

**THE THIRTY-FOURTH MEETING OF THE PLANNING COMMITTEE
OF THE CITY OF GREATER SUDBURY**

**Committee Room C-11
Tom Davies Square**

**Tuesday, September 6th, 2005
Commencement: 4:50 p.m.
Adjournment: 6:50 p.m.**

ANGIE HACHÉ PRESIDING

Present Councillors Bradley, Caldarelli, Dupuis, Thompson

Staff B. Lautenbach, Director of Planning Services; K. Forrester, Real Estate Co-ordinator; A. Haché, Acting City Solicitor; F. Bortolussi, Planning Committee Secretary

Recommendation #2005-158:

Thompson-Bradley: That Councillor Dupuis chair the In Camera portion of the Planning Committee meeting.

CARRIED

COUNCILLOR RON DUPUIS PRESIDING

Declarations of Pecuniary None declared.

"In Camera" **Recommendation #2005-159:**

Bradley-Dupuis: That we move "In Camera" to deal with a property matter in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2002-202 and the Municipal Act, 2001, s.239(2)(f).

CARRIED

Recess At 5:00 p.m., the Planning Committee recessed.

Reconvene At 5:30 p.m., the Planning Committee reconvened in the **Council Chamber** for the regular meeting.

COUNCILLOR RUSS THOMPSON PRESIDING

Present Councillors Bradley, Caldarelli, Dupuis

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Approvals; G. Clausen, City Engineer; A. Haché, Acting City Clerk; M. Laalo, Licensing & Assessment Clerk; F. Bortolussi, Planning Committee Secretary

News Media Sudbury Star

Declarations of Pecuniary Interest None declared

MATTERS ARISING FROM THE “IN CAMERA” SESSION

Rise and Report Councillor Dupuis reported the Committee met in closed session to deal with a property matter and the following recommendation emanated therefrom:

Granting Approval to Expropriate **Recommendation #2005-160:**

Lands for an Attenuation Zone Sudbury Landfill Site, 2800 Kingsway, Sudbury Dupuis-Bradley: THAT the Council of the City of Greater Sudbury, as the “Approving Authority” under the Expropriation Act, R.S.O. 1990, c. E. 26, grant approval for the expropriation, by the City of Greater Sudbury of certain lands municipally known as 2800 Kingsway;

THAT staff be authorized to proceed with the expropriation and also continue to negotiate with the property owner;

AND THAT the Property Negotiator / Appraiser be authorized to execute all the required documents.

CARRIED

PUBLIC HEARINGS

APPLICATION FOR REZONING IN ORDER TO ESTABLISH OWNERSHIP OF A 1.7 ACRE SEASONAL RESIDENTIAL LOT ON THE VERMILION RIVER, DOWLING - CITY OF GREATER SUDBURY (AGENT: YVETTE LEROUX)

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

Report dated August 8th, 2005, was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning in order to establish ownership of a 1.7 acre seasonal residential lot on the Vermilion River, Dowling, City of Greater Sudbury (Agent: Yvette Leroux).

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING IN ORDER TO ESTABLISH OWNERSHIP OF A 1.7 ACRE SEASONAL RESIDENTIAL LOT ON THE VERMILION RIVER, DOWLING - CITY OF GREATER SUDBURY (AGENT: YVETTE LEROUX) (cont'd)

Letter dated September 6th, 2005, from Councillor Berthiaume in support of the application was distributed to the Committee Members at the meeting.

Yvette Leroux, Cote Avenue, Chelmsford, agent for the applicant, was present.

The Director of Planning Services outlined the application to the Committee.

Councillor Bradley, Ward Councillor, asked for the Committee's support of this application as it is mainly for cleaning up the title to the property and will bring additional revenue to the City through taxes.

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 application.

The following recommendation was presented:

Recommendation #2005-161:

Bradley-Dupuis: THAT the application by the City of Greater Sudbury (Agent: Yvette Leroux) to amend By-law 83-300 being the Comprehensive Zoning By-law for the (former) Town of Onaping Falls from "RU", Rural to "R7.D2.5", Seasonal Residential with respect to those lands described as Part of P.I.N. 73367-0156 (LT), being Part of former Parcel 23501 "A" S.W.S. being Parts 5, 6 and 7, Plan 53R-17677 in Lot 2, Concession 4, Township of Fairbank be recommended for approval.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Thompson

CARRIED

APPLICATION FOR REZONING IN ORDER TO ADD A SANITATION BUSINESS WITH LIMITED OUTDOOR STORAGE OF PORTABLE TOILETS TO THE LIST OF USES PERMITTED ON THE SITE, 5040 MUNICIPAL ROAD 55, WHITEFISH - B & D MEESTERS (AGENTS: JAMES & LADONNA SPROULE)

