

**THE SECOND MEETING OF THE PLANNING COMMITTEE
OF THE CITY OF GREATER SUDBURY**

**Council Chamber
Tom Davies Square**

**Tuesday, January 23rd, 2007
Commencement: 5:30 p.m.
Adjournment: 10:34 p.m.**

COUNCILLOR FRANCES CALDARELLI PRESIDING

Present Councillors Berthiaume, Dutrisac, Dupuis, Rivest

Mayor Rodriguez

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Approvals; P. Baskcomb, Manager of Community & Strategic Planning; R. Webb, Supervisor of Development Engineering; K. Forrester, Real Estate Co-ordinator; M. Manzon, Planner; E. Labelle, Clerk Designate; M. Laalo, Licensing & Assessment Clerk; F. Bortolussi, Planning Committee Secretary

News Media MCTV; Northern Life; Sudbury Star

Declarations of Pecuniary Interest None declared

RULES OF PROCEDURE

The Planning Committee, by a two-thirds majority, agreed to dispense with the Rules of Procedure, to alter the order of the Agenda and deal, firstly, with Item R-1 (Proposed Ministry of Municipal Affairs and Housing Modifications to Official Plan) and, secondly, with Public Hearing #6 (Application for Rezoning to Facilitate the Severance of a Lot with an Existing Dwelling, Sellwood Avenue, Capreol - 1039421 Ontario Inc.).

PART II - REGULAR AGENDA

REFERRED AND DEFERRED MATTERS

Item R-1 Proposed Modifications to Official Plan Report dated January 10th, 2007 was received from the General Manager of Growth and Development regarding proposed Ministry of Municipal Affairs and Housing Modifications to Official Plan.

PART II - REGULAR AGENDA (cont'd)

REFERRED AND DEFERRED MATTERS (cont'd)

Item R-1
Proposed
Modifications
to Official Plan
(cont'd)

The Director of Planning Services provided the background stating that, at the November 29th, 2006 meeting, City Council deferred this matter to the new Council and referred it back to the Planning Committee.

The Manager of Community and Strategic Planning made an electronic presentation regarding the Ministry of Municipal Affairs and Housing Modifications to new Official Plan. He explained that the new Official Plan, was adopted on June 14th, 2006 and sent to the Ministry for approval. The Ministry completed their review and provided proposed modifications. He indicated that the main modifications were of a technical nature and for the purpose of clarifying wording related to the Provincial Policy Statement. He further indicated that the Ministry redesignated certain lands on Municipal Road 35 between Azilda and Chelmsford to Agricultural Reserve.

Councillor Berthiaume indicated that no one is presently farming the subject land as the soil is acidic and clay based requiring lime and fertilizer and therefore not viable for farming use. He further indicated that the top soil has been removed and therefore nothing can grow there for many years. He recommended the Official Plan be sent back to the Ministry accepting all their modification except the one dealing with the redesignation of this property.

Councillor Dutrisac questioned why this property is being designated Agricultural Reserve. She indicated the properties have been stripped. She stated that farming is no longer a viable business, the Ministry of Agriculture has moved to Verner and there are no slaughter houses in the area. She feels the residents between Azilda and Chelmsford are being penalized. She indicated she would like the Official Plan sent back to the province with a rationale for taking this position.

Councillor Dupuis indicated that potato farmers in the area are anxious to find additional property. If this area contained good farming lands, it would be presently used. He feel the Ministry provided no rationale for their decision.

Councillor Rivest stated that, as lands designated Rural can be used for agricultural purposes, the designation should be Rural.

Councillor Caldarelli asked that a brief be sent to the Ministry explaining the Committee's concerns.

PART II - REGULAR AGENDA (cont'd)

REFERRED AND DEFERRED MATTERS (cont'd)

Item R-1
Proposed
Modifications
to Official Plan
(cont'd)

The Director of Planning Services indicated that the Manager of Community and Strategic Planning can forward a letter to the Ministry with the Committee's comments. He indicated, however, the recommendation of Planning staff will remain the same. He further indicated that, although some of the lands in the area in question may not be suitable for farming, the Ministry look at the area as a whole.

The following recommendation was presented:

Recommendation #2007-18:

Berthiaume-Dupuis: THAT the modifications contained in the letter dated November 14th, 2006, from the Ministry of Municipal Affairs and Housing be endorsed, with the exception of Modification 39;

AND THAT the additional modification to the Transportation chapter as set out in the Report dated January 10th, 2007 from the General Manager of Growth and Development be endorsed.

CARRIED

PUBLIC HEARINGS

APPLICATION FOR REZONING TO FACILITATE THE SEVERANCE OF A LOT WITH AN EXISTING DWELLING, SELLWOOD AVENUE, CAPREOL - 1039421 ONTARIO INC.

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

Report dated December 29th, 2006 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to facilitate the severance of a lot with an existing dwelling, Sellwood Avenue, Capreol, 1039421 Ontario Inc.

James Longstreet, 219 Pine Street, Sudbury, Council for the applicant, and Mr. Gervais, the applicant's general manager, were present.

