

Location:	Tom Davies Square
Commencement:	4:48 PM
Adjournment:	8:15 PM

Minutes

Planning Committee Minutes of 9/25/17

Councillor Lapierre, In the Chair

Present Councillors Lapierre, Jakubo, Sizer, McIntosh

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

Declarations of Pecuniary Interests and the general nature thereof

None declared

Closed Session The following resolution was presented:

PL2017-142 Jakubo/Sizer: THAT the Planning Committee moves into Closed Session to deal with one (1) Proposed or Pending Acquisition or Disposition of Land Matter:

- Interest in Land, Elm Street, Coniston

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

At 4:49 p.m. the Planning Committee moved into Closed Session.

Recess At 5:01 p.m. the Planning Committee recessed.

Reconvene At 5:30 p.m., Council commenced the Open Session in the Council Chamber.

Councillor McIntosh, In the Chair

Present Councillors Lapierre, Jakubo, Sizer, McIntosh, Landry-Altmann [A 5:35 p.m.]
 Councillor Vagnini [D 5:44 p.m.]

City Officials Jason Ferrigan, 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; Renée Stewart, Clerk's Services Assistant

Declarations of Pecuniary Interests and the general nature thereof

None declared

Rules of Procedure

Councillor McIntosh moved that the order of the agenda be altered to deal with Public Hearing 3 at this time.
CARRIED BY TWO-THIRD MAJORITY

Public Hearings

- 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

Motion for Deferral

Councillor McIntosh moved to defer this item to a Planning Committee meeting at a later date in order for the new information submitted to be reviewed and considered.

CARRIED

- 1 Marc & Louise Menard - Application for rezoning in order to permit semi-detached dwellings on lands currently zoned for single residential use. Emily Street. Hanmer

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

Report dated August 29, 2017 from the General Manager of Growth and Infrastructure regarding Marc & Louise Menard - Application for rezoning in order to permit semi-detached dwellings on lands currently zoned for single residential use, Emily Street, Hanmer.

Marc & Louise Menard, the applicants and Dave Dorland, agent for the applicants, were present.

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

Ward Councillor Lapierre asked if there was the possibility of cost-sharing with the applicants for repaving the entire road.

Robert Webb, Supervisor of Development Engineering, stated that repaving the road would not fall under the cost-sharing policy that Council approved. However, he stated they would speak to the Roads and Transportation Department in order to educate themselves on what work is being done and look at possible cost savings.

Ward Councillor Lapierre asked if direction was required in order to do so.

Jason Ferrigan, Director of Planning Services, stated that Councillor Lapierre could leave the inquiry with Planning staff and they would follow-up with the Roads and Transportation Department. Council already approved the Capital Budget for 2017 last year and he wouldn't want to commit the Roads and Transportation Department to a project that they might not have had in their budget.

Ward Councillor Lapierre stated that he agrees with Mr. Ferrigan but he does not believe the construction would begin until 2019, therefore they could work together to include it as part of that budget.

Mr. Dorland stated that Mr. and Mrs. Menard have reviewed the staff report and have identified no issues. Councillor Lapierre has spoken to Mr. Menard about the possibility of cost-sharing during this project.

Robert Webb, Supervisor of Development Engineering, stated that the cost of the resurfacing will be at the cost of the applicant.

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:

PL2017-143 Jakubo/Sizer: THAT the City of Greater Sudbury approves the application by Marc and Louise Menard to amend Zoning By-law 2010-100Z by changing the zoning classification from "R1-5", Low Density Residential One to "R2-2(S)", Low Density Residential Two Special on the Lands described as PIN 73503-1678, Parts 1, 4, 5, 6 7 & 8, Plan 53R 20643 in Lot 3, Concession 3, Township of Hanmer subject to the following condition:

i) The amending by-law shall indicate that the driveway for each pair of semi-detached dwelling units shall be centred at the common lot line.

YEAS: Councillor Lapierre, Jakubo, Sizer, Landry-Altmann and McIntosh.

CARRIED

2 Dalron Construction Ltd. – Application for rezoning to permit the development of 40 row dwellings, 870 Auger Avenue, Sudbury

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

Report dated August 30, 2017 from the General Manager of Growth and Infrastructure regarding Dalron Construction Ltd. – Application for rezoning to permit the development of 40 row dwellings, 870 Auger Avenue, Sudbury.

Jaz Perry and Kristi Arnold of Dalron Contruction Ltd., agents for the applicant, were present.

Alex Singbush, Senior Planner, outlined the report.

