

Location:	Tom Davies Square
Commencement:	4:45 PM
Adjournment:	6:19 PM

## Minutes

### Planning Committee Minutes of 5/8/17

## 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; Brigitte Sobush, Manager, Clerk's Services/Deputy City Clerk; Adam Kosnick, Manager, Regulated Services/Deputy City Clerk

## Declarations of Pecuniary Interests and the general nature thereof

None declared

### Closed Session

The following motion was presented:

PL2017-69 Sizer/Jakubo: THAT the Planning Committee move into Closed Session to deal with one (1) Proposed or Pending Acquisition or Disposition of Land Matter:

- Sale of Land - St. Michael Street, Sudbury

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

**CARRIED**

At 4:45 p.m. the Planning Committee moved into Closed Session.

### Recess

At 4:48 p.m. the Planning Committee recessed.

### Reconvene

At 5:30 p.m. the Planning Committee commenced the Open Session in the Council Chamber.

## Councillor McIntosh, In the Chair

Present

Councillors Lapierre, Jakubo, Sizer, McIntosh

City Officials

Jason Ferrgian, Director of Planning Services; Eric Taylor, Manager of Development Approvals; Robert Webb, Supervisor of Development Engineering; Kris Longston, Manager, Community and Strategic Planning; Mauro Manzon, Senior Planner; Alex Singbush, Senior Planner; Brigitte Sobush, Manager, Clerk's Services/Deputy City Clerk; Adam Kosnick, Manager, Regulated Services/Deputy City Clerk; Danielle Wicklander, Legislative Compliance Coordinator; Lisa Locken, Clerk's Services Assistant

## **Public Hearings**

- 1 City of Greater Sudbury - Application for rezoning in order to eliminate the split zoning that results from lot additions with abutting residential lots, Part of Unopened St. Michael Street, Sudbury

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

Report dated April 18, 2017 from the General Manager of Growth and Infrastructure regarding City of Greater Sudbury - Application for rezoning in order to eliminate the split zoning that results from lot additions with abutting residential lots, Part of Unopened St. Michael Street, Sudbury.

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

Mauro Manzon, Senior Planner, outlined the report.

Mr. Dorland stated that proponents of this application for a seniors residence are anxious to move forward.

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:

PL2017-70 Jakubo/Sizer: THAT the City of Greater Sudbury approves the application by the City of Greater Sudbury to amend Zoning By-law 2010-100Z by changing the zoning classification from "R4(5)", High Density Residential Special to "R2-2", Low Density Residential Two on lands described as Part of PIN 73583-0076, Parts 1 & 2, Plan 53R-20719 in Lot 3, Concession 4, Township of McKim.

**YEAS:**Councillors Lapierre, Jakubo, Sizer, McIntosh  
**CARRIED**

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

City of Greater Sudbury, Agent 2228593 Ontario Limited – Application for rezoning to permit a service trade, indoor agricultural use, commercial recreation centre and office uses, 5 Westview Crescent, Lively

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

Report dated April 18, 2017 from the General Manager of Growth and Infrastructure regarding City of Greater Sudbury, Agent 2228593 Ontario Limited – Application for rezoning to permit a service trade, indoor agricultural use, commercial recreation centre and office uses, 5 Westview Crescent, Lively.

Benjamin Harnish, the applicant was present.

Alex Singbush, Senior Planner, outlined the report.

Alex Singbush stated that there is not a requirement for a planting strip between the proposed property and the existing properties. He advised that one of the adjacent properties has a garage that abuts the proposed location which is accessed through the applicants proposed property.

Mr. Harnish advised that there is also a Hydro easement that runs along the lot line.

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:

PL2017-71 Sizer/Jakubo: THAT the City of Greater Sudbury approves the application by the City of Greater Sudbury to amend Zoning By-law 2010-100Z by changing the zoning classification of lands described as Part of PINS 73375-0936, 73375-0408 and 73375-0591, Parts 2 to 4, Plan 53R-10782, Except Parts 1, 3, 4, 6, and 7, Plan 53R-20639, Lot 6, Concession 4, Township of Waters from "I", Institutional to "C2(S)", General Commercial Special subject to the following conditions:

1. That the amending by-law provide that the only permitted uses shall be service trades, a commercial recreation centre, offices and an indoor agricultural use defined as the growing and harvesting of vegetables, fruits, grains, seed crops, mushrooms, berries, flowers or landscaping materials and the accessory sales of products grown on-site.

2. That the following site specific relief shall be permitted as follows:

i) no planting strip be required abutting the rear lot line of Part 11, Plan 53R-12328 and abutting Part 1, Plan 53R-19592; and

ii) permitting an accessory outdoor storage area in the western interior side yard not to exceed 150 m<sup>2</sup> in area.