The Manager of Development Approvals outlined the application to the Committee.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO FACILITATE THE SEVERANCE OF A LOT WITH AN EXISTING DWELLING, SELLWOOD AVENUE, CAPREOL - 1039421 ONTARIO INC. (cont'd)

James Longstreet indicated the consent application has been made and the severance has been approved subject to the usual conditions.

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 #2007-19:

Dupuis-Dutrisac: THAT the application by 1039421 Ontario Inc. to amend By-law 83-301 being the Comprehensive Zoning By-law for the (former) Town of Capreol to change the zoning classification of the lands forming Part 1, Plan 53R-15755, in Lot 11, Concession 6, Town of Capreol, from "RU-1", Rural-Special to "R1", Single Residential, be approved, subject to the following:

- a) That prior to the enactment of the amending by-law, the owner shall have provided the City with a registered plan of survey identifying the lot to be severed and zoned "R1", Single Residential.
- b) That the "RU-1", Rural Special Zone provisions be amended to reduce the number of permitted existing single detached dwellings from 17 to 16.

CONCURRING MEMBERS: Councillors Berthiaume, Dutrisac, Dupuis, Rivest, Caldarelli

CARRIED

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PERMIT THE DEVELOPMENT OF OFFICE SPACE, CLASSROOM FACILITIES AND ON-SITE TRAINING FOR A TRANSPORT TRAINING SCHOOL, 2565 KINGSWAY, SUDBURY - SUDBURY SHRINE CLUB

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

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PERMIT THE DEVELOPMENT OF OFFICE SPACE, CLASSROOM FACILITIES AND ON-SITE TRAINING FOR A TRANSPORT TRAINING SCHOOL, 2565 KINGSWAY, SUDBURY - SUDBURY SHRINE CLUB (cont'd)

Report dated January 8th, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding applications for Official Plan amendment and rezoning in order to permit the development of office space, classroom facilities and on-site training for a transport training school, 2565 Kingsway, Sudbury, Sudbury Shrine Club.

Letter of concern dated November 13th, 2006 was received from Rick Ouellette.

Letter of concern dated November 16th, 2006 was received from Brigette and Morris Thompson.

Letter of objection dated January 22nd, 2007 from J. L. Richards & Associates Limited was distributed to the Committee Members.

John Beaudry, owner of Transport Training Centres of Canada Inc. and agent for the applicant, was present.

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

The Director of Planning Services explained this matter was before the Committee on November 21st, 2006. The Committee recommended approval; however, on November 29th, 2006, City Council referred the recommendations back to the Planning Committee for further review.

The Director of Planning Services indicated that the comments from Development Engineering Services have been revised to indicate the subject property is serviced for water and sewer from Raymond Street. He further indicated there is the potential of services from the Kingsway with the Kingsway upgrading project.

The Director of Planning Services reiterated the reasons Planning Services recommends denial of the applications. The reasons include: concerns related to land use compatibility; commitments made through prior planning processes; the existing supply of industrial lands; and, planning objectives related to the redevelopment of the Kingsway corridor.

John Beaudry indicated there has been much misunderstanding regarding his business. Although he has training centres throughout Ontario, he started in Sudbury and wants to manage all his centres from Sudbury. He requires the building for administration offices. He advised that heavy equipment training is

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PERMIT THE DEVELOPMENT OF OFFICE SPACE, CLASSROOM FACILITIES AND ON-SITE TRAINING FOR A TRANSPORT TRAINING SCHOOL, 2565 KINGSWAY, SUDBURY - SUDBURY SHRINE CLUB (cont'd)

carried out in quarries and pits and will not be carried out at the subject property. He further advised the proposal would be an investment of \$1.5M and it would beautify an arterial road.

Mr. Beaudry made an electronic presentation showing slides of comparable properties on Notre Dame Avenue and the Kingsway and their proximity to residential areas. He explained there is a rock which is a natural berm between the subject property and the Clairmount Street residences.

Mr. Beaudry indicated there are concerns about engine brakes. He advised they do not use engine brakes in their parking lot as the trucks would not have the momentum in the parking lot required to use engine brakes.

With respect to the impact this development would have on the proposed subdivision to the south and west of the subject lands, Mr. Beaudry advised that, since the last hearing, he has had an opportunity to discuss the proposal at great length with the subdivision developer and provide a proposed site plan to satisfy their concerns. A copy of the said proposed site plan was distributed to the Committee members. Mr. Beaudry advised that the back yard parking area, close to the residences, would be for cars only with no truck access to that area. The truck parking area would ensure that all noise would be away from the residential areas.

Mr. Beaudry indicated he distributed flyers to area residents to advise of a meeting to be held on December 14th, 2006 at the Shrine Villa regarding this proposal. He further indicated that flyers were also distributed to area businesses and advertisements were placed in the Sudbury Star and Northern Life. He indicated approximately 35 people attended.

