

Location:	Tom Davies Square
Commencement:	5:30 PM
Adjournment:	6:56 PM

## Minutes

### Planning Committee Minutes of 6/26/17

## Councillor McIntosh, In the Chair

Present	Councillors Lapierre, Jakubo, Sizer, McIntosh, Landry-Altman
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; Danielle Wicklander, Legislative Compliance Coordinator; Renée Stewart, Clerk's Services Assistant

## Declarations of Pecuniary Interests and the general nature thereof

None declared

## Public Hearings

- 1 Marc & Carole Groulx - Application for a temporary use by-law in order to permit a mobile home as a garden suite in an RU, Rural zone, 755 Suez Drive, Hanmer

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

Report dated June 6, 2017 from the General Manager of Growth and Infrastructure regarding Marc & Carole Groulx - Application for a temporary use by-law in order to permit a mobile home as a garden suite in an RU, Rural zone, 755 Suez Drive, Hanmer.

Marc Groulx, the applicant was present.

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:

PL2017-98 Landry-Altman/Sizer: THAT the City of Greater Sudbury approves the application by Marc & Carole Groulx to amend Zoning By law 2010-100Z with respect to lands described as PIN 73508-1017, Parcel 7381 S.E.S., in Lot 9, Concession 3, Township of Capreol in order to permit a garden suite in accordance with Section 39 of the Planning Act for a temporary period of ten (10) years.

**YEAS:** Councillors Lapierre, Jakubo, Sizer, Landry-Altman and McIntosh.

**CARRIED**

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

2 Francis & Darlene Pickford – Application for rezoning in order to permit a multiple dwelling containing four residential dwelling units, 2398 Lasalle Boulevard, Sudbury

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

Report dated June 6, 2017 from the General Manager of Growth and Infrastructure regarding Francis & Darlene Pickford – Application for rezoning in order to permit a multiple dwelling containing four residential dwelling units, 2398 Lasalle Boulevard, Sudbury.

Dave Dorland, agent to the applicant and Francis Pickford, the applicant, were present.

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

Mr. Dorland stated that Mr. Pickford is awaiting the passing of the rezoning By-law in order to continue his endeavors.

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:

PL2017-99 Sizer/Landry-Altman: THAT the City of Greater Sudbury approves the application by Francis and Darlene Pickford to amend By law 2010-100Z being the Zoning By-law for the City of Greater Sudbury to change the zoning classification from "R2-2", Low Density Residential Two to "R2(S)", Low Density Residential Two Special on those lands described as PIN 73564-0012, Parcel 49517 SES, Lot 69, Plan M 255, Parts 1 & 3, Plan 53R-13171, Lot 9, Concession 6, Township of Neelon, subject to the following conditions:

1. That prior to the enactment of an amending zoning by-law the owner shall submit a building permit application to the satisfaction of the Chief Building Official for the two existing residential dwelling units that were constructed without a permit; and,
2. That the amending zoning by-law contain the following site-specific provisions:
  - a. That in addition to the uses permitted in an "R2", Low Density Residential Zone a multiple dwelling containing a maximum of four residential dwelling units shall also be permitted;
  - b. That a minimum of one parking space per dwelling unit shall be required for a multiple

dwelling and all required parking spaces be provided in the rear yard; and,

c. That the required parking space located within the existing detached garage shall have a minimum length as shown on the building permit plans that are to be submitted to the satisfaction of the Chief Building Official.

**YEAS:** Councillors Lapierre, Jakubo, Sizer, Landry-Altman and McIntosh.

**CARRIED**

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

- 3 T.J. Herault – Application for rezoning in order to facilitate development of two multiple dwellings with each building containing four residential dwelling units, 1197 Howey Drive, Sudbury

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

Report dated June 7, 2017 from the General Manager of Growth and Infrastructure regarding T.J. Herault – Application for rezoning in order to facilitate development of two multiple dwellings with each building containing four residential dwelling units, 1197 Howey Drive, Sudbury.

Dave Dorland, agent to the applicant and TJ Herault, the applicant, were present.

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

Eric Taylor, Manager of Development Approvals, stated that should blasting be required, it would be dealt with through the Building Services department. A blasting report would be required by a qualified professional and of this report would include a survey of the condition assessment of the surrounding properties. This is required in order to assess the conditions of the buildings in a certain radius of the blasting before it occurs. He further stated that the zoning By-law requires either fencing or a landscaped strip to be provided. The minimum width of the landscaped strip abutting the property lines would be three (3) metres, which can be reduced to 1.8 metres if a fence with a minimum height of 1.5 metres is present. There are opportunities for these buffers to be implemented in this application. He also stated there is no need for a special exemption as it would be a requirement of the By-law.