**YEAS:** Councillors Lapierre, Jakubo, Sizer, McIntosh  
**CARRIED**

As no public comment, written or oral, was received, there was no effect on the Planning

Committee's decision.

3 Andre Desmarais - Application for rezoning in order to permit the conversion of a former church into a four-unit multiple dwelling, 154 Church Street, Garson

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

Report dated April 18, 2017 from the General Manager of Growth and Infrastructure regarding Andre Desmarais - Application for rezoning in order to permit the conversion of a former church into a four-unit multiple dwelling, 154 Church Street, Garson.

Andre Lemieux, agent for for the applicant was present.

Mauro Manzon, Senior Planner, outlined the report.

Mauro Manzon, Senior Planner, stated that the purpose of paving part of the driveway is to prevent tracking of gravel onto the sidewalk and the road. He advised that there was some concern as it is a collector road and in a town centre setting, so they are asking that the first fifteen (15) metres of road be paved. He advised that Site Plan Control is not being implemented with this application, as it is four (4) units and multiple dwellings with four (4) or less units are exempt from Site Plan Control.

Mr. Lemieux stated that the building has been vacant for many years and his proposal is a perfect use for the space.

Daryn Ferrigan, area resident, stated that he owns the tavern adjacent to the proposed location and he is concerned about possible complaints against his tavern in the proposed development, from residents since his smoking area and patio are located near the site. He advised that he has a good relationship with the current neighbourhood residents, however he is concerned that new residents may complain, causing the Liquor Control Board to revoke his patio and smoking access.

Mr. Lemieux stated that he spoke with three (3) or four (4) area residents regarding his proposal and addressed their concerns. He advised that most of the trees that are shown in the picture of the property currently remain and he has not removed any trees since taking ownership.

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:

PL2017-72 Jakubo/Sizer: THAT the City of Greater Sudbury approves the application by Andre Desmarais to amend Zoning By-law 2010-100Z by changing the zoning classification from "I", Institutional to "R3(S)", Medium Density Residential Special on lands described as PIN 73493-0008, Parcel 53627 S.E.S., Part 3, Plan 53R-4141 in Lot 4, Concession 2, Township of Garson subject to the following conditions:

- a) The maximum residential density shall be 60 dwelling units per hectare; and,
- b) That prior to the adoption of the amending by-law, the owner shall enter into a paving

agreement with the City.

**YEAS:**Councillors Lapierre, Jakubo, Sizer, 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:

The following resolution was presented:

PL2017-73 Sizer/Jakubo: THAT the City of Greater Sudbury authorizes the sale of part of closed St. Michael Street, Sudbury, legally described as: part of PIN 73583-0076(LT), being Part 2 on Plan 53R-20719, Township of McKim, City of Greater Sudbury;

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**

The following resolution was presented:

PL2017-74 Jakubo/Sizer: THAT the City of Greater Sudbury approves Consent Agenda Items C-1 to C-4 inclusive.  
**CARRIED**

### **Routine Management Reports**

C-1      Primo Tilton Construction Ltd. - Application to extend a draft approved plan of subdivision approval. (Mariposa Subdivision, Sudbury)

Report dated April 19, 2017 from the General Manager of Growth and Infrastructure regarding Primo Tilton Construction Ltd. - Application to extend a draft approved plan of subdivision approval (Mariposa Subdivision, Sudbury).

PL2017-75 Sizer/Jakubo: 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 Part of Parcel 10382, Lot 4, Concession 5, Township of Broder, File # 780-6/88019, upon payment of Council's processing fee in the amount \$2,731.25 as follows:

1. By replacing the words "Infrastructure Services" with "Growth and Infrastructure" in Condition #12, #17, #18, #20, #24, #31, #32, #33, #34, #35, #36 and #37.

2. By deleting "#2, #18, #20, #21, #22, #23 and #24" in Condition #14.

3. That Condition #16 be deleted and replaced with the following:

“16. That this draft approval shall lapse on March 16, 2020.”

4. By replacing the words “Growth and Development” with “Growth and Infrastructure” in Condition #27.

5. By deleting Condition #29 entirely.

6. By adding a new Condition #47 as follows:

“47. Final approval for registration may be issued in phases to the satisfaction of the Director of Planning, 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.”

7. By adding a new Condition #48 as follows:

“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 Development and the General Manager of Infrastructure Services.”

**CARRIED**

C-2

Walden Lands Inc. - Application to extend draft plan of subdivision approval, Parcel 13763 S.W.S., thirdly, being Part 1, Plan 53R-8730 in Lot 8, Concession 4, Township of Waters, Municipal Road 55, Lively (Pineridge Subdivision)

Report dated April 19, 2017 from the General Manager of Growth and Infrastructure regarding Walden Lands Inc. - Application to extend draft plan of subdivision approval, Parcel 13763 S.W.S., thirdly, being Part 1, Plan 53R-8730 in Lot 8, Concession 4, Township of Waters, Municipal Road 55, Lively (Pineridge Subdivision).