With respect to some concerns, Mr. Beaudry advised it is their intention to pave the parking lot and to fence the property in order to keep children from accessing the yard. He also advised that they do not use 'back-up' beepers on their vehicle nor do they plan to.

Mr. Beaudry advised that other concerns were onsite maintenance, pollution, excessive idling and fuel leaks. He indicated that all maintenance is sub-contracted and their trainers are not permitted under labour laws to carry out any maintenance on the vehicles. He further indicated that all trucks are inspected for emissions yearly and can not be registered for highway use if there is a

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PERMIT THE DEVELOPMENT OF OFFICE SPACE, CLASSROOM FACILITIES AND ON-SITE TRAINING FOR A TRANSPORT TRAINING SCHOOL, 2565 KINGSWAY, SUDBURY - SUDBURY SHRINE CLUB (cont'd)

problem. He also indicated that the trucks have block heaters and oil pan heaters so there is very little idling. He advised there is no greater risk of fuel leaks than anywhere else as they do not have a fuel station and they do not store any fuel.

With respect to concerns regarding future uses, Mr. Beaudry indicated that future uses would have to be approved by City Council.

Gerry Taillefer, area resident, had a petition signed by 59 people who do not want this proposed training school on the subject property. He stated they are concerned with traffic and trucks entering and exiting the property as there have been many accidents in that area. He further stated that trucks create ruts in the road.

Brigette Thompson, area resident, indicated that Raymond Street is a dead end street whose houses back onto the Kingsway. She stated the area residents have seen general change in the noise level. There is more noise and activity now due to the coffee shop. She indicated that transport trucks stop on the road to pick up coffee. This has created a great problem and a transport training school will only add to this problem. She stated more residential lots are required in this area and there is ample room for development on the north side of the Kingsway. She further stated that a transport training school on the proposed site would disturb the flavour of the neighbourhood. She also stated that the rock berm is in her back yard, the trees are thinning and would not be an appropriate buffer.

John Cannard of J. L. Richards & Associates Limited, on behalf of Zulich Enterprises, indicated they are concerned that, if the property is rezoned 'M1", Mixed Light Industrial/Service Commercial, a future owner could use the property for any purpose allowed under that zoning classification. With respect to the proposed site plan, Mr. Cannard indicated they would like to view the final plan fully detailed to include landscaping and elevation. They would also like a noise and vibration study be carried out. He stated that they would like to continue working with the applicant as they want to avoid an appeal to the Ontario Municipal Board.

Rick Ouelette, area resident, indicated he attended the meeting. He stated many issues were addressed but not satisfactorily answered. He further stated there are lands available on the north side of the Kingsway although it would be more costly to develop raw lands.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PERMIT THE DEVELOPMENT OF OFFICE SPACE, CLASSROOM FACILITIES AND ON-SITE TRAINING FOR A TRANSPORT TRAINING SCHOOL, 2565 KINGSWAY, SUDBURY - SUDBURY SHRINE CLUB (cont'd)

Ted Beynon, President of the Sudbury Shrine Club, indicate they support the application. He further indicated they are concerned about the area neighbourhood. He stated 2 vehicles on the property is not a great concern. He further stated this proposal will bring a head office to Sudbury employing 15 to 24 people although Mr. Beaudry does not have to stay in Sudbury. He feels the proposed training school will be more attractive on the Kingsway than the Shrine Villa is now. He asked the Committee to view this as an employment opportunity for Sudbury. Mr. Beynon indicated he attended the meeting where many concerns were discussed such as the fumes from the landfill site and the Leveque Street intersection because of the coffee shop; none of which have anything to do with this application.

When asked, Mr. Beaudry advised that the school would be open Monday to Friday, 8:00 a.m. to 5:00 p.m. They are rarely open on weekend.

Mr. Beynon advised that there have been up to 300 cars on the property at midnight during events. When asked, Mr. Beaudry indicated they would not be opposed to gating the property, if required, to avoid others using their parking lot.

When asked, Mr. Beaudry advised that, at times, there may be five or six trucks on the property when new vehicles are ordered.

In closing, Mr. Beaudry indicated that many of the traffic concerns will be alleviated once the Kingsway upgrading is completed. He stated that, at the meeting, many were venting their frustration over transport trucks parking on the road, blocking driveways and idling; all of which had nothing to do with this proposal. He also indicated that he will work with the neighbouring developer and provide a site plan to address their concerns.

The Chair asked whether there was anyone else 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 applications.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PERMIT THE DEVELOPMENT OF OFFICE SPACE, CLASSROOM FACILITIES AND ON-SITE TRAINING FOR A TRANSPORT TRAINING SCHOOL, 2565 KINGSWAY, SUDBURY - SUDBURY SHRINE CLUB (cont'd)

The following recommendations were presented:

Recommendation #2007-20:

Rivest-Berthiaume: THAT the application by Sudbury Shrine Club to amend the Official Plan for the Sudbury Planning Area by redesignating lands described as PIN 73576 - 0054, part of Parcel 45812 S.E.S., Parts 1 to 6 of Plan 53R-9088, less Parts 14 to 16 of Plan 53R-13567, in Lot 10, Concession 4, Township of Neelon, from "Low Density Residential District" to "Linear Mixed Use District" in the Secondary Plan for the City of Sudbury, be denied.