Alex Singbush, Senior Planner, stated that staff was under the impression that this was going to be a single storey row dwelling development. The applicants have advised that they have a product line that has a loft, which according to Building Services, constitutes a second storey. Staff does not have any particular concerns with allowing this development to be the maximum height which would allow two (2) storeys. If the Committee were to limit the height of the development, the applicants would have the right to apply for a Minor Variance in order to adjust conditions of approval. He further stated that specifics of the development of the loft style bungalows would be better answered by the applicants. There are two (2) access points, however the one off Courtland leads directly to City parkland. The application for this development would have no impact on the walking path access. The development would impact the second walkway and it is anticipated that through the Site Plan process, the applicant will be required to dedicate a portion of their property to ensure a connection from the walkway to the park. The conditions of setback for units 25 and 17 would be subject to side yard set back conditions, where the minimum is 1.8 metres. He further stated that the garbage enclosure is 2.15 metres from the property next to it. The minimum setback at the front of the property is six (6) metres and the minimum lot frontage for row dwellings is 18 metres. It is indicated in the staff report that this site has a frontage of 76.46 metres.

Mr. Perry and Ms. Arnold provided an electronic presentation regarding the application for rezoning of the former St. Bernadette Catholic School property into 40 row dwellings at 870 Auger Avenue, Sudbury. He also addressed community concerns such as the housing type, drainage and traffic. Further he elaborated on the potential benefits of the development.

Mr. Perry stated they do not have any pictures of the rear side of the units. He further stated the land on Auger is pretty flat. The units have windows on the rear side that peer into the adjacent property. He further stated that these developments would be a condo development, and would have a private road. It would not be a municipal street that accesses these units internally. The number relating to development charges was pulled from the staff report and development charges are directly worked into the price.

Ms. Arnold stated that they have a good mix of bungalow and loft style units but the loft styles are more desirable because they provide owners with additional living space. She anticipates that it will be about a 50/50 mix of bungalows and "bungaloft" styles on the property. The ability to offer the option to purchasers is beneficial.

Recess

At 6:31 p.m. the Planning Committee recessed.

Reconvene

At 6:38 p.m. the Planning Committee reconvened.

Roger Konopelky, concerned area resident, stated that he wrote a letter to the Committee and he would like to highlight his concerns. His main concern is traffic on Auger Ave. There are many parents and elderly people that walk in the area, and it would put them in danger. He does not understand how this development will not increase the amount of traffic in the area. The school buses are not allowed to exit onto Falconbridge Hwy, therefore the traffic builds on Auger and Hawthorne. The individuals on Hawthorne will be affected by the two (2) storey loft dwellings as their properties back onto the row dwellings lots. He hopes that they did not use traffic estimations from August when school was not in session, as it would not accurately

reflect the amount of traffic in the area. He believes that greenbelt space should be on this property. He believes that the increase in traffic will be a danger to children, and does not believe that the money involved should be more important.

Gerry Houle, concerned area resident, stated that there is a large amount of traffic, and asks if there is going to be speed reducing measures in place on the property. He stated that he has difficulties getting out of his driveway due to the traffic and visibility in the winter time, and the sidewalk is also not plowed. Traffic, safety and visibility are his main concerns.

Rainer Paull, concerned area resident, stated that the development of "bungaloffs" concerns him as the height of the unit could potentially impede on the way of life of property owners that back onto these units. He believes putting the "bungaloffs" facing the park would be a good way to alleviate this potential issue.

Richard Bazinet, concerned area resident, stated that he has been living on Auger since 1978, and that it is almost impossible during the day to get out of his driveway. He does not believe the traffic estimate in the area was correct. He does not believe that the addition of the development with one entrance and exit on Auger Avenue makes sense. He stated that if the development was geared towards seniors then the "bungalow" style would not be suitable. The addition of the "bungalow" invites families into the development, which produces more traffic. He believes that they should review the development proposal again.

Ed Zobetz, concerned area resident, stated that he is also very concerned about the traffic, especially during the winter. He stated that the height of the snow banks significantly reduces visibility and this development will only further the problem.

JoAnne Blackwell, concerned area resident, stated that she is concerned with the garbage disposal and the lot part of the bungalow. She stated that the land is not flat from her backyard to the proposed development, which is opposite to what was stated earlier. The way the proposed development is set up, emergency vehicles would have a very hard time getting around. She suggests that a turnaround be considered.

Nicola Young, concerned area resident, stated that she is relieved to hear that Auger Avenue is number one on the traffic calming list. She would like to know what the intention is for fencing on the proposed properties. She would like to know what the upcoming traffic measures are part of the traffic calming proposals for the area. She agrees that traffic is a significant problem, as she has been hit twice coming out of her driveway.