Mr. Dorland stated Mr. Herault has met with the author of the letter of concern, Judy Golka, and they appear to have resolved the issues noted in the letter. They have an agreement between neighbours that a fence will be a condition of the building permit given the side yards and the landscaping available.

Judy Golka, concerned area resident, stated that when she first wrote her letter, she had many concerns. However, she has spoken with the applicant and this has resolved many of her concerns. She would like to state that she strongly wishes that a privacy fence be built in order to separate her property from the new development. She also stated that the minimum requirements for the fence are not sufficient for the amount of privacy she is losing.

Nicole Venne, concerned area resident, stated she is content with the Committee having addressed the concerns regarding blasting; however, she has other concerns with the application. She lives at the property two doors down from the subject property, and Ms. Golka is her neighbour. Her property extends further back than Ms. Golka's and she has

concerns that she will also lose her privacy. She would like for a privacy fence to be built along the back portion of the subject property. She further stated that the tenants of the abutting property have not maintained it. She has been trying to sell her house and has had individuals inquire about the cleanliness and landscaping of the property. She further stated that the subject property has recently built a fire pit three (3) feet from her house which also concerns her. She stated that she would hope that a privacy fence be built in order to not have the subject property's parking lot as her view.

Mr. Dorland stated that Mr. Herault has made a handshake agreement to build a privacy fence and, the fence will be constructed to the required standards. He also stated that they will address the concerns brought up by the neighbours.

Eric Taylor, Manager of Development Approvals, stated that the City has a Property Standards By-law which would pertain to unkept lawns and the issues of maintenance brought up by Ms. Venne. He further stated that the zoning By-law requires that an opaque fence be provided along the side lot line abutting the property to the east zoned R-1. The zoning By-law also provides for a minimum height of 1.5 metres but a maximum height of two (2) metres for the the opaque portion of the fence. Any portion above two (2) metres in height cannot be opaque. The fence would need to go the entire length of the building because the set back is only 1.8 metres. A portion of the parking also has less than a three (3) metre set back which means it would also require fencing. He further stated that there is no limit specified for the non-opaque portion of the fence.

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:

PL2017-100 Landry-Altman/Sizer: THAT the City of Greater Sudbury approves the application by T.J. Herault to amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury to change the zoning classification from "R2-2", Low Density Residential Two to "R3", Medium Density Residential on those lands described as PIN 73581-0463, Parcel 15379, Parts 1 & 2, Plan 53R-17291, Lot 2, Concession 3, Township of McKim subject to the following:

1) That prior to the enactment of the amending by-law, the owner shall provide Planning Services with a registered survey of the portion of the subject lands on which the two multiple dwellings are to be located and zoned "R3", Medium Density Residential, allowing the by-law to be prepared.

**YEAS:** Councillors Lapierre, Jakubo, Sizer, Landry-Altman and McIntosh.

**CARRIED**

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

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

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

Report dated June 6, 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.

Pierre Boivin, the applicant was present.

Alex Singbush, Senior Planner, outlined the report.

Ward Councillor Landry Altmann stated that she has spoken to the applicant and has some concerns related to drainage. Historically this area has had many drainage issues that the rezoning may impact further. She asked that staff confirm that there is an easement and the drainage is not a concern.

Robert Webb, Supervisor of Development Engineering, stated that the drainage ditch along the back of the lots on Mountain street has an easement with a drainage outlet that enters a pipe and goes into the storm sewer system. Any development that would occur on the applicant's property would require a Site Plan. Through the Site Plan they would review their drainage proposal and comment accordingly. He further stated that if there is future development on the site, the Site Plan would require a stormwater management system with the post development flow equal to the pre-development levels, and the City would review how they are dealing with the stormwater and comment on it.

Ward Councillor Landry-Altmann stated that the owner has located the sanitary sewer test maintenance chamber, and she inquired as to what effect this will have on condition three (3).

Robert Webb, Supervisor of Development Engineering, stated if the sanitary sewer test manhole is existing, the technicians for Site Plan Control would attend the site and view it to see if it meets the requirements for condition three (3).

Ward Councillor Landry-Altmann asked if there was an opportunity for the shipping container to remain on the property.

Alex Singbush, Senior Planner, stated that the M-1 zone does not allow for shipping container.

Mr. Boivin stated in regards to the recommendations from the Planning Committee about the Sanitary Sewer test chamber, there was a Site Plan done by the previous owner in the 70's. In this Site Plan, there is a manhole in the north west corner of the property which he located and cleaned. He brought photos, and asked if the Committee wanted to see them and hoped this would be satisfactory to meet the condition. He would like to thank Councillor Landry-Altmann for her comments. In regards to the drainage issues, the City of Sudbury has done quite a bit of work in this area in the past few years with the drainage systems. He studied the rainfall they had in the past years. In April 2016, they had 7.9 millimetres of rain, and this year they had 120 millimetres of rain. The swales put in by the City have functioned very well. He does not intend to expand any of the work he is currently doing, therefore he does not anticipate an increase in odor or noise. There is a requirement for the legal description of the lands to be rezoned. In 2015, the City purchased roughly 20 acres from himself in the eastern portion. A survey was completed and he hopes this would be sufficient for the requirement.