NON-CONCURRING MEMBERS: Councillors Berthiaume, Dutrisac, Dupuis, Rivest, Caldarelli

DEFEATED

Recommendation #2007-21:

Dupuis-Berthiaume: THAT the application by Sudbury Shrine Club to amend the Official Plan for the Sudbury Planning Area by redesignating lands described as PIN 73576 - 0054, part of Parcel 45812 S.E.S., Parts 1 to 6 of Plan 53R-9088, less Parts 14 to 16 of Plan 53R-13567 in Lot 10, Concession 4, Township of Neelon, from "Low Density Residential District" to "Linear Mixed Use District" in the Secondary Plan for the City of Sudbury, be approved.

CONCURRING MEMBERS: Councillors Berthiaume, Dutrisac, Dupuis, Rivest, Caldarelli

CARRIED

Recommendation:

Rivest-Dupuis: THAT the application by Sudbury Shrine Club to amend By-law 95-500Z being the Zoning By-law for the (former) City of Sudbury by changing the zoning classification of lands described as PIN 73576 - 0054, part of Parcel 45812 S.E.S., Parts 1 to 6, Plan 53R-9088, less Parts 14-16, Plan 53R-13567 in Lot 10, Concession 4, Township of Neelon from "R3-4", Mixed Multiple Residential Special to "C2 - Special", General Commercial Special, be approved subject to the following conditions:

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PERMIT THE DEVELOPMENT OF OFFICE SPACE, CLASSROOM FACILITIES AND ON-SITE TRAINING FOR A TRANSPORT TRAINING SCHOOL, 2565 KINGSWAY, SUDBURY - SUDBURY SHRINE CLUB (cont'd)

Recommendation (cont'd):

- a) That permitted uses be limited to storage for an institutional use and a trade school offering transport training with accessory office uses;
- b) That prior to the adoption of the Official Plan Amendment and the enactment of the amending by-law, the applicant shall undertake a noise impact study to determine the anticipated sound levels at the property boundaries abutting residential zones. Should the sound levels exceed Ministry of the Environment Guidelines, then the applicant shall undertake to provide such mitigation measures as are identified in the noise study; and,
- c) That prior to the adoption of the Official Plan Amendment and the enactment of the amending by-law, the owner shall enter into a Site Plan Control Agreement which addresses, among other matters, access, parking, on-site circulation, and adequate buffering.

The following amendment to the recommendation was presented:

Recommendation #2007-22:

Rivest-Dupuis: THAT Condition b) be deleted.

CONCURRING MEMBERS: Councillors Berthiaume, Dutrisac, Dupuis, Rivest, Caldarelli

CARRIED

The main recommendation as amended was presented:

Recommendation #2007-23:

Rivest-Dupuis: THAT the application by Sudbury Shrine Club to amend By-law 95-500Z being the Zoning By-law for the (former) City of Sudbury by changing the zoning classification of lands described as PIN 73576 - 0054, part of Parcel 45812 S.E.S., Parts 1 to 6, Plan 53R-9088, less Parts 14-16, Plan 53R-13567 in Lot 10, Concession 4, Township of Neelon from "R3-4", Mixed Multiple Residential Special to "C2 - Special", General Commercial Special, be approved subject to the following conditions:

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PERMIT THE DEVELOPMENT OF OFFICE SPACE, CLASSROOM FACILITIES AND ON-SITE TRAINING FOR A TRANSPORT TRAINING SCHOOL, 2565 KINGSWAY, SUDBURY - SUDBURY SHRINE CLUB (cont'd)

Recommendation #2007-23 (cont'd):

- a) That permitted uses be limited to storage for an institutional use and a trade school offering transport training with accessory office uses; and,
- b) That prior to the adoption of the Official Plan Amendment and the enactment of the amending by-law, the owner shall enter into a Site Plan Control Agreement which addresses, among other matters, access, parking, on-site circulation, and adequate buffering.

CONCURRING MEMBERS: Councillors Berthiaume, Dutrisac, Dupuis, Rivest, Caldarelli

CARRIED

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

Reconvene At 7:51 p.m., the Planning Committee reconvened.

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PROVIDE PARKING FOR AN ABUTTING MEDICAL CLINIC, CROSS AND DOUGLAS STREETS, SUDBURY - 3336263 CANADA LIMITED AND CITY OF GREATER SUDBURY

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

Report dated December 15th, 2006 was received from the Director of Planning Services and the General Manager of Growth and Development regarding applications for Official Plan amendment and rezoning in order to provide parking for an abutting medical clinic, Cross and Douglas Streets, Sudbury, 3336263 Canada Limited and City of Greater Sudbury.

Mac Sinclair, 214 Alder Street, Sudbury, Counsel for the applicant, was present.

