

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

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

**Tuesday, February 6th, 2007  
Commencement: 4:45 p.m.  
Adjournment: 7:45 p.m.**

**COUNCILLOR ANDRÉ RIVEST PRESIDING**

Present Councillors Berthiaume, Caldarelli, Dupuis, Dutrisac

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Approvals; K. Forrester, Real Estate Co-ordinator; P. Reid, Business Development Officer; E. Labelle, Clerk Designate; F. Bortolussi, Planning Committee Secretary

Declarations of Pecuniary Interest None declared.

"In Camera" **Recommendation #2007-36:**

Berthiaume-Dupuis: That we move "In Camera" to deal with a property acquisition and a property sale in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2006-100 and the Municipal Act, 2001, s.239(2).

**CARRIED**

Recess At 4:53 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 FRANCES CALDARELLI PRESIDING**

Present Councillors Berthiaume, Dupuis (D5:50pm; A7:08pm), Dutrisac, Rivest

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Approvals; R. Webb, Supervisor of Development Engineering; R. Norton, Drainage Engineer; E. Labelle, Clerk Designate; M. Laalo, Licensing & Assessment Clerk; F. Bortolussi, Planning Committee Secretary

News Media Northern Life; Sudbury Star

Declarations of Pecuniary Interest      None declared

**MATTERS ARISING FROM THE “IN CAMERA” SESSION**

Rise and Report      Councillor Rivest reported the Committee met in closed session to deal with a property acquisition and a property sale and the following recommendations emanated therefrom:

Purchase of Land  
520 Kingsway,  
Sudbury

**Recommendation #2007-37:**

Dupuis-Berthiaume: THAT Council of the City of Greater Sudbury authorize the purchase of 520 Kingsway, Sudbury, legally described as PIN 02132 - 0171(LT), Lot 30, Plan M-42, City of Greater Sudbury;

AND THAT a By-law be passed authorizing the execution of the documents required to complete the real estate transaction;

AND THAT the acquisition be funded from the Capital Financing Reserve Fund-Roads.

**CARRIED**

Sale of Land,  
Walden Industrial  
Park, Magill  
Street, Lively

**Recommendation #2007-38:**

Dupuis-Berthiaume: THAT the Council of the City of Greater Sudbury authorize the sale of PIN 73376 - 0327 being Parts 3 and 7, Plan 53R-6612, except Part 2, 53R-17711, part of Lot 5, Concession 5, Township of Waters, Magill Street, Lively, Walden Industrial Park to Mining Technologies International Inc.;

AND THAT a By-law be passed authorizing the execution of the documents required to complete the real estate transaction;

AND THAT the net proceeds of the sale be credited to the Industrial Park Reserve Fund.

**CARRIED**

## **PUBLIC HEARINGS - DRAINAGE ACT**

### **CASTONGUAY BRANCH C MUNICIPAL DRAIN**

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

Report dated January 18th, 2007 was received from the Acting General Manager of Infrastructure regarding Castonguay Branch C Municipal Drain.

Schedule "A" Engineering Report Castonguay Branch C Municipal Drain was circulated under separate cover.

Kenn Smart, P. Eng., Drainage Engineer for the Castonguay Branch C Municipal Drain, outlined the project to the Committee. He explained that under the Drainage Act, the engineering report is to be considered by Council.

Larry Papke indicated the proposed drain runs along the back of his property. However, he is concerned about the big ditch at the front of his property. His concern is for the safety of children due to the amount of water in the ditch and, if the ditch is dry, it is very steep. He did request that a culvert be installed in the front to reduce the steepness of the ditch. He asked if this request has been considered.

Kenn Smart indicated this request had been considered; however, it was felt that it would be better addressed through the roads department as the ditch is part of the road and all road work is completed by that department.

The Drainage Engineer confirmed that Mr. Papke's concerns would be taken under advisement. He will meet with Mr. Papke to review the situation.

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 recommendations were presented:

#### **Recommendation #2007-39:**

Berthiaume-Rivest: THAT the Planning Committee recommend that the Council of the City of Greater Sudbury accept the Engineer's Report dated October 31st, 2006 from K. Smart Associates Limited for the Castonguay Branch C Municipal Drain and give first and second reading to a draft By-law to provide for the Castonguay Branch C Municipal Drainage works in the City of Greater Sudbury.

