

Location:	Tom Davies Square
Commencement:	2:02 PM
Adjournment:	3:19 PM

Minutes

Planning Committee Minutes of 8/21/17

Councillor Lapierre, In the Chair

Present	Councillors Lapierre, Jakubo, Sizer
City Officials	Jason Ferrigan, Director of Planning Services; Rob Webb, Supervisor of Development Approvals; Kris Longston, Manager of Community and Strategic Planning; Glen Ferguson, Acting Manager of Development Approvals; Alex Singbush, Senior Planner; Mauro Manzon, Senior Planner; Melissa Riou, Senior Planner; Ed Landry, Senior Planner, Community and Strategic Planning; Adam Kosnick, Manager, Regulated Services/Deputy City Clerk; Lisa Locken, Clerk's Services Assistant

Declarations of Pecuniary Interests and the general nature thereof

None declared

Public Hearings

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

Report dated August 1, 2017 from the General Manager of Growth and Infrastructure regarding Luc Rainville, Hector Rainville & Elizabeth Rainville – Application for rezoning in order to eliminate the split zoning that results from a lot addition with abutting PIN 73500-0265, 2801 Main Street, Blezard Valley.

Derrick Parsons, 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 matter.

The following resolution was presented:

PL2017-120 Jakubo/Sizer: THAT the City of Greater Sudbury approves the application by Luc Rainville, Hector Rainville & Elizabeth Rainville to amend Zoning By law 2010-100Z by changing the zoning classification from "A", Agricultural to "R1-4", Low Density Residential One on lands described as Part of PIN 73500-0190, Part of Parcel 31264 S.E.S., in Lot 11, Concession 5, Township of Blezard.

YEAS:Councillors Sizer, Lapierre, Jakubo
CARRIED

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

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

Report dated August 1, 2017 from the General Manager of Growth and Infrastructure regarding 1679600 Ontario Ltd. - Application for rezoning in order to remove a split-zoning of the subject lands and to allow for an addition to the existing building and parking area on the southerly portion of the lands, 2380 Long Lake Road, Sudbury.

J.P Max and Arnie Gallo, agents for the applicant, were present.

Glen Ferguson, Acting 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:

PL2017-121 Sizer/Jakubo: THAT the City of Greater Sudbury approves the application by 1679600 Ontario Ltd. to amend Zoning By-law 2010-100Z to change the zoning classification from "R1-5", Low Density Residential One to "C3(S)", Limited General Commercial Special on those lands described as PIN 73475-0762, Part 1, Plan 53R-13564, Lot 6, Concession 6, Township of Broder, subject to the following conditions:

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

a) The owner shall have entered into a site plan agreement with the City and said site plan control agreement shall be registered on title to the satisfaction of the Director of Planning Services; and,

b) The owner shall have brought all outstanding Ontario Building Code infractions into compliance for the building at 2380 Long Lake Road to the satisfaction of the Chief Building Official.

2.That the amending zoning by-law include the required variances to the Zoning By-law development standards identified in the final plan in the site plan control agreement.

YEAS:Councillor Lapierre, Jakubo, Sizer
CARRIED

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

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

Report dated August 1, 2017 from the General Manager of Growth and Infrastructure regarding Vale Canada Ltd. – Application for Zoning By-law Amendment in order to facilitate the creation of six waterfront rural lots containing existing seasonal residential uses, Agnew Lake.

Max Sinclair and Elizabeth Basso, agents for the applicant, were present.

Glen Ferguson, Acting 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:

PL2017-122 Jakubo/Sizer: THAT the City of Greater Sudbury approves the application by Vale Canada Ltd. to amend Zoning By-law 2010-100Z to change the zoning classification from “RU”, Rural to “SLS”, Seasonal Limited Service and “SLS(S)”, Seasonal Limited Service Special on a portion of those lands described as PINs 73384-0056 & 73384-0004, Parcel 5054 & Part of Parcel 657, Lots 1 to 3, Concession 2, Township of Hyman, subject to the following conditions:

1. That prior to the enactment of the amending zoning by-law the owner shall provide a registered survey plan identifying the portions of the subject lands to be rezoned to the satisfaction of the Director of Planning Services in order to enable preparation of the amending zoning by-law; and,

2. That the amending zoning by-law contain the following site specific provisions:

a) That the westerly portion of the subject lands referred to as the Cesar Camp in the staff report from the General Manager of Growth and Infrastructure dated July 25, 2017 be permitted a minimum lot area of 6,500 square metres; and,

b) That all existing buildings and accessory buildings and structures as presently located on the lands be permitted.