The Director of Planning Services explained this was a continuation of the hearing which began at the Planning Committee meeting of January 9th, 2007.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PROVIDE PARKING FOR AN ABUTTING MEDICAL CLINIC, CROSS AND DOUGLAS STREETS, SUDBURY - 3336263 CANADA LIMITED AND CITY OF GREATER SUDBURY (cont'd)

The Real Estate Co-ordinator indicated that the continuation of the meeting was for the purpose of providing an opportunity for the applicant, the neighbours and the Real Estate Co-ordinator to discuss access through the City's property. He advised that, although residents of Douglas Street use the lane to gain access to their back yards, they have driveways on Douglas Street. He had two neighbours to speak with: Saleem Kahn and Sherry Matthews. Ms. Matthews indicated she did not use the back lane as she has a culvert in her back yard which she does not want to traverse.

The Real Estate Co-ordinator indicated he therefore only had to deal with the Kahn property. He met with Saleem Kahn, the owner, Stephan Grenon, the proposed purchaser, and Leo LaSorsa, the real estate agent to discuss a way to remedy the situation. He stated that the buffer is important because of the creek. He advised that a driveway could be located along part of Lot 105. He indicated that Mr. Grenon was willing to enter into a leasing agreement to save harmless the City, pay rent on part of Lot 99 over which he would have exclusive rights, pay a proportionate amount of rent over Lot 105 and pay associated legal costs.

Mac Sinclair stated that the Barr Clinic places great emphasis on confidentiality and privacy for its clients. He further stated the applicant is concerned Mr. Grenon may have tenants and other uses of the property which would affect the privacy and safety in the back parking lot. He advised that he had been instructed to advise that if exclusive use of the property at the back can not be provided, the applicant will surrender all rights to the lease which will also eliminate any contribution to the proposed landscaping features. He also requested that, if the Committee would not grant the applicant exclusive use of the City lands, the applications be amended to delete all reference to the City owned lands.

Stephan Grenon indicated there is enough room at the back for a driveway as well as a parking area.

Leo Grenon, father of Stephan Grenon, stated that when Douglas Street was widened the residences in that area lost their parking areas in the front of the homes. He stated it is very difficult to back into the parking area, which is only big enough for a car and not a larger vehicle, from Douglas Street. He also stated there is usually no one at the property during the week so there would be very little traffic in the back driveway during the clinic's business hours.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PROVIDE PARKING FOR AN ABUTTING MEDICAL CLINIC, CROSS AND DOUGLAS STREETS, SUDBURY - 3336263 CANADA LIMITED AND CITY OF GREATER SUDBURY (cont'd)

The Chair asked whether there was anyone else 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 applications.

The following recommendations were presented:

Recommendation #2007-24:

Dupuis-Rivest: THAT the application by 3336263 Canada Limited and the City of Greater Sudbury to amend the Official Plan for the Sudbury Planning Area by redesignating lands described as Lots 100, 104, 105 and part of Lot 99, Plan M-95, in Lot 6, Concession 3, Township of McKim from "Light Industrial/Service Commercial", "Old City" and "Conservation" to "Linear Mixed Use District" in the Secondary Plan for the City of Sudbury, be approved.

CONCURRING MEMBERS: Councillors Dupuis, Rivest

NON-CONCURRING MEMBERS: Councillors Berthiaume, Dutrisac, Caldarelli

DEFEATED

Recommendation #2007-25:

Berthiaume-Dutrisac: THAT the application by 3336263 Canada Limited and the City of Greater Sudbury to amend the Official Plan for the Sudbury Planning Area by redesignating lands described as Lot 100 and the north part of Lot 99, Plan M-95, in Lot 6, Concession 3, Township of McKim from "Light Industrial/Service Commercial" and "Old City" to "Linear Mixed Use District" in the Secondary Plan for the City of Sudbury, be approved.

CONCURRING MEMBERS: Councillors Berthiaume, Dutrisac, Dupuis, Rivest, Caldarelli

CARRIED

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PROVIDE PARKING FOR AN ABUTTING MEDICAL CLINIC, CROSS AND DOUGLAS STREETS, SUDBURY - 3336263 CANADA LIMITED AND CITY OF GREATER SUDBURY (cont'd)

Recommendation #2007-26:

Berthiaume-Dutrisac: THAT the application by 3336263 Canada Limited and the City of Greater Sudbury to amend By-law 95-500Z being the Zoning By-law for the (former) City of Sudbury by changing the zoning classification of lands described as Lot 100 and the north part of Lot 99, Plan M-95, in Lot 6, Concession 3, Township of McKim from "M1", Mixed Light Industrial/ Service Commercial, and "R6", Established Residential "M1-48", Mixed Light Industrial/Service Commercial Special, be approved subject to the following condition:

- a) That the existing site plan control agreement for Lots 101, 102 and 103 of Plan M-95 (205 Douglas Street) be amended to include Lot 100 and the northerly portion of Lot 99.