Chloe Mirfield, concerned area resident, stated that she is speaking against the zoning amendment. She stated that Mr. Boivin has been an excellent neighbour in terms of consulting and speaking to residents in the area of his intentions. She stated that there are social and environmental risks by approving this change. The land that borders this area is a

very sensitive area in terms of ecological zones, turtle populations, frogs and birds. To the north is the rotary club trail, which means this area has been recognized as an ecological zone by the community. The members of the community are not concerned by what Mr. Boivin is currently doing, but rather potential problems in the future. She does not believe that the watershed is enough to protect the lands. She stated that the area is a mixed demographic community and has become a safe and welcoming community over time. They worry about the impact that the increased industrial zoning will have on the community. The streets are narrow in this area and access with transport trucks is extremely difficult. Increased development is happening on Mont Adam, therefore she believes that we must reclaim as much green space as possible in order to take the pressure off of the infrastructure for the flood waters. The zoning change could also affect taxation in the future. Further, she stated that there has been debate about this rezoning creating new jobs in the future; however, in industrial areas located within residential areas this is usually not the case. She agrees with Mr. Boivin that this is an excellent business case, when he sells his land it will be more beneficial for him because he will be able to attract bigger competitors. She does not believe that the City should be looking to increase the industrial uses in this residential area but rather move them out of it. Increasing industrial use in this area will not support the ecological footprint. In the future, they have no way of mitigating what Mr. Boivin's predecessor may do or build. She recommends that the Committee not approve the amendment to the zoning and she hopes that Council and Committee's look at land reclamation in the area when it comes up for tender.

Jody Currie, concerned area resident, asked if the current zoning proposal seeks to serve the needs of industrial uses in perpetuity of its current ownership. He had serious environmental concerns, and though the impact on the local conservation area should be a greater concern to the City.

Will Currie, concerned area resident, stated he is the home owner of 472 Harvey Street and has owned it for the past seven (7) years. In that time, Councillor Landry-Altman has been a big help to them. They have dealt with noise and damage to their property because of the way their property is designed as it is in close proximity to Mr. Boivin's property. They have had no issue with Mr. Boivin, but they have had ongoing issues with Endurapak next door. They are now moving their business. They are the fourth homeowners in a house that is less than 20 years old due to the industrial uses in the area.

Ward Councillor Landry-Altman asked how much trucking goes to Mr. Boivin's business.

Mr. Boivin stated the trucking has been greatly reduced over the past few years. Currently he has three (3) or four (4) transports that come in a week. On June 14th, he passed out letters and surveyed area residents and most of the concerns were about the transports. They did mention however that the transport drivers do go by slowly and are respectful. He has encouraged all of his neighbours to approach him should they have any issues with speeding, noise etc.

Ward Councillor Landry-Altman inquired about truck weights allowed on a residential road.

Jason Ferrigan, Director of Planning Services, stated the City has a heavy truck route By-law passed by City Council in 2010. The By-law defines a heavy vehicle as a commercial vehicle that weighs five (5) tonnes or more. The By-law outlines routes within the City where heavy commercial vehicles would be routed. They consist of mostly main arterial roads within the City. There is an exception to the By-law that allows trucks to take other efficient routes to their destination. These exceptions are made for cases like this one where the destination is

not located on an arterial road. The intent of the By-law is to ensure the use is only as necessary as it needs to be. There is also a requirement within the By-law for those trucks to use the most efficient route possible in order to ensure they can get in where they are unloading then return to a designated truck route.

Ward Councillor Landry-Altman asked what happens if the rezoning does not get approved.

Jason Ferrigan, Director of Planning Services, stated that should the application be refused, the existing zoning that is in effect today would remain on a portion of the property.

Ward Councillor Landry-Altman asked if staff could identify, anywhere in the application, where the increased uses would aggravate any of the concerns that have been brought forward should Mr. Boivin sell his property.

Alex Singbush, Senior Planner, stated that the use list that is proposed has been curated from the uses permitted in the light industrial district and does not include all of the uses. It is not everything that light industrial permits. It has been scoped to similar uses that are currently happening on the site in order to mitigate potential future negative impacts. The viability of these uses is only found in small scale uses. They are broadening the uses for the site under light industrial but with ones that have very similar impacts to those that are currently in effect.

Ward Councillor Landry-Altman stated that she will be supporting the rezoning given the information that was provided. However, she likes the idea of land reclamation and hopes that should Mr. Boivin sell his property he look into this possibility.