Melanie Stacknik, concerned area resident, stated the snow removal on Hawthorne is a large concern. It takes a long time for the street to be plowed after a large snowfall. There are children walking to school and buses traveling in this area which leaves too many opportunities for accidents to happen. While standing at Auger and Hawthorne she noticed many people do not stop at the intersection, which would increase should the development occur.

Luc Laverdiere, concerned area resident, stated that at the meeting on Westmount there were about 40 people that had concerns with the proposal. He also stated that traffic and the height of the development are his concerns. He worries that they will try to purchase the green space adjacent to the property and he also believes that the property should be repurchased for a park or green space.

Jason Ferrigan, Director of Planning Services, stated that the City has a well established formal process when it comes to purchasing parkland. This process entails several steps, all

of which are public. Further, these decision are guided by different documents such as the Official Plan and the Green Space Advisory Panel Report. He further stated that the maximum height permitted for all residential development in the R-1, R-2 and R-3 zone is 11 metres. Should the Committee accept the proposal and adjust the height of the development to include two (2) storey units, the developer would still be limited to the 11 metres uniform height allowance for this area.

Mr. Perry stated they are aware they are required to construct a fence on the property. Typically they build a wood fence for these developments and try to keep as much natural vegetation as possible. Further, they do try to add trees in the backyards.

Ms. Arnold stated they typically try to leave as much greenery as possible while trying to maintain the lot grading requirements and proper drainage.

Eric Taylor, Manager of Development Approvals, stated that this is an R-3 zone development therefore the zoning By-law requires that they provide a buffer. Typically this buffer is in the form of an opaque fence with a minimum height of 1.5 metres and a maximum of two (2) metres.

Alex Singbush, Senior Planner, stated that the location of grabage and recycling structures of a multi-unit development is something that needs to be carefully considered through the Site Plan stage. The set back provisions in the zoning By-law allows the enclosures to have a set back of as little as 1.2 metres. The enclosures are required to be screened and enclosed.

Mr. Perry stated that it is possible that they can explore another location for the garbage disposal unit. He further stated that if it were in this location is would be enclosed. They could move it to a new location but they would have to look into what is feasible.

Jason Ferrigan, Director of Planning Services, stated that City Council, through the Operations Committee, did receive a report for information only that helped determine which roads within the City would qualify for traffic calming measures. Through this process, Auger Avenue did rank the highest in the report tied with a portion of Riverside Drive. Direction was given to staff to begin public consultation on the required improvements for those road segments. Roads and Transportation staff are beginning to initiate that process.

Mr. Perry stated that they have yet to determine the exact location and process for snow storage on the property. This issue would be something that would be looked at during the Site Plan stage of development.

Ms. Arnold stated that in other Dalron Developments the snow does get removed on occasion off site; however, she is unsure where it would be stored and she will inquire into this.

Mr. Zobetz stated that 69 people, plus three today, signed his petition and Mr. Bazinet has a petition with close to 30 signatures. Every person he approached was against the high traffic in the area and a petition was submitted to Eric Taylor.

Ms. Arnold stated that she believed the petition was opposing geared to income housing within the development. She stated that many of the individuals who signed called to clarify the situation, which she believes to be resolved.

Mr. Perry stated that the height of the bungalows is approximately 17 feet to the top of the roof line, and the addition of the loft would add roughly 8 to 12 feet. In metres, the units with the loft would be 8.23 metres in height, which is under the allowed 11 metres. He further stated that they typically use Molock garbage bins that are dropped into the ground ,which are nicer and

more enclosed than the typical green garbage bin. A number of the units are well beyond the minimum required setback distance, as they are proposing a setback of 11 metres from the lot line.

Jason Ferrigan, Director of Planning Services, stated that City Council has delegated the ability to approve Site Plans to staff. He fulfills this task on behalf of the corporation with Mr. Mazza the Chief Building Official. The tabled plan before the Committee for this application is to help the Committee understand the development process that is being proposed and if it conforms to the standards of the R-3 zone. Should the Planning Committee approve the proposed recommendation, the conceptual plan would conform to all the required setbacks.

Ward Councillor Sizer stated that he concurs with Councillor Landry-Altmann that this application should be referred back to the developer to address the concerns mentioned. He has spoken to many people about their concerns regarding traffic. Something will be brought forward soon in regards to the traffic calming measures on Auger. He further stated he would like to see a traffic impact study done in order to have more statistics. He normally would support this type of development but he would like more clarity to put the residents' minds at ease. Therefore, he supports a continuation of the public hearing in order for the applicant to come back with more information.