CONCURRING MEMBERS: Councillors Berthiaume, Dutrisac, Dupuis, Rivest, Caldarelli

CARRIED

AN APPLICATION FOR REZONING TO PERMIT THE CONVERSION OF THE EXISTING BUILDING TO A SIX UNIT MULTIPLE DWELLING, 351 ELM STREET, SUDBURY - RICHARD LAPORTE

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

Report dated January 5th, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to permit the conversion of the existing building to a six unit multiple dwelling, 351 Elm Street, Sudbury, Richard Laporte.

Richard Laporte, the applicant, and Dave Matthews, agent for the applicant, were present.

The Manager of Development Approvals outlined the application to the Committee.

Dave Matthews stated he is a real estate agent and in the past sold adjacent properties which have six to eight apartments and less parking than proposed for the subject building. He further stated the proposal would conform with the area.

PUBLIC HEARINGS (cont'd)

AN APPLICATION FOR REZONING TO PERMIT THE CONVERSION OF THE EXISTING BUILDING TO A SIX UNIT MULTIPLE DWELLING, 351 ELM STREET, SUDBURY - RICHARD LAPORTE (cont'd)

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 #2007-27:

Dupuis-Berthiaume: THAT the application by Richard Laporte to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury to change the zoning classification of the lands forming Lot 6 and part of Lot 5, Plan 8-S, in Lot 7, Concession 3, Township of McKim, City of Greater Sudbury from "C1-29" Local Commercial-Special to "R3-Special" Mixed Multiple Residential - Special, be approved, subject to the following conditions:

1. That prior to the enactment of the by-law amendment, the applicant shall have submitted plans for the conversion of the building to a multi-unit residential dwelling, to the satisfaction of the Chief Building Official, which shall include one by-law standard parking space per dwelling unit.
2. That the maximum number of dwelling units to be included in the amending by-law shall be based on the plan in item 1 above, which shall not exceed six dwelling units.
3. That the amending by-law shall include that a minimum of 1 parking space shall be provided per dwelling unit.

CONCURRING MEMBERS: Councillors Berthiaume, Dutrisac, Dupuis, Rivest, Caldarelli

CARRIED

APPLICATION FOR REZONING TO PERMIT THE CONSTRUCTION OF A DUPLEX DWELLING, 3240 ERRINGTON AVENUE, CHELMSFORD - LIONEL AND LINDA LAURIN

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 TO PERMIT THE CONSTRUCTION OF A DUPLEX DWELLING, 3240 ERRINGTON AVENUE, CHELMSFORD - LIONEL AND LINDA LAURIN

Report dated January 5th, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to permit the construction of a duplex dwelling, 3240 Errington Avenue, Chelmsford, Lionel and Linda Laurin.

Marc Rémillard, agent and counsel for the applicant, and Richard Séguin, proposed purchaser of the property, were present.

The Manager of Development Services outlined the application to the Committee.

Marc Rémillard indicated the severance of the land has already been completed and the applicant is satisfied with the recommendation.

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 #2007-28:

Berthiaume-Dutrisac: THAT the application by Lionel and Linda Laurin to amend By-law 83-302 being the Comprehensive Zoning By-Law for the (former) Town of Rayside-Balfour as it applies to PIN 73349 - 0370, Parcel 24686 S.W.S., part of Lot 14, M-513, Lot 2, Concession 2, Township of Balfour, City of Greater Sudbury, by changing the zoning classification from "R1", Single Residential to "R2", Double Residential be approved subject to the following:

1. That applicant provide the Development Services Section with a registered survey plan outlining the lands to be rezoned in order to enable the preparation of the amending by-law.

CONCURRING MEMBERS: Councillors Berthiaume, Dutrisac, Dupuis, Rivest, Caldarelli

CARRIED

PUBLIC HEARINGS (cont'd)

Recess At 8:58 p.m., the Planning Committee recessed.

Reconvene At 9:04 p.m., the Planning Committee reconvened.

APPLICATION FOR REZONING IN ORDER TO PERMIT THE USE OF A FORMER NURSING HOME AS A ROOMING HOUSE, 219 O'NEIL DRIVE, GARSON - MARINA COURTS LIMITED

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

Report dated January 9th, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning in order to permit the use of a former nursing home as a rooming house, 219 O'Neil Drive, Garson, Marina Courts Limited.

Email of concern dated January 12th, 2007 from Charles Lumbis was distributed to the Committee.

Letter of constituents' concerns dated January 23rd, 2007 from Coucillor Thompson, Ward Councillor, was distributed to the Committee.

Maurice Lamoureux was present on behalf of the applicant.

The Manager of Development Approvals outlined the application and explained the rationale for Planning staff recommendation for denial. He explained By-law 83-304 does not include a rooming house as either a permitted use or a defined use. He stated Planning Services' concern about the parking situation with insufficient parking spaces and parking in the front which poses safety and aesthetic problems. He further stated that no sketches for parking were received with the application as the owner felt there were no parking issues and parking in the front yard was for convenience not necessity. Another concern is the unscreened garbage bin directly adjacent to the sidewalk.