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

**CARRIED**

**PUBLIC HEARINGS - PLANNING ACT**

**APPLICATION FOR REZONING IN ORDER TO ELIMINATE A SPLIT ZONING AS A  
CONDITION OF CONSENT APPLICATIONS B0161/2006, B0162/2006, B0163/2006  
AND B0164/2006, VERMILION LAKE ROAD, CHELMSFORD - KATHY REEVES AND  
RITA SULYOK (AGENT: TODD REEVES)**

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

Report dated January 24th, 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 eliminate a split zoning as a condition of consent applications B0161/2006, B0162/2006, B0163/2006 and B0164/2006, Vermilion Lake Road, Chelmsford, Kathy Reeves and Rita Sulyok (Agent: Todd Reeves).

Kathy Reeves, one of the applicants, was present.

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

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 #2007-40:**

Berthiaume-Rivest: THAT the application by Kathy Reeves and Rita Sulyok to amend By-law 83-300 being the Comprehensive Zoning By-law for the (former) Towns of Valley East and Onaping Falls by changing the zoning classification of Part of PIN 73367 - 9504, part of Parcel 19038 S.W.S. in Lot 8, Concession 6, Township of Fairbank from "RU", Rural to "R1.D2.5", Single Residential be approved subject to the following condition:

1. That the applicants 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.

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

**CARRIED**

**PUBLIC HEARINGS - PLANNING ACT (cont'd)**

**APPLICATION FOR REZONING TO PERMIT THE CREATION OF TWO RESIDENTIAL LOTS, ORANGE GROVE DRIVE, SUDBURY - CITY OF GREATER SUDBURY**

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

Report dated January 22nd, 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 creation of two residential lots, Orange Grove Drive, Sudbury, City of Greater Sudbury.

Letter of concern dated January 31st, 2007 from Larry and Simone Lemieux was distributed to the Committee members.

Copies of letters from Councillor Gasparini, Ward Councillor, dated August 23rd, 2006 to Dr. David Robinson, Chair of Magnolia Orange Grove Citizens Committee and Mike Johnson, 1141566 Ontario Inc. were distributed to the Committee members.

Dave Dorland, 298 Larch Street, Sudbury, agent for the developer, was present.

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

Dave Dorland indicated the developer wished to create three lots at the north end of Magnolia Street. He further indicated that the area residents were concerned with this proposal as they would lose access to the trail and park lands in that area. He stated that the developer held a meeting with the area residents which resulted in the alternative presented in this application; which alternative satisfied all parties.

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 #2007-41:**

Rivest-Berthiaume: THAT the application by City of Greater Sudbury 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 part of Block A,

**PUBLIC HEARINGS - PLANNING ACT (cont'd)**

**APPLICATION FOR REZONING TO PERMIT THE CREATION OF TWO RESIDENTIAL LOTS, ORANGE GROVE DRIVE, SUDBURY - CITY OF GREATER SUDBURY (cont'd)**

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**Recommendation #2007-41 (cont'd):**

Plan M 946 in Lot 3, Concession 6, Township of McKim, Sudbury from "P", Public Park to "R1", Single Residential and "R2", Double Residential, be approved, subject to the following condition:

1. That prior to the enactment of the amending by-law Council shall have approved the sale of the above noted lands.

**CONCURRING MEMBERS: Councillors Berthiaume, Dutrisac, Caldarelli**

**NON-CONCURRING MEMBERS: Councillor Rivest**

**CARRIED**

**APPLICATION FOR REZONING IN ORDER TO ADD AN OFFICE TO THE LIST OF PERMITTED USES IN THE "C1-3", LOCAL COMMERCIAL SPECIAL ZONE, 1476 BANCROFT DRIVE, SUDBURY - DOUGLAS BESWICK**

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

Report dated January 24th, 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 add an office to the list of permitted uses in the "C1-3", Local Commercial Special zone, 1476 Bancroft Drive, Sudbury, Douglas Beswick.

Letter of support dated February 6th, 2007 from Councillor Gasparini, Ward Councillor, was distributed to the Committee members.

Douglas Beswick, the applicant, was present.

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

Douglas Beswick indicated approval of the application would make the uses of the property more flexible and, therefore, the property easier to market.