YEAS:Councillor Lapierre, Sizer, Jakubo
CARRIED

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

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

Report dated August 2, 2017 from the General Manager of Growth and Infrastructure regarding City of Greater Sudbury - Application for a temporary use by-law in order to permit a food bank and the temporary use of two storage containers for a period of three (3) years,

4611 St. Joseph Street, Hanmer.

Tyler Campbell, Director of Social Services for the City of Greater Sudbury, the applicant, was present.

Alex Singbush, Senior Planner, outlined the report.

Alex Singbush, Senior Planner, stated that staff does not recommend permanent shipping containers be allowed on the site. He advised that the Committee could suggest an alternate resolution which would permit the containers with a requirement that they be screened with opaque fencing.

Jason Ferrigan, Director of Planning Services, stated it is the policy of the City that shipping containers be permitted only under a defined set of circumstances, and this usage does not fit within the policy. The storage units were recently brought onto the property to temporarily house medical equipment. This equipment was previously stored in the garage structure used by a non-for-profit group that leases the garage space. The group allowed the food bank use of their kitchen area as it is climate controlled for food safety. He advised given policy framework around temporary shipping containers it is not something that he could recommend. However, the Planning Committee could make the decision to allow the temporary storage containers to exist and could grant temporary use up to three (3) years, after which time they could come back to have the time-frame extended again.

Ward Councillor Jakubo, advised the field house is leased by the Lions Club in the current larger building. The Lions Club have a garage where they store medical equipment, however, they provided this space to the food bank so they have somewhere to have a kitchen to wash food. They cannot remain in the building permanently as there is not enough space for both. He advised that the food bank uses the space twice a month.

Tyler Campbell, Director of Social Services, stated they are looking for a small garage structure to move the medical equipment into which would be more cost efficient than leasing the storage uses. He expects to move the food bank within the next three years and they are hoping to find a community hub space in the area. He also stated that there is a crisis situation with the Hanmer food bank. They expect three (3) years will cover the time needed to relocate. He advised that they worked with Building Services and Councillors in the area, and the current situation was the fastest way to get it up and running. The food bank was closed for a few months in the winter months and the storage units were the fastest solution to get the food bank up and running.

Tyler Campbell, Director of Social Services, stated that it would be more cost effective to go with a small garage rather than continuing to lease the storage containers for three (3) years.

Marty and Natasha Laurin, concerned residents, stated that they live next door to the Hanmer Food Bank and their main concern is the eyesore of the storage units. They cannot enjoy their property without a view of the containers. They would like to see fencing to hide the containers or have them relocated to a different location.

Tyler Campbell, Director of Social Services, stated that the construction of a garage would be the preferred solution.

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:

PL2017-123 Sizer/Jakubo: THAT the City of Greater Sudbury approves the application by the City of Greater Sudbury to amend the Zoning By-law 2010-100Z with respect to lands described as PIN 73503-1158, Parcel 22063 SES, Lot 60, Plan M 453, Lot 1, Concession 3, Township of Hanmer to permit a food bank in accordance with Section 39 of the Planning Act for a temporary period of three (3) years.

AND THAT the request to permit the use of storage containers on the property be denied.

Recess

At 2:50 p.m. the Planning Committee recessed.

Reconvene

At 2:59 p.m. the Planning Committee reconvened.

Councillor Lapierre presented the following amendment:

PL2017-123A Lapierre/Jakubo: THAT Planning Committee resolution PL2017-123 be amended by removing "AND THAT the request to permit the use of storage containers on the property be denied" and replacing it with the following:

"AND THAT the request to permit a maximum of two storage containers on the subject lands be approved for a temporary period of up to three years subject to the following conditions:

1. That the owner erects an opaque fence buffering the two storage containers to the satisfaction of the Director of Planning Services by no later than December 1, 2017."

YEAS:Lapierre, Sizer, Jakubo

CARRIED

The resolution as amended was presented:

PL2017-123 Sizer/Jakubo: THAT the City of Greater Sudbury approves the application by the City of Greater Sudbury to amend the Zoning By-law 2010-100Z with respect to lands described as PIN 73503-1158, Parcel 22063 SES, Lot 60, Plan M 453, Lot 1, Concession 3, Township of Hanmer to permit a food bank in accordance with Section 39 of the Planning Act for a temporary period of three (3) years.