Maurice Lamoureux stated the property, which had been neglected, was purchased three years ago. He indicated they started the operation in 2006, planning a rooming home for adults with disabilities and seniors. He further indicated that housing miners gave them the capability of repairing the building. He stated that the mining company approached them as there are no accommodations for the miners. He feels they are servicing the community's need for housing.

Mr. Lamoureux indicated they have not addressed parking. He further indicated the residents do not want to park in the back because of security problems. He stated they have a shuttle bus to take the miners to and from work. He asked for

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING IN ORDER TO PERMIT THE USE OF A FORMER NURSING HOME AS A ROOMING HOUSE, 219 O'NEIL DRIVE, GARSON - MARINA COURTS LIMITED (cont'd)

time to solve the parking situation as it is an existing situation which they have to deal with. He also stated that he would have liked to retain the "I", Industrial zoning because of its permitted uses.

Paul Zulich, area property owner, indicated he does not oppose to the rezoning application but objects to the parking situation. He is the owner of 50 townhouses and 90 apartment units located behind the subject property and has provided 1.5 parking spaces per unit. Because of the close proximity of the subject property to his properties, he fears the tenants from the subject property will use his parking lots.

Ken Ellis, area resident, indicated he walks past the subject property daily. He stated that often every space in front of the building is taken for parking. He also stated there is mud on the sidewalk due to the ruts caused by the vehicles making it necessary to walk on the street. He further stated that a terrible smell is emanating from the garbage bin which is overflowing. He indicated he reported the situation to the By-law Enforcement Department one year ago.

Dale Heckman, one of the operators of the business, indicated that parking has been an issue. He stated they plan to place lockstone in the front of the building once the weather permits. He indicated that, in the future when the business is profiting, they plan to improve the parking situation.

Mr. Lamoureux indicated that he would be acceptable to a recommendation requiring lockstone and the beautification of the front yard. With respect to the garbage bin, he advised the bin is overflowing because tomorrow is the pick up day. He stated that they provided a large bin to help alleviate the problem. He further stated that, if he were required to screen the garbage bin, it would probably reduce parking by two to three spaces.

The Manager of Development Approvals indicated that, should the Committee approve this application, the recommendation should require that the front yard landscaping be reinstated, the parking be in the rear and the garbage bin be in the rear.

Proceed The following recommendation was presented:

Past

10:00 p.m. **Recommendation #2007-29:**

Dupuis-Dutrisac: THAT we proceed past the hour of 10:00 p.m.

CARRIED

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING IN ORDER TO PERMIT THE USE OF A FORMER NURSING HOME AS A ROOMING HOUSE, 219 O'NEIL DRIVE, GARSON - MARINA COURTS LIMITED (cont'd)

The Committee agreed that the applicant should meet with staff with a plan for parking and for the beautifying the front of the building with lockstone, planter, etc. They further agreed that any parking allowed in the front of the building should only be for overflow.

The Chair asked whether there was anyone else 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:

Rivest-Dutrisac: THAT the application by Marina Courts Limited to amend By-law 83-304 being the Comprehensive Zoning By-law for the (former) Town of Nickel Centre by changing the zoning classification of lands described as Parcel 32542 S.E.S., Lots 15 to 18, Plan M-690, in Lot 5, Concession 1, Township of Garson from "I", Institutional to "R3-Special", Medium Density Residential Special be approved subject to the following conditions:

- a) That the only permitted use shall be a rooming house where the maximum number of beds is equivalent to the number of parking spaces provided;
- b) That required parking be provided based on a standard of one (1) parking space per bed; and,
- c) That prior to the enactment of the amending by-law, the owner shall enter into a Site Plan Control Agreement.

The following amendment to the recommendation was presented:

Recommendation #2007-30:

Dupuis-Berthiaume: THAT Condition a) be amended as follows:

- a) That the only permitted use shall be a 40-bed rooming house;

AND THAT Condition b) be deleted and replaced with:

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING IN ORDER TO PERMIT THE USE OF A FORMER NURSING HOME AS A ROOMING HOUSE, 219 O'NEIL DRIVE, GARSON - MARINA COURTS LIMITED (cont'd)

Recommendation #2007-30 (cont'd):

- b) That 25 parking spaces be permitted and that parking be permitted in the front yard.

CONCURRING MEMBERS: Councillors Berthiaume, Dutrisac, Dupuis, Rivest, Caldarelli

CARRIED

The main recommendation as amended was presented:

Recommendation #2007-31:

Rivest-Dutrisac: THAT the application by Marina Courts Limited to amend By-law 83-304 being the Comprehensive Zoning By-law for the (former) Town of Nickel Centre by changing the zoning classification of lands described as Parcel 32542 S.E.S., Lots 15 to 18, Plan M-690, in Lot 5, Concession 1, Township of Garson from "I", Institutional to "R3-Special", Medium Density Residential Special be approved subject to the following conditions:

- a) That the only permitted use shall be a 40-bed rooming house;
- b) That 25 parking spaces be permitted and that parking be permitted in the front yard; and,
- c) That prior to the enactment of the amending by-law, the owner shall enter into a Site Plan Control Agreement.