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

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING IN ORDER TO ADD A SANITATION BUSINESS WITH LIMITED OUTDOOR STORAGE OF PORTABLE TOILETS TO THE LIST OF USES PERMITTED ON THE SITE, 5040 MUNICIPAL ROAD 55, WHITEFISH - B. & D. MEESTERS (AGENTS: JAMES & LADONNA SPROULE) (cont'd)

Report dated August 29th, 2005, was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning in order to add a sanitation business with limited outdoor storage of portable toilets to the list of uses permitted on the site, 5040 Municipal Road 55, Whitefish, B. & D. Meesters (Agents: James & Ladonna Sproule),

Jim Sproule and Ladonna Sproule, Chicago Mine Road, Worthington, agents for the applicants, were present.

The Director of Planning Services outlined the application to the Committee.

Jim Sproule requested clarification regarding the Site Plan Control Agreement.

The Director of Planning Services indicated that the applicant and/or agent would have to submit a Site Plan Control Agreement application which would be registered on the title to the property. It would not be a full Site Plan Control Agreement but a moderated one addressing only the three issues identified in the Staff report.

Jim Sproule asked if he would be required to close one of the driveway entrances. He indicated that if he were required to close one entrance, there would be difficulty in manoeuvring the three ton truck with a trailer on the property.

The Director of Planning Services indicated that Mr. Sproule can negotiate this matter with Engineering Services.

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 application.

The following recommendation was presented:

Recommendation #2005-162:

Thompson-Bradley: THAT the application by B. & D. Meesters to amend by-law 83-303 being the Zoning By-law for the former Town of Walden by changing the zoning classification of Parcel 20705 "B" SWS in Lot 2, Concession 1, Denison Township from "C6", Highway Commercial to "C6-S", Highway Commercial Special be approved subject to the following:

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING IN ORDER TO ADD A SANITATION BUSINESS WITH LIMITED OUTDOOR STORAGE OF PORTABLE TOILETS TO THE LIST OF USES PERMITTED ON THE SITE, 5040 MUNICIPAL ROAD 55, WHITEFISH - B. & D. MEESTERS (AGENTS: JAMES & LADONNA SPROULE) (cont'd)

Recommendation #2005-162 (cont'd):

- a) That prior to the passing of an amending zoning by-law the applicants enter into a Site Plan Control Agreement with the City of Greater Sudbury to address the issues as outlined in the staff report of August 29th, 2005.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Thompson

CARRIED

APPLICATION FOR REZONING TO RECOGNIZE AN EXISTING 12 UNIT APARTMENT BUILDING AND TO PERMIT THE CREATION OF THREE LOTS FOR SINGLE RESIDENTIAL USE, NOTRE DAME AVENUE & MONTEE PRINCIPALE, AZILDA - L. & R. KOSKINIEMI

The Planning Committee meeting was adjourned and the Public Hearing was opened to deal with the following applications.

Report dated August 30th, 2005, was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to recognize an existing 12 unit apartment building and to permit the creation of three lots for single residential use, Notre Dame Avenue & Montee Principale, Azilda, L. & R. Koskiniemi.

Letter dated September 6th, 2005, from Councillor Berthiaume in support of the application was distributed to the Committee Members at the meeting.

Dave Dorland, 298 Larch Street, Sudbury, was present on behalf of the applicant.

The Director of Planning Services outlined the applications to the Committee.

Dave Dorland indicated a Site Plan Control Agreement is required as a condition of the rezoning application; however, as discussed with Staff, it will be a limited Site Plan Control Agreement.

Mr. Dorland stated that complying with the requirement that the parking spaces be paved would be onerous expense on the applicant. His clients are willing to enhance the property, organize parking and make it quite attractive.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO RECOGNIZE AN EXISTING 12 UNIT APARTMENT BUILDING AND TO PERMIT THE CREATION OF THREE LOTS FOR SINGLE RESIDENTIAL USE, NOTRE DAME AVENUE & MONTEE PRINCIPALE, AZILDA - L. & R. KOSKINIEMI (cont'd)

The Manager of Development Approvals indicated that the zoning by-law does not require that parking areas be paved. The zoning by-law deals with parking spaces and driveways and states that the parking area must be stable and dust free. He further indicated that the Site Plan Control Agreement guide requires that, within residential areas, the parking area be paved. He stated that applicants are allowed two years to comply with this requirement; however an extension may be requested.

Mr. Dorland indicated that the two rezoning applications are separate and can be dealt with independently. He also indicated that there has been a change in the plans being that the area of Part A is increased and that of Part B is reduced.

Councillor Bradley, Ward Councillor, indicated there have been complaints in the Azilda area regarding parking areas which are not paved. They are noisy, especially at night, and they are aesthetically less appealing. He stated he supports these applications with the paving requirement.