AND THAT the request to permit a maximum of two storage containers on the subject lands be approved for a temporary period of up to three years subject to the following conditions:

1. That the owner erects an opaque fence buffering the two storage containers to the satisfaction of the Director of Planning Services by no later than December 1, 2017.

YEAS:Councillor Lapierre, Sizer, Jakubo

CARRIED

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

a) That the owner erects an opaque fence buffering the two storage containers by no later than December 1, 2017.

Adopting, Approving or Receiving Items in the Consent Agenda

The following resolution was presented:

PL2017- 124 Jakubo/Sizer: THAT the City of Greater Sudbury approves Consent Agenda Items C-1 to C-5.

CARRIED

The following are the Consent Agenda items:

Routine Management Reports

- C-1 L.S. Bock Developments Inc. - Request for extension of conditional approval of rezoning application File 751-6/14-29, 953 Howey Drive, Sudbury.

Report dated August 1, 2017 from the General Manager of Growth and Infrastructure regarding L.S. Bock Developments Inc. - Request for extension of conditional approval of rezoning application File 751-6/14-29, 953 Howey Drive, Sudbury.

PL2017-125 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. 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 for a period of one (1) year to March 31, 2018.

CARRIED

- C-2 1866496 Ontario Inc. – Request to Extend a Zoning By-law Amendment Approval, 363 Victoria Street, Sudbury.

Report dated August 1, 2017 from the General Manager of Growth and Infrastructure regarding 1866496 Ontario Inc. – Request to Extend a Zoning By-law Amendment Approval, 363 Victoria Street, Sudbury.

PL2017-126 Jakubo/Sizer: THAT the City of Greater Sudbury approves the extension of Zoning By-law Amendment Application, File #751-6/15-2, by 1866496 Ontario Inc. on those lands described as PIN 73586-0494, Instrument 89523, Lot 116, Plan 4S, Lot 7, Concession 3, Township of McKim, for a period of one year until June 23, 2018.

CARRIED

- C-3 Vesting of Failed Tax Sale Properties.

Report dated August 2, 2017 from the General Manager of Corporate Services regarding Vesting of Failed Tax Sale Properties.

PL2017-127 Sizer/Jakubo: THAT the City of Greater Sudbury authorizes the vesting of four vacant properties legally described as: (1) PIN 73496-0690(LT); (2) PIN 73494-0943(LT); (3) PIN 73495-1063(LT); and (4) PIN 73469-0150(LT);

AND THAT the outstanding taxes, penalties, interest and tax sale fees be written off as uncollectible as of the date of registration of the Notice of Vesting;

AND THAT a By-law be prepared authorizing the vesting and tax write-off as provided, all in accordance with the report from the General Manager of Corporate Services, dated July 18,

2017.

CARRIED

C-4 Deeming By-law for Lots 136 and 137 Plan M-932, 248 Anderson Drive, Lively

Report dated July 11, 2017 from the General Manager of Growth and Infrastructure regarding Deeming By-law for Lots 136 and 137 Plan M-932, 248 Anderson Drive, Lively.

PL2017-128 Jakubo/Sizer: THAT the City of Greater Sudbury approves designating Lots 136 and 137, Plan M-932 as being deemed not to be part of a registered plan for the purposes of Section 50(3) of the Planning Act;

AND THAT Staff be directed to prepare a by-law for Council to enact deeming Lots 136 and 137 of Plan M-932 not to be part of a plan of subdivision for the purposes of Subsection 50(3) of the Planning Act.

CARRIED

C-5 Deeming By-law for Lots 85, 86 and 87, Plan M-41, 44 Kingsmount Blvd

Report dated August 1, 2017 from the General Manager of Growth and Infrastructure regarding Deeming By-law for Lots 85, 86 and 87, Plan M-41, 44 Kingsmount Blvd.

PL2017-129 Sizer/Jakubo: THAT the City of Greater Sudbury approves designating Lots 85, 86 and 87, Plan M-41 as being deemed not to be part of a registered plan for the purposes of Section 50(3) of the Planning Act; and

That Staff be directed to prepare a by-law for Council to enact deeming Lots 85, 86 and 87 of Plan M-41 not to be part of a plan of subdivision for the purposes of Subsection 50(3) of the Planning Act.