The Chair asked whether there was anyone in the audience who wished to speak in favour or against this application and seeing none:

**PUBLIC HEARINGS - PLANNING ACT (cont'd)**

**APPLICATION FOR REZONING IN ORDER TO ADD AN OFFICE TO THE LIST OF PERMITTED USES IN THE "C1-3", LOCAL COMMERCIAL SPECIAL ZONE, 1476 BANCROFT DRIVE, SUDBURY - DOUGLAS BESWICK (cont'd)**

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**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 #2007-42:**

Berthiaume-Rivest: THAT the application by Douglas Beswick to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury by changing the zoning classification of lands described as Parcel 6311 S.E.S., Lot 5, Plan M-101 except Part 1, Plan 53R-7529 in Lot 1, Concession 3, Township of McKim in order to add an office to the list of permitted uses in the "C1-3", Local Commercial Special zone, be approved.

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

**CARRIED**

Recess At 6:47 p.m., the Planning Committee recessed.

Reconvene At 7:00 p.m., the Planning Committee reconvened.

**APPLICATION FOR REZONING TO PERMIT 157 RESIDENTIAL APARTMENT UNITS, 323 SECOND AVENUE, SUDBURY - LE CONSEIL SCOLAIRE CATHOLIQUE DU NOUVEL ONTARIO (AGENT: DAVE RICARD)**

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

Report dated January 23rd, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to permit 157 residential apartment units, 323 Second Avenue, Sudbury, Le Conseil Scolaire Catholique du Nouvel Ontario (Agent: Dave Ricard).

Letter of opposition dated February 5th, 2007 from Becky Barrett was distributed to the Committee Members.

**PUBLIC HEARINGS - PLANNING ACT (cont'd)**

**APPLICATION FOR REZONING TO PERMIT 157 RESIDENTIAL APARTMENT UNITS, 323 SECOND AVENUE, SUDBURY - LE CONSEIL SCOLAIRE CATHOLIQUE DU NOUVEL ONTARIO (AGENT: DAVE RICARD) (cont'd)**

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Letter of support dated February 6th, 2007 from Councillor Gasparini, Ward Councillor, was distributed to the Committee members.

Dave Ricard, the agent for the applicant, and Dennis Castellan, the project architect, were present.

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

Dave Ricard indicated that the proposal is for an upscale apartment complex with units with high ceilings, green roofing and landscaping to beautify the site. He stated that a public meeting was held with the area residents which was also attended by the Ward Councillor Gasparini. He further stated the area residents support this application.

Dennis Castellan indicated this is an opportunity to take an existing derelict building with strong architectural features and turn it into a unique housing complex. He further indicated the density in the proposed development is less than that permitted. He stated this will be a quality development which will not maximize or stress the site and which will provide desirable housing.

When asked, Mr. Ricard indicated it is their intent to complete the project within 14 months.

Trevor Baird, area resident, indicated he is opposed to the application because of traffic concerns on Second Avenue.

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:

**Recommendation #2007-43:**

Rivest-Berthiaume: THAT the application by Le Conseil Scolaire Catholique du Nouvel Ontario to amend By-law 95-500Z being the Comprehensive Zoning By-law for the former City of Sudbury as it applies to Parcel 19338 S.E.S., Parts 1 and 2, Plan 53R-4745, Lot 12, Concession 4, Township of Neelon, City of



**PUBLIC HEARINGS - PLANNING ACT (cont'd)**

**APPLICATION FOR REZONING TO PERMIT 157 RESIDENTIAL APARTMENT UNITS, 323 SECOND AVENUE, SUDBURY - LE CONSEIL SCOLAIRE CATHOLIQUE DU NOUVEL ONTARIO (AGENT: DAVE RICARD) (cont'd)**

Greater Sudbury, by changing the zoning classification from "I", Institutional Zone to "R4-S", Multiple Residential Special Zone be approved subject to the following:

1. Prior to the issuance of a building permit the owner/applicant will be required to enter into a site plan control agreement that will address among other items: parking, road widening requirements, access and the contribution to a left turn lane on Second Avenue
2. That the 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.
3. That the amending by-law contain the following exception:
  - a) a provision to allow for a 7 storey addition to the existing two storey building.

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

**CARRIED**

**APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT THE DEVELOPMENT OF A TWO STOREY COMMERCIAL BUILDING FOR THE RETAIL SALE OF WINDOWS AND SIDING, HIGHWAY 69 NORTH, VAL CARON - 1594616 ONTARIO INC.**

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

Report dated January 22nd, 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 to permit the development of a two storey commercial building for the retail sale of windows and siding, Highway 69 North, Val Caron, 1594616 Ontario Inc

Letter of opposition received February 5th, 2007 from Richard and Diane Audet was distributed to the Committee members.