Jason Ferrigan, Director of Planning Services, stated that should the Planning Committee decide to continue the public hearing at a subsequent public hearing, the developer would take the time to reflect on the concerns voiced and come back with a revised conceptual plan. The revised conceptual plan would be reviewed and analyzed as per normal practice. A new staff report would be given to the Committee. The timing of this is unknown at this time, but the area residents would receive notice of the public hearing as per normal practice. He further stated that should the Planning Committee have approved the resolution in the staff report, it would have limited the height of the development to one (1) storey.

Eric Taylor, Manager of Development Approvals, stated that when they were dealing with the application, staff was under the impression that these would be one (1) storey dwellings. However, subsequent to the report being made, they heard from the applicant that they were also proposing to have "bungalofs", which constitute a second storey. Staff brought it to the attention of the Committee as they became aware of it. An amendment to the resolution within the staff report would have been required to include the development of the "bungalofs". Should the original resolution have been passed, the applicant would have to make an application to the Committee of Adjustment for a minor variance in order to allow the development of two (2) storey dwelling units. The Planning Act has different notice provisions depending on the type of application. The statutory notices are placed in the newspaper for the Planning Committee and Committee of Adjustments. As a courtesy they also provide mailed notices to property owners, typically for rezoning, of 120 metres in an urban area. On a Committee of Adjustments, application the Act provides that notice should be sent out, to the property owners within 60 metres. The expansion of the notices for this hearing would not be the same as those for an application to the Committee of Adjustments. He further stated that the address is listed at the end in the statutory notices; however, for vacant lots, no address is included.

Jason Ferrigan, Director of Planning Services, stated that at the last Planning Committee meeting, Glen Ferguson, Senior Planner, prepared a report on a number of improvements that are being considered in regards to the public notices. There is work to be done in regards to the accessibility of the notices and they intend to address it.

Ward Councillor Sizer stated that he asked Dalron Construction to expand the area of notification and they did do a larger area to notify individuals of the public input sessions. Mr. Konopelky submitted a letter which they made copies of so that the letter could be circulated to residents in the area. He believes that they require more firmness in the concept that the developer is suggesting to put the residents at ease that they will be getting what is being proposed.

Motion for Deferral

Councillor Landry-Altmann moved to defer the public hearing to a Planning Committee meeting at a later date in order to continue the public hearing with a revised conceptual design from the developer.

YEAS: Councillors Jakubo, Sizer, Landry-Altmann and McIntosh.

NAYS: Councillor Lapierre

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 the following resolutions emanated therefrom:

The following resolution was presented:

PL2017-144 Jakubo/Sizer: THAT the City of Greater Sudbury authorize the Director of Assets and Fleet Services to consent to the Coniston Non-Profit Seniors Housing Corporation's request to remove the Restrictive Covenant from title to the land west of Elm Street, Coniston, legally described as PIN 73560-1248, being Parts 4 to 8 inclusive Plan 53R-20805, Township of Neelon, City of Greater Sudbury.

CARRIED

Adopting, Approving or Receiving Items in the Consent Agenda

Rules of Procedure

Councillor McIntosh requested that items C-1 and C-2 be pulled and dealt with separately.

Items C-1 and C-2 were dealt with separately.

Routine Management Reports

C-1 Algonquin Road, Sudbury - Declaration of Surplus Land and Transfer

Report dated September 6, 2017 from the General Manager of Corporate Services regarding Algonquin Road, Sudbury - Declaration of Surplus Land and Transfer.

The following resolution was presented:

PL2017-145 Jakubo/Sizer: THAT the City of Greater Sudbury declares surplus to the City's needs, vacant land on Algonquin Road, Sudbury, legally described as Part of PIN 73478-0165(LT), being Parts 1, 2 and 3 on Plan 53R-14976, City of Greater Sudbury;

AND THAT the City of Greater Sudbury dispense with the procedures outlined in the Parkland Disposal Policy By-law 2010-158 in order to facilitate the transfer of land to Dalron Construction Limited;

AND THAT the appropriate by-law be prepared to authorize the transfer, as outlined in the report entitled "Algonquin Road, Sudbury - Declaration of Surplus Land and Transfer" from the General Manager of Corporate Services dated September 6, 2017.

Recess

At 7:45 p.m. the Planning Committee recessed.

Reconvene

At 7:55 p.m. the Planning Committee reconvened.

Rules of Procedure

Councillor Landry-Altmann presented the following amendment:

PL2017-145A Landry-Altmann/Sizer: THAT resolution PL2017-145 be amended to include the following at the end of the resolution:

AND THAT prior to the passing of the By-law, staff confirm that the existing trail not be located on the subject lands or that arrangements be made to relocate portions of the trail to the East, if required.