PL2017-76 Lapierre/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 Parcel 13763 S.W.S., thirdly, being Part 1, Plan 53R-8730 in Lot 8, Concession 4, Township of Waters, City of Greater Sudbury, File 780-8/04008 as follows:

a) By replacing the references to “General Manager of Growth and Development” and “General Manager of Infrastructure Services” with “General Manager of Growth and Infrastructure” in Conditions #11, #15, #24 and #33;

b) By deleting Condition #20 and replacing it with the following:

“That this draft approval shall lapse on February 3, 2020.”

c) By replacing the reference to “Growth and Development Department” with “Planning Services Division” in Condition #23.

d) By deleting reference to Condition # “2” in Condition #23.

e) By adding the following to Condition #35:

“Any alteration to the watercourse for the purpose of slope stability and erosion protection will require an approval of the Nickel District Conservation Authority under Section 28 of the Conservation Authorities Act.”

f) By adding the following as Condition #36:

“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.”

g) By adding the following as Condition #37:

“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.”

**CARRIED**

C-3

Dalron Construction Ltd. - Application to extend a draft approved plan of subdivision approval, (Twin Lakes Subdivision, Sudbury)

Report dated April 19, 2017 from the General Manager of Growth and Infrastructure regarding Dalron Construction Ltd. - Application to extend a draft approved plan of subdivision approval, (Twin Lakes Subdivision, Sudbury).

PL2017-77 Sizer/Lapierre: 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 Parcel 49532 SES, Lots 163-165, Plan M-423, Lot 2, Concession 2, Township of McKim, File # 780-6/03001, upon payment of Council's processing fee in the amount \$2,731.25 as follows:

1. By replacing the word “City” with the word “Municipality” in Condition #3.

2. That Condition #9 be deleted and replaced with the following:

“9. 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.”

3. By replacing the words “Infrastructure Services” with “Growth and Infrastructure” in Condition #11, #17 and #19

4. By replacing the words “Public Works” with “Growth and Infrastructure” in Condition #12

5. That Condition #20 be deleted and replaced with the following:

“20. That this draft approval shall lapse on March 24, 2020.”

6. By replacing the words “City Solicitor” with “General Manager of Growth and Infrastructure” in Condition #21.

7. By replacing the words “Growth and Development” with “Growth and Infrastructure” in Condition #29.

8. By deleting Conditions #37, 38 and 39 entirely and replacing Condition #39 with the following:

“39. The owner shall be responsible to have a storm-water management report prepared to assess how the quality and quantity of storm-water will be managed for the subdivision development, in addition to the flows generated from upstream lands. The report shall establish how the quantity of storm-water generated within the subdivision will be controlled to the new MOECC 20% reduction of pre-development flow for the 1:2, 1:100 and Regional Storm events. The owner shall be required to submit a comprehensive drainage plan of the subject lands and any upstream areas draining through the subdivision. The quality of the storm-water must meet an 85% TSS removal of the 50 micron particle size. The plan shall be submitted to the satisfaction of the Director of Planning Services and the Nickel District Conservation Authority.”

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

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

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

“42. 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.”

11. That a new Condition #43 be added as follows:

“43. 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.”

**CARRIED**



C-4      LIUNA Local 493 Property Corporation - Request for extension of conditional approval of rezoning application File # 751-6/15-1, 584 Clinton Avenue, Sudbury

Report dated April 19, 2017 from the General Manager of Growth and Infrastructure regarding LIUNA Local 493 Property Corporation - Request for extension of conditional approval of rezoning application File # 751-6/15-1, 584 Clinton Avenue, Sudbury.

PL2017-78 Lapierre/Sizer: THAT the City of Greater Sudbury approves the extension of rezoning application File # 751-6/15-1 by LIUNA Local 493 Property Corporation on lands described as PIN 02245-0113, Parcels 46902 & 45814 S.E.S., Lots 241 to 247, Plan M-60, Part 6, Plan 53R-9906 in Lot 4, Concession 4, Township of McKim for a period of 18 months to October 14, 2018.

**CARRIED**

**Managers' Reports**

R-1      Chelmsford Town Centre Community Improvement Plan

Report dated April 19, 2017 from the General Manager of Growth and Infrastructure regarding Chelmsford Town Centre Community Improvement Plan.

The following resolution was presented:

PL2017-79 Sizer/Lapierre: THAT staff be directed to pursue a Community Improvement Plan for the Town Centre of Chelmsford which includes a focus on public realm improvements and trail development along the Whitson River.

**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**

Lapierre/Sizer: THAT this meeting does now adjourn. Time: 6:19 p.m.

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Brigitte Sobush, Deputy City Clerk