**PUBLIC HEARINGS - PLANNING ACT (cont'd)**

**APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT THE DEVELOPMENT OF A TWO STOREY COMMERCIAL BUILDING FOR THE RETAIL SALE OF WINDOWS AND SIDING, HIGHWAY 69 NORTH, VAL CARON - 1594616 ONTARIO INC. (cont'd)**

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Roy Gareau, the applicant, and Dave Dorland, agent for the applicant, were present.

Dave Dorland indicated that the proposal was circulated to a number of area residents; most of whom support the applications and some who oppose them. He further indicated they have had discussions with the two neighbours mostly affected by this proposal. He asked for a deferral in order to have an opportunity to explore amendments to the applications. He also stated the project planner is presently out of town. He requested a one-month deferral.

Councillor Dupuis, Ward Councillor, indicated he felt the Committee should proceed with the applications as there were area residents present who wished to speak.

The Director of Planning Services indicated that, as the applicant requested the deferral, he will be responsible for the payment of deferral fees.

**The Public Hearing concerning this matter was closed and the Planning Committee resumed in order to discuss and vote on the applications.**

With the concurrence of the Committee, Councillor Rivest moved that the matter be deferred in order to provide the applicant with an opportunity to amend the applications.

**PART I - CONSENT AGENDA**

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

**Recommendation #2007-44:**

Dutrisac-Berthiaume: THAT Item C-1 contained in Part 1, Consent Agenda, be adopted.

**CARRIED**

## **PART I - CONSENT AGENDA (cont'd)**

### **ROUTINE MANAGEMENT REPORTS**

Item C-1  
Land Exchange,  
Orange Grove  
Drive, Sudbury

Report dated January 31st, 2007 was received from the Acting General Manager of Infrastructure regarding land exchange, Orange Grove Drive, Sudbury.

#### **Recommendation #2007-45:**

Berthiaume-Dutrisac: THAT the property on Orange Grove Drive, Sudbury, legally described as part of PIN 73602 - 0459 (LT), part of Blocks A and F on Plan M-946, being Parts 4, 6, 7, 9, 10 and 11 on Plan 53R-18167 and part of PIN 73602 - 0464 (LT) being Parts 12, 13, 15 and 16 on Plan 53R-18167, part of Lot 3 Concession 6, Township of McKim, City of Greater Sudbury, be declared surplus to the City's needs and conveyed to 141566 Ontario Inc., in exchange for property legally described as part of PIN 73602 - 0179 (LT) being Part 1 on Plan 53R-18167, part of Lot 3 Concession 6, Township of McKim, City of Greater Sudbury;

AND THAT a By-law be passed authorizing staff to dispense with the procedures set out in By-Law 2003-294 being a By-Law of the City of Greater Sudbury Governing Procedures for the Acquisition and Sale of Land;

AND THAT a By-law be passed authorizing the execution of the documents required to complete the real estate transactions.

**CARRIED**

## **PART II - REGULAR AGENDA**

### **MANAGERS' REPORTS**

Item R-1  
Rescinding of  
By-law 2006-202,  
laneway west of  
Simcoe Street,  
Sudbury

Report dated January 31st, 2007 was received from the Acting General Manager of Infrastructure regarding rescinding of By-law 2006-202, laneway west of Simcoe Street, Sudbury

Councillor Caldarelli indicated that, if the laneway is reopened, the abutting owner will be surrounded by three lanes and the street. She indicated she received a telephone call from Councillor Cimino, Ward Councillor, requesting that the Committee not support this request.

**PART II - REGULAR AGENDA (cont'd)**

**MANAGERS' REPORTS (cont'd)**

Item R-1  
Rescinding of  
By-law 2006-202,  
laneway west of  
Simcoe Street,  
Sudbury

**Recommendation #2007-46:**

Dutrisac-Berthiaume: THAT By-Law 2006-202, being a By-Law of the City of Greater Sudbury to close a portion of a Laneway West of Simcoe Street, Sudbury be rescinded.

**DEFEATED**

Adjournment

**Recommendation #2007-47:**

Dutrisac-Berthiaume: That we do now adjourn.  
Time: 7:45 p.m.

**CARRIED**

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CLERK DESIGNATE

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COUNCILLOR FRANCES CALDARELLI