concessions 3 & 4, Township of MacLennan, File 780-3/03005 as follows:

a)By deleting Condition # 10.

b) By deleting Condition #11 and replacing it with the following:

"10. That this draft approval shall lapse on August 27, 2018."

c) By deleting in Conditions #5, 14, and 16 reference to "General Manager of Infrastructure Services" and replacing it with "General Manager of Growth & Infrastructure".

CARRIED

Vytis Lands (Kagawong) Ltd.- Application to extend a draft approved plan of subdivision approval. (Kingsway Boulevard, Sudbury)

Report dated August 22, 2017 from the General Manager of Growth and Infrastructure regarding Vytis Lands (Kagawong) Ltd.- Application to extend a draft approved plan of subdivision approval, (Kingsway Boulevard, Sudbury).

PL2017-138 Sizer/Landry-Altman: 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 PINs 73572-0248 & 73561-0008, Lots 10 & 11, Concession 4, Township of Neelon, File # 780-6/11001, upon payment of Council's processing fee in the amount of \$2,275.00 as follows:

1. That the words "Director of Planning" be deleted and replaced with the words "Director of Planning Services" and the words "General Manager of Infrastructure Services" be deleted and replaced with the words "General Manager of Growth and Infrastructure" in Condition #10.
2. That Condition #11 be deleted and replaced with the following:
"11. That this draft approval shall lapse on September 12, 2020."
3. That Condition #12 be deleted and replaced with the following:
"12. The final plan shall be integrated with the City of Greater Sudbury Control Network to the satisfaction of the Coordinator of the Surveying and Mapping Services. The survey shall be referenced to NAD83(CSRS) with grid coordinates expressed in UTM Zone 17 projection and connected to two (2) nearby City of Greater Sudbury Control Network monuments. The survey plan must be submitted in an AutoCAD compatible digital format. The submission shall be the final plan in content, form and format and properly geo-referenced."
4. That the words "General Manager of Growth and Development" be deleted and replaced with the words "General Manager of Growth and Infrastructure" in Condition #35.
5. That the words "General Manager of Infrastructure Services" be deleted and replaced with the words "General Manager of Growth and Infrastructure" in Conditions #38 and #45.
6. That the words "General Manager of Infrastructure Services" be deleted and replaced with the words "General Manager of Growth and Infrastructure" and the words "and the General Manager of Growth and Development" be deleted entirely in Condition #46.
7. That a new Condition #47 be added as follows:
"47. 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 phase sought to be registered."
- "48. 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.”

9. That a new Condition #49 be added as follows:

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

CARRIED

C-3 Greener North Inc. - Request for extension of conditional approval of rezoning application File 751 6/14 36, 2500 Elm Street and 0 McKim Mine Road, Sudbury

Report dated August 18, 2017 from the General Manager of Growth and Infrastructure regarding Greener North Inc. - Request for extension of conditional approval of rezoning application File 751 6/14 36, 2500 Elm Street and 0 McKim Mine Road, Sudbury.

PL2017-139 Jakubo/Sizer: THAT the City of Greater Sudbury approves the application by Greener North Inc. to extend the conditional approval of rezoning application File # 751-6/14-36 on lands described as Parts 1 to 4, Plan 53R-16088, Lot 11, Concession 6, Township of McKim and Parts 1 and 2, Plan 53R-20346, and Parts 7 to 11, Plan 53R-11133, Lot 11, Concession 6, Township of McKim for a period of two (2) years to July 7, 2019.

CARRIED

C-4 1257620 Ontario Ltd. - Request for extension of conditional approval of rezoning application File 751-8/06-1, Sixth Avenue, Lively

Report dated August 18, 2017 from the General Manager of Growth and Infrastructure regarding 1257620 Ontario Ltd. - Request for extension of conditional approval of rezoning application File 751-8/06-1, Sixth Avenue, Lively.

PL2017-140 Sizer/Jakubo: THAT the City of Greater Sudbury approves the application by 1257620 Ontario Ltd. to extend the conditional approval of rezoning application File # 751 8/06-1 on lands described as Parcel 22159 SWS, Lot 7 Concession 6, Township of Waters for a period of two (2) years to June 28, 2019.

CARRIED

C-5 2245639 Ontario Ltd. – Proposed change to an amending zoning by-law, 975 Lorne Street, Sudbury

Report dated August 22, 2017 from the General Manager of Growth and Infrastructure regarding 2245639 Ontario Ltd. – Proposed change to an amending zoning by-law, 975 Lorne Street, Sudbury.

PL2017-141 Jakubo/Sizer: WHEREAS the Planning Committee passed recommendation PL2016-133 on August 8, 2016, approving a rezoning application by 2245639 Ontario Ltd. on lands described as PIN 73588-0563, Parcel 4102, Lots 151 & 152, Plan M-76, Lot 8, Concession 2, Township of McKim, subject to certain conditions including that ten parking spaces be provided on the lands including two parking spaces that are to be provided within the existing building;

AND WHEREAS Council adopted resolution CC2016-266 on August 9, 2016;

AND WHEREAS the conditions of approval have not yet been satisfied by the owner;

AND WHEREAS the owner has subsequently advised the Planning Services Division that they now seek to provide for nine parking spaces with one parking space being located in the existing building whereas ten parking spaces with two spaces being provided in the existing building was previously approved;

THEREFORE, BE IT RESOLVED that Planning Committee recommendation PL2016-133 on August 8, 2016, specifically Item 3(ii), be replaced with the following:

“ii. That a minimum of nine parking spaces be provided on the lands including one parking space that is to be provided within the existing building.”

AND THAT in accordance with Section 34(17) of the Planning Act no further public notice is required to be provided of the changes to be made in the amending zoning by-law as provided for in this resolution.

CARRIED

Correspondence for Information Only

C-6 Improved Language and Accessibility of Public Notices on Development Applications made under the Planning Act

Report dated August 1, 2017 from the General Manager of Growth and Infrastructure regarding Improved Language and Accessibility of Public Notices on Development Applications made under the Planning Act.

For Information Only.

C-7 Ontario Municipal Board Decision – Case PL150750 – Applications for Plan of Subdivision and Rezoning – Keast Drive, Sudbury

Report dated August 18, 2017 from the General Manager of Growth and Infrastructure regarding Ontario Municipal Board Decision – Case PL150750 – Applications for Plan of Subdivision and Rezoning – Keast Drive, Sudbury.

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

THAT this meeting does now adjourn. Time: 6:40 p.m.

CARRIED

Adam Kosnick, Deputy City Clerk