CONCURRING MEMBERS: Councillors Berthiaume, Dutrisac, Dupuis, Rivest, Caldarelli

CARRIED

PART I - CONSENT AGENDA

The following recommendation was presented to adopt Items C-1 to C-2 contained in Part 1 of the Consent Agenda:

Recommendation #2007-32:

Dutrisac-Dupuis: THAT Items C-1 to C-2 contained in Part 1, Consent Agenda, be adopted.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-1
80 Landry St,
Azilda, École
Ste-Agnes

Report dated January 17th, 2007 was received from the Acting General Manager of Infrastructure regarding 80 Landry Street, Azilda, École Ste-Agnes.

Recommendation #2007-33:

Dutrisac-Berthiaume: THAT Le Conseil scolaire catholique du Nouvel-Ontario be advised that the City of Greater Sudbury is not interested in acquiring École Ste-Agnès School, municipally known as 80 Landry Street, Azilda.

CARRIED

Item C-2
Extension of
Draft Approval,
Black Lake Road,
Lively, Riverglen
Developments
Ltd.

Report dated January 8th, 2007 was received from the General Manager of Growth and Development regarding Extension of Draft Approval, Black Lake Road, Lively, Riverglen Developments Ltd.

Recommendation #2007-34:

Dupuis-Rivest: THAT upon payment of the processing fee of \$833.33 prior to the February 20, 2007 lapsing date, the conditions of draft approval for the plan of subdivision of Parcel 1386 S.W.S., Lot 7, Concession 3, Township of Waters, City of Greater Sudbury, be amended as follows:

- a) By revising Condition #12. and replacing it with the following:

"12. Draft approval shall lapse on November 20th, 2007."

PART I - CONSENT AGENDA

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-2
Extension of
Draft Approval,
Black Lake Road,
Lively, Riverglen
Developments
Ltd. (cont'd)

Recommendation #2007-34 (cont'd):

b) By revising Condition #14 to read as follows:

"14. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the General Manager of Infrastructure and Emergency Services, provide an updated geotechnical report prepared, signed, sealed, and dated by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommend construction procedures for storm and sanitary sewers, stormwater management facilities, watermains, roads to a 20 year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services."

c) By inserting condition #15, #16, #17, #18, #19, #20 and #21:

"15. The owner shall be responsible for all aspects of slope stability and erosion protection, including all costs. Where issues of slope stability occur, the owner shall employ the services of a registered Professional Engineer to ensure slopes are designed and constructed in a manner that shall ensure the safety of the occupants of the home and the structure to ensure the long term stability of the constructed slopes. The owner shall ensure that silt mitigation measures satisfactory to the Nickel District Conservation Authority are employed during the construction phase of the home to prevent sediment escaping the site to Junction Creek."

PART I - CONSENT AGENDA

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-2
Extension of
Draft Approval,
Black Lake Road,
Lively, Riverglen
Developments
Ltd. (cont'd)

Recommendation #2007-34 (cont'd):

- "16. Any alteration to the watercourse for the purposes of slope stability and erosion protection will require the approval of the Nickel District Conservation Authority, Ministry of Natural Resources and Department of Fisheries and Oceans."
- "17. The developer will be required to stake out the property lines and the extent of the floodplain when the construction occurs on the lots adjacent to Junction Creek."
- "18. 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 sediment 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 Growth and Development and the Nickel District Conservation Authority. The siltation control shall remain in place until all disturbed areas have been stabilized. All sediment 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."
- "19. The owner shall provide a detailed lot grading plan prepared, signed, sealed, and dated by a professional civil engineer with a valid certificate of authorization for the proposed lots as part of the submission of servicing plans. This plan must show finished grades around new houses, retaining walls, side yards, swales, slopes and lot corners. The plan must

PART I - CONSENT AGENDA

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-2
Extension of
Draft Approval,
Black Lake Road,
Lively, Riverglen
Developments
Ltd. (cont'd)

Recommendation #2007-34 (cont'd):

- show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties."
- "20. Prior to the submission of servicing plans, the owner shall have a stormwater management report and plan prepared, signed, sealed, and dated by a professional engineer with a valid certificate of authorization. Said report shall establish how the quantity and quality of stormwater will be managed for the subdivision development and assess the impact of stormwater runoff from this developed subdivision on abutting lands, on the downstream storm sewer outlet systems and on Junction Creek, the downstream water course. 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(s). The report shall set out any necessary improvements to downstream storm sewers and water courses. The civil engineering consultant shall meet with the Development Approvals Section prior to commencing the stormwater management report."
- "21 The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Hydro services, Bell, Union Gas and Persona. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase."

CARRIED

Adjournment

Recommendation #2007-35:

Dutrisac-Berthiaume: That we do now adjourn.
Time: 10:34 p.m.

CARRIED

CLERK DESIGNATE

COUNCILLOR FRANCES CALDARELLI