CARRIED

The resolution as amended was presented:

PL2017-145 Jakubo/Sizer: THAT the City of Greater Sudbury declares surplus to the City's needs, vacant land on Algonquin Road, Sudbury, legally described as Part of PIN 73478-0165(LT), being Parts 1, 2 and 3 on Plan 53R-14976, City of Greater Sudbury;

AND THAT the City of Greater Sudbury dispense with the procedures outlined in the Parkland Disposal Policy By-law 2010-158 in order to facilitate the transfer of land to Dalron Construction Limited;

AND THAT the appropriate by-law be prepared to authorize the transfer, as outlined in the report entitled "Algonquin Road, Sudbury - Declaration of Surplus Land and Transfer" from the General Manager of Corporate Services dated September 6, 2017.

AND THAT prior to the passing of the By-law, staff confirm that the existing trail not be located on the subject lands or that arrangements be made to relocate portions of the trail to the East, if required.

CARRIED

C-2 Part of Mallard's Landing Drive, Sudbury - Road Closure, Declaration of Surplus Land and Reconveyance

Report dated September 6, 2017 from the General Manager of Corporate Services regarding Part of Mallard's Landing Drive, Sudbury - Road Closure, Declaration of Surplus Land and Reconveyance.

The following resolution was presented:

PL2017-146 Jakubo/Sizer: THAT the City of Greater Sudbury close by by-law and declare

surplus to the City's needs part of Mallard's Landing Drive, Sudbury, legally described as part of PIN 73478-0956(LT), part of Block 24, Plan 53M-1301, being Part 5 on Plan 53R-20097, City of Greater Sudbury, and reconvey the lands to the abutting owner, Dalron Construction Limited, all in accordance with the report from the Director of Assets and Fleet Services, dated September 5, 2017.

CARRIED

Correspondence for Information Only

C-3 Update on the LaSalle Boulevard Corridor Plan and Strategy

Report dated September 6, 2017 from the General Manager of Growth and Infrastructure regarding Update on the LaSalle Boulevard Corridor Plan and Strategy.

For Information Only.

Managers' Reports

R-1 Adding the Fielding Memorial Chapel of St Mark on the Municipal Heritage Register

Report dated September 5, 2017 from the General Manager of Growth and Infrastructure regarding Adding the Fielding Memorial Chapel of St Mark on the Municipal Heritage Register.

The following resolution was presented:

PL2017-147 Sizer/Jakubo: THAT the City of Greater Sudbury approves the addition of the Fielding Memorial Chapel of St Mark (935 Ramsey Lake Road, Sudbury) to the City of Greater Sudbury's Heritage Register.

CARRIED

R-2 Alteration of a Designated Building - 14 Beech Street, Sudbury

Report dated September 5, 2017 from the General Manager of Growth and Infrastructure regarding Alteration of a Designated Building - 14 Beech Street, Sudbury.

The following resolution was presented:

PL2017-148 Jakubo/Sizer: THAT the City of Greater Sudbury consents to the application to alter 14 Beech Street, per building permit application number B17-1269, and as described in the September 5, 2017 report from the General Manager of Growth and Infrastructure.

CARRIED

R-3 Adding the Capreol Fire Hall on the Municipal Heritage Register

Report dated September 5, 2017 from the General Manager of Growth and Infrastructure regarding Adding the Capreol Fire Hall on the Municipal Heritage Register.

The following resolution was presented:

PL2017-149 Jakubo/Sizer: THAT the City of Greater Sudbury approves the addition of the Capreol Fire Hall (59 Young Street, Capreol) to the City of Greater Sudbury Heritage Register.

CARRIED

Addendum

No Addendum was presented.

Civic Petitions

No Civic Petitions were submitted.

Question Period and Announcements

Notification Area

Councillor Landry-Altmann asked what needs to be done in order to change the notification area.

Jason Ferrigan, Director of Planning Services, stated that Mr. Ferguson is doing work on improvements to the Planning Act notices. They follow the regulations passed by the Ontario Planning Act in regards to issuing notices within a defined radius of properties. Councillors who are circulated on the applications do have an opportunity to adjust the radius depending on the application. They can prepare a staff report about the possibility of expanding the boundaries or it can be part of the upcoming Planning Act report.

Eric Taylor, Manager of Development Approvals, stated that when they do the cursory mail out of notices, it is in all directions around the subject lands from the edge of the property. If the radius hits the corner of a property, that property will be included.

Notices of Motion

No Notices of Motion were presented.

Adjournment

Jakubo/Sizer: THAT this meeting does now adjourn. Time: 8:15 p.m.

CARRIED

Adam Kosnick, Deputy City Clerk