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 resolutions were presented:

Resolution regarding Application for Official Plan Amendment:

PL2017-101 Sizer/Landry-Altman: 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.

**YEAS** Councillors Lapierre, Jakubo, Sizer, Landry-Altman and McIntosh.

**CARRIED**

Resolution regarding Rezoning Application:

PL2017-102 Landry-Altman/Sizer: 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.

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

**CARRIED**

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

### **Adopting, Approving or Receiving Items in the Consent Agenda**

The following resolution was presented:

PL2017-103 Sizer/Landry-Altmann: THAT the City of Greater Sudbury approves Consent Agenda Item C-1 to C-4.

**CARRIED**

The following are the Consent Agenda items:

### **Routine Management Reports**

C-1      2083235 Ontario Inc. - Application to amend draft plan of condominium approval, 1478, 1484 & 1490 Main Street, Val Caron

Report dated June 7, 2017 from the General Manager of Growth and Infrastructure regarding 2083235 Ontario Inc. - Application to amend draft plan of condominium approval, 1478, 1484 & 1490 Main Street, Val Caron.

PL2017-104 Landry-Altmann/Sizer: THAT the conditions of draft approval of plan of condominium for PIN 73502-0276, Part 3, Plan SR-1359 in Lot 6, Concession 6, Township of Blezard, File 741 7/13005, be amended as follows:

a) By deleting Condition #5 and replacing it with the following:

“That this draft approval shall lapse on July 14, 2020, unless an extension is granted by Council pursuant to Section 51(33) of the Planning Act.”

**CARRIED**

C-2 KKP Investments Inc. - Request for extension of conditional approval of rezoning application File 751-7/15-1, 400 Highway 69 North, Val Caron

Report dated June 6, 2017 from the General Manager of Growth and Infrastructure regarding KKP Investments Inc. - Request for extension of conditional approval of rezoning application File 751-7/15-1, 400 Highway 69 North, Val Caron.

PL2017-105 Sizer/Landry-Altmann: THAT the City of Greater Sudbury approves the application by KKP Investments Inc. to extend the conditional approval of rezoning application File # 751 7/15-1 on lands described as PIN 73497-0147, Parcel 111905 SES, Part 1, Plan 53R-10897, Lot 4, Concession 1, Township of Blezard for a period of eighteen (18) months to November 26, 2018.

**CARRIED**

C-3 Street Renaming – Woodland Street to Glen Avenue

Report dated June 6, 2017 from the General Manager of Growth and Infrastructure regarding Street Renaming – Woodland Street to Glen Avenue.

PL2017-106 Landry/Altmann/Sizer: THAT the City of Greater Sudbury approves the renaming of Woodland Street as shown on Plan M-129 to Glen Avenue as outlined in the report entitled Street Renaming - Woodland Street to Glen Avenue, from the General Manager of Growth and Infrastructure, dated June 6, 2017;

AND THAT the necessary By-law be prepared.

**CARRIED**

C-4 Solar Provider Canada Origination Health LP - Ground Mount Solar Project - FIT 3.0

Report dated June 8, 2017 from the General Manager of Growth and Infrastructure regarding Solar Provider Canada Origination Health LP - Ground Mount Solar Project - FIT 3.0.

PL2017-107 Sizer/Landry-Altmann: WHEREAS Solar Provider Canada Origination Health LP (the “Supplier”) previously requested that the Council of the City of Greater Sudbury (“Council”) indicate by resolution Council’s support for the construction and operation of a ground mount solar photovoltaic facility (the “Project”) on lands defined as PCL 609 SEC SES; W ½ LT 12 CON 6 BLEZARD (PIN 735000125) (the “Lands”), and Council did provide such support in a prior resolution;

AND WHEREAS the Supplier has requested that Council indicate, by a resolution dated no earlier than June 10, 2015 (the “New Resolution”), Council’s continued support for the construction and operation of the Project on the Lands;

AND WHEREAS, where a New Resolution is received in respect of a Project, the Supplier will be recognized as fulfilling the requirements under Section 2.4(d)(vii) of the FIT Contract, which may result in the Supplier being offered Notice to Proceed in accordance with the terms of the Supplier’s FIT Contract;

AND WHEREAS this resolution’s sole purpose is to enable the Supplier to achieve Notice to

Proceed under its FIT Contract and may not be used for the purpose of any other form of municipal approval in relation to the FIT Contract or Project or for any other purpose.

NOW THEREFORE BE IT RESOLVED THAT Council of the City of Greater Sudbury supports the construction and operation of the Project on the Lands.

**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**

Landry-Altman/Sizer: THAT this meeting does now adjourn. Time: 6:56 p.m.

**CARRIED**

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Adam Kosnick, Deputy City Clerk