CARRIED

Referred and Deferred Matters

R-1 Boivin Holdings Inc. - Application for official plan amendment and rezoning to permit additional uses, 352 Mountain Street, Sudbury

Report dated August 1, 2017 from the General Manager of Growth and Infrastructure regarding Boivin Holdings Inc. - Application for official plan amendment and rezoning to permit additional uses, 352 Mountain Street, Sudbury.

Resolution regarding Application for Official Plan Amendment:

The following resolution was presented:

PL2017-130 Jakubo/Sizer: THAT the City of Greater Sudbury approves the application by Boivin Holdings Inc. to amend the Official Plan for the City of Greater Sudbury in order to change the designation of a portion of the subject lands from Parks & Open Space and Living Area 1 to General Industrial for the lands described as Part of PIN 02732-1401 & 02123 1403, Parcel 24736 & 1544, Parts 1 – 6, Plan 53R 14920, Part of Part 2, Plan SR-1960, Lot 4, Concession 4, Township of McKim.

CARRIED

Resolution regarding Rezoning Application:

The following resolution was presented:

PL2017-131 Sizer/Jakubo: THAT the City of Greater Sudbury approves the application by Boivin Holdings Inc. to amend By-law 2010 100Z being the City of Greater Sudbury Zoning By-law by changing the zoning classification of lands described as Part of PIN 02732-1401 & 02123-1403, Parcel 24736 & 1544, Parts 1 – 6, Plan 53R-14920, Part of Part 2, Plan SR-1960, Lot 4, Concession 4, Township of McKim from “M1(25)”, Mixed Light Industrial/Service Commercial Special and “OSP”, Open Space Private to a revised “M1(25)”, Mixed Light Industrial/Service Commercial Special subject to the following conditions:

1. That in addition to the uses permitted in the M1(25) zone, the following shall be permitted:
 - i) Light Industrial Uses limited to: designing and/or producing apparel and finished textile products other than the production of synthetic fibres, the fabrication or assembly, storage and distribution of finished metal products, lumber products, light machinery, computer software, electronic products or components, finished plastic-ware or similar articles and warehousing or storing of goods or materials indoors; and
 - ii) Service Trade Uses limited to: a service shop, a custom print or copy shop, business premises for a printer, plumber, electrician, tinsmith, cabinet maker, upholsterer, office cleaning services, and locksmith; and
 - iii) Home Improvement Centre.
2. That the owner 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.
3. That prior to the enactment of the amending by-law a sanitary sewer test maintenance chamber shall be installed on the existing sanitary service to the satisfaction of the General Manager of Growth & Infrastructure.
4. That prior to the enactment of the amending by-law the shipping container shall be removed to the satisfaction of the Director of Planning Services.

CARRIED

Managers' Reports

R-2 Downtown Sudbury Community Improvement Plan: Results of Expression of Interest Period

Report dated August 2, 2017 from the General Manager of Growth and Infrastructure regarding Downtown Sudbury Community Improvement Plan: Results of Expression of Interest Period.

The following resolution was presented:

PL2017-132 Jakubo/Sizer: THAT the City of Greater Sudbury accepts the 33 complete applications received under the Downtown Sudbury Community Improvement Plan, as described in the August 2, 2017, report from the General Manager of Growth and Infrastructure;

AND THAT Staff be directed to request a Stage 2 proposal from the proponents of 7 Pine Street and 20 Ste Anne Road;

AND THAT Staff be directed to prepare business cases to be considered as part of the 2018 Budget for up to \$3,330,007 over 5 years, which includes up to \$2,100,000 for the complete

applications and up to \$1,200,000 for the stage 2 proposals, and which is based on anticipated cash outflow to fund the applications.

CARRIED

R-3 Bill 139: Building Better Communities and Conserving Watersheds Act

Report dated August 2, 2017 from the General Manager of Growth and Infrastructure regarding Bill 139: Building Better Communities and Conserving Watersheds Act.

The following resolution was presented:

PL2017-133 Sizer/Jakubo: THAT the City of Greater Sudbury directs staff (General Manager of Growth and Infrastructure) to submit comments to the Ministry of Municipal Affairs on the proposed Bill 139 on behalf of the City of Greater Sudbury.

CARRIED

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

Jakubo/Sizer: THAT this meeting does now adjourn. Time: 3:19 p.m.

CARRIED

Adam Kosnick, Deputy City Clerk