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 application.

The following recommendations were presented:

Recommendation #2005-163:

Bradley-Thompson: THAT Consent Applications B58/2005 to B61/2005 by L. & R. Koskiniemi be allowed to proceed through the consent process.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Thompson

CARRIED

Recommendation #2005-164:

Bradley-Thompson: THAT application by L. & R. Koskiniemi to amend By-law 83-302 being the Zoning By-law for the former Town of Rayside-Balfour by changing the zoning classification of Part of Parcel 6889 in Lot 7, Concession 3, Rayside Township from "RU", Rural to "R1.D18", Single Residential to permit the creation of 3 lots for single residential use be approved subject to the following:

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO RECOGNIZE AN EXISTING 12 UNIT APARTMENT BUILDING AND TO PERMIT THE CREATION OF THREE LOTS FOR SINGLE RESIDENTIAL USE, NOTRE DAME AVENUE & MONTEE PRINCIPALE, AZILDA - L. & R. KOSKINIEMI (cont'd)

Recommendation #2005-164 (cont'd):

- a) That the applicants provide the Development Services Section with a copy of a registered survey plan of the subject property to enable the preparation of an amending by-law.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Thompson

CARRIED

Recommendation #2005-165:

Thompson-Bradley: THAT the application by L. & R. Koskiniemi to amend By-law 83-302 being the Zoning By-law for the former Town of Rayside-Balfour by changing the zoning classification of Parcel 16508 and Part of Parcel 6889, Lot 7, Concession 2, Rayside Township from "R1.D18", Single Residential and "RU", Rural, as the case may be, to "R3.D45", Medium Density Residential to recognize an existing 12 unit residential apartment building be approved subject to the following:

- a) That the applicants provide the Development Services Section with a copy of a registered survey plan of the subject property to enable the preparation of an amending by-law; and,
- b) That prior to the passing of an amending by-law the applicants enter into a Site Plan Control Agreement with the City of Greater Sudbury to address the issues as outlined in the staff report of August 30th, 2005.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Thompson

CARRIED

APPLICATION FOR REZONING IN ORDER TO ADD A BUILDING SUPPLY BUSINESS TO THE USES PERMITTED ON THE SUBJECT PROPERTY, 3450 HIGHWAY 144, CHELMSFORD - JEAN BERTHIAUME

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

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING IN ORDER TO ADD A BUILDING SUPPLY BUSINESS TO THE USES PERMITTED ON THE SUBJECT PROPERTY, 3450 HIGHWAY 144, CHELMSFORD - JEAN BERTHIAUME (cont'd)

Report dated August 29th, 2005, was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning in order to add a building supply business to the uses permitted on the subject property, 3450 Highway 144, Chelmsford, Jean Berthiaume.

Letter dated September 6th, 2005, from Councillor Berthiaume in support of the application was distributed to the Committee Members at the meeting.

Sig Kirchhefer and Sara Kirchhefer, 364 Lloyd Street, Sudbury, were present on behalf of the applicant.

The Director of Planning Services outlined the application to the Committee.

Sig Kirchhefer indicated that the Site Plan Control Agreement has been completed and all payments have been made by the owners. They have also addressed the parking and paving issues and are dealing with the Ministry of Transportation.

Councillor Bradley, Ward Councillor, indicated his support for this application stating that a lumber yard is need in the area.

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 application.

The following recommendation was presented:

Recommendation #2005-166:

Bradley-Dupuis: THAT the application by Jean Berthiaume to amend By-law 83-302 being the Zoning By-law for the former Town of Rayside-Balfour by changing the zoning classification of Lots 20, 21 and 22, Plan M-513 in Lot 2, Concession 3, Township of Balfour from "C6-4", Highway Commercial Special to a revised "C6-S", Highway Commercial Special be approved subject to the following:

- a) That prior to the passing of an amending by-law the applicant amend his existing site plan control agreement as discussed in the staff report to the satisfaction of the Manager of Development Services.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING IN ORDER TO ADD A BUILDING SUPPLY BUSINESS TO THE USES PERMITTED ON THE SUBJECT PROPERTY, 3450 HIGHWAY 144, CHELMSFORD - JEAN BERTHIAUME (cont'd)

Recommendation #2005-166 (cont'd):

- b) That in addition to the uses permitted under the existing "C6-4" zoning, a building supply business shall be permitted together with related outdoor lumber storage.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Thompson

CARRIED

PART I - CONSENT AGENDA

The following recommendation was presented to adopt Item C-1 contained in Part 1 of the Consent Agenda:

Recommendation #2005-167:

Bradley-Caldarelli: THAT Item C-1 contained in Part 1, Consent Agenda, be adopted.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-1
Extension to
Draft Approval
Hazelton/Lionsgate
Subdivision
Timestone
Corporation

Report dated August 5th, 2005, was received from the General Manager of Growth and Development regarding extension to Draft Approval, Hazelton/Lionsgate Subdivision, Timestone Corporation.

Recommendation #2004-168:

Bradley-Caldarelli: THAT upon payment of the processing fee of \$2,500.00 prior to the September 30th, 2005 lapsing date, the conditions of draft approval for Timestone Corporation for the draft plan of subdivision of Part of Parcels 10126, 33014 and 45812; Remainder of Parcels 8195 and 13971; Parcels 47877 and 49386 S.E.S., Lots 9 and 10, Concessions 3 and 4, Township of Neelon, City of Greater Sudbury, File #RP780-6/91001, be amended as follows:

PART I - CONSENT AGENDA (cont'd)

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-1

Recommendation #2004-168 (cont'd):

Extension to

Draft Approval

Hazelton/Lionsgate

Subdivision

Timestone

Corporation

- a) By deleting Condition # 23. and replacing it with the following:
23. That this draft approval shall lapse on September 30th, 2008.”
- b) By deleting Condition # 25. and replacing it with the following:
- “25. Prior to the submission of servicing plans, the applicant/owner shall provide a stormwater management report and plan for this development, prepared by a consulting civil engineer with a valid certificate of authorization. Said report shall establish how the quantity and quality of stormwater will be managed within the subdivision development and assess the impact of stormwater runoff from this development on abutting lands, on the downstream water courses, on area waterbodies and on Ramsey Lake and adjacent wetlands. The report shall deal with the control of both the 1:5 year and Regional Storm events, so as to limit the volume of flow generated on the site to pre-development levels. The Regional Storm flow path is to be set out on the plan. The formula for cost sharing on any required downstream works will be established to the satisfaction of the General Manager of Infrastructure and Emergency Services after study completion and prior to the signing of the final plan.”
- c) By adding the following condition:
- “26. The applicant/owner shall provide to the City, as part of the submission of servicing plans a Siltation Control Plan detailing the location and types of sedimentation and erosion control measures to be implemented during the construction of each phase of the project. Said plan shall be to the satisfaction of the General Manager of Infrastructure and Emergency Services and the Nickel District Conservation Authority. The siltation control shall remain in place until all disturbed areas have been

PART I - CONSENT AGENDA (cont'd)

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-1

Recommendation #2004-168 (cont'd):

Extension to
Draft Approval
Hazelton/Lionsgate
Subdivision
Timestone
Corporation

stabilized. All sedimentation and erosion control measures shall be inspected daily to ensure that they are functioning properly and are maintained and/or updated as required. If the sediment and erosion control measures are not functioning properly, no further work shall occur until the sediment and/or erosion problem is addressed.”

CARRIED

PART II - REGULAR AGENDA

MANAGERS' REPORTS

Item R-1
Request to Deviate
from Maximum
Design Standard
Road Grades,
TrailRidge
Subdivision,
Phase III, Dalron
Construction
Limited

Report dated August 31st, 2005, was received from the General Manager of Infrastructure Emergency Services regarding request to deviate from Maximum Design Standard Road Grades, TrailRidge Subdivision, Phase III, Dalron Construction Limited.

The City Engineer indicated that direction is requested from the Committee to Staff as to how to report to the Committee and Council in these instances and what the Committee and Council is prepared to accept in the future. He will then work together with Staff, developers and Development Liaison Advisory Committee (DELAC) and come back to Council with a proposed revised policy.

The City Engineer stated that with respect to the lot grades in this unique subdivision, although two previous requests were granted, Staff can not recommend approval because of the existing policy.

When asked, the Director of Planning Services indicated that it would be appropriate to ask DELAC for comments as they are cognizant of what is happening in the construction business. He indicated that this matter is in fact on the agenda for DELAC's next meeting. He stated he will have a DELAC sub-committee review the matter and come back to the Committee in six months.

PART II - REGULAR AGENDA (cont'd)

MANAGERS' REPORTS (cont'd)

Item R-1
Request to Deviate
from Maximum
Design Standard
Road Grades,
TrailRidge
Subdivision,
Phase III, Dalron
Construction
Limited

Recommendation #2005-169:

Thompson-Bradley: THAT the request by Dalron Construction Limited to amend the conditions of draft approval with respect to the Draft Plan of Subdivision - Algonquin II, part of Parcels 48626 and 50208 SES in Lots 4 and 5, Concession 6, Broder Township, in order to allow road grades of 10 per cent be approved.

CARRIED

Adjournment

Recommendation #2005-170:

Bradley-Caldarelli: That we do now adjourn.
Time: 6:50 p.m.

CARRIED

ACTING CITY CLERK

COUNCILLOR RUSS THOMPSON