

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

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**Council Chambers  
Tom Davies Square**

**Tuesday, April 3rd, 2007  
Commencement: 5:35 p.m.  
Adjournment: 7:26 p.m.**

**COUNCILLOR FRANCES CALDARELLI PRESIDING**

Present Councillors Cimino, Berthiaume, Dutrisac, Rivest

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Approvals; G. Mazza, Director of Building Services/Chief Building Official; R. Webb, Supervisor of Development Engineering; P. Baskcomb, Manager of Community and Strategic Planning; A. Haché, City Clerk; T. Lamarche, Deputy Clerk; M. Laalo, Licensing & Assessment Clerk; F. Bortolussi, Planning Committee Secretary

News Media Northern Life

Declarations of Pecuniary Interest None declared

**PUBLIC HEARINGS**

**APPLICATION FOR REZONING IN ORDER TO ELIMINATE A SPLIT ZONING AS A CONDITION OF CONSENT DECISION B212/2006, 1212 KINGSWAY, SUDBURY - EDGAR TAILLEFER JR. AND LOUISE AUDET**

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

Report dated March 26th, 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 Decision B212/2006, 1212 Kingsway, Sudbury, Edgar Taillefer Jr. and Louise Audet.

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

The Director of Planning Services outlined the application to the Committee. He indicated that Transportation Engineering requested that the applicants agree to transfer a three-metre strip of the property to the City, on demand, for future road

**PUBLIC HEARINGS (cont'd)**

**APPLICATION FOR REZONING IN ORDER TO ELIMINATE A SPLIT ZONING AS A  
CONDITION OF CONSENT DECISION B212/2006, 1212 KINGSWAY, SUDBURY -  
EDGAR TAILLEFER JR. AND LOUISE AUDET (cont'd)**

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allowance when requested. He further indicated that this condition was not included in the recommendation; however, if they desired, the Committee could impose this condition.

Dave Dorland questioned the request for the transfer a three-metre strip of the property to the City as the building is close to the road. He stated that the applicants are satisfied with Staff's 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 #2007-93:**

Rivest-Dutrisac: THAT the application by Edgar Taillefer Jr. and Louise Audet 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 part of PIN 02132-1178, Parts 1 to 8, Plan 53R-17238, in Lot 2, Concession 4, Township of McKim, City of Greater Sudbury from "PS", Private Open Space to "C6", Highway Commercial, 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 Cimino, Berthiaume, Dutrisac,  
Rivest, Caldarelli**

**CARRIED**

## **PUBLIC HEARINGS (cont'd)**

### **APPLICATION FOR REZONING TO RESTRICT THE USE OF THE ONE STOREY ADDITION ON THE PROPERTY TO STORAGE AND WAREHOUSING UNTIL SUCH TIME AS CERTAIN IMPROVEMENTS TO DOUGLAS STREET HAVE BEEN COMPLETED, 174 DOUGLAS STREET, SUDBURY - JACK ROCCA AND GIULIO COTESTA**

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

Report dated March 19th, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to restrict the use of the one storey addition on the property to storage and warehousing until such time as certain improvements to Douglas Street have been completed, 174 Douglas Street, Sudbury, Jack Rocca and Giulio Cotesta.

Réjean Parisé, Counsel for the applicants, was present.

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

Réjean Parisé indicated that this application is made as a result of an obligation under the site plan control agreement. He further indicated they have reviewed the recommendation and it conforms with their understanding of the site plan control agreement and discussions with the Planning Department.

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 #2007-94:**

Dutrisac-Rivest: THAT the application by Jack Rocca and Giulio Cotesta to amend By-law 95-500Z being the Zoning By-law for the (former) City of Sudbury to change the zoning classification of the lands forming Parts 7 and 8, Plan 53R-9392 and Parts 1, 2 and 3, Plan 53R-9747, in Lot 6, Concession 3, Township of McKim, City of Greater Sudbury, from "M1", Mixed Light Industrial/Service Commercial to "HM1", Holding-Mixed Light Industrial/Service Commercial - Special, be approved, subject to the following conditions:

**PUBLIC HEARINGS (cont'd)**

**APPLICATION FOR REZONING TO RESTRICT THE USE OF THE ONE STOREY ADDITION ON THE PROPERTY TO STORAGE AND WAREHOUSING UNTIL SUCH TIME AS CERTAIN IMPROVEMENTS TO DOUGLAS STREET HAVE BEEN COMPLETED, 174 DOUGLAS STREET, SUDBURY - JACK ROCCA AND GIULIO COTESTA (cont'd)**

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**Recommendation #2007-94 (cont'd):**

1. That until such time as the "H" Holding symbol has been removed by amendment by Council, a maximum total gross floor area of 2,050m<sup>2</sup> shall be permitted on the subject property in accordance with the "M1" Zone with the existing one storey building consisting of 560m<sup>2</sup> being limited to warehouse uses only.
2. That the "H" symbol shall only be removed pursuant to Section 36 of the Planning Act once the following conditions have been complied with:
  - a) The Director of Roads and Transportation advising that a fifth lane has been constructed on Douglas Street along the frontage of the property.
3. That the \$30,000 provided to the City as part of the site plan agreement with the City be returned to the owner, following the "H", Holding designation coming into effect.

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

**CARRIED**

**APPLICATION FOR REZONING IN ORDER TO PERMIT THE CONVERSION OF AN EXISTING CHURCH INTO A TWO-UNIT DWELLING, 216 ST. JEAN STREET, AZILDA - NORM DEPATIE**

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

Report dated March 19th, 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 conversion of an existing church into a two-unit dwelling, 216 St. Jean Street, Azilda, Norm Depatie.

Norm Depatie, the applicant, was present.

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

**PUBLIC HEARINGS (cont'd)**

**APPLICATION FOR REZONING IN ORDER TO PERMIT THE CONVERSION OF AN EXISTING CHURCH INTO A TWO-UNIT DWELLING, 216 ST. JEAN STREET, AZILDA - NORM DEPATIE (cont'd)**

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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 #2007-95:**

Rivest-Dutrisac: THAT the application by Norm Depatie to amend By-law 83-302 being the Comprehensive Zoning By-law for the (former) Town of Rayside-Balfour, City of Greater Sudbury by changing the zoning classification of lands described as PIN 73346-0616, Parcel 18552 S.W.S., Part 2, Plan SR-134 in Lot 4, Concession 1, Township of Rayside from "I", Institutional to "R2", Double Residential be approved.

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

**CARRIED**

**APPLICATION FOR REZONING TO PERMIT THE CONSTRUCTION OF AN ENCLOSED MINI-PUTT, 3316 ST LAURENT STREET, AZILDA - MARCEL AND JOSEPHINE RAINVILLE**

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

Report dated March 16th, 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 an enclosed mini-putt, 3316 St Laurent Street, Azilda - Marcel and Josephine Rainville

Letter of support dated March 22nd, 2007 was received from Rainbow Country Travel Association.

Letter of support dated March 23rd, 2007 was received from Attractions Ontario.

## PUBLIC HEARINGS (cont'd)

### **APPLICATION FOR REZONING TO PERMIT THE CONSTRUCTION OF AN ENCLOSED MINI-PUT, 3316 ST LAURENT STREET, AZILDA - MARCEL AND JOSEPHINE RAINVILLE (cont'd)**

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Letter of support dated March 27th, 2007 was received from Manager, Tourism, Culture and Marketing, Growth and Development Department, City of Greater Sudbury.

Letter of support dated March 27th, 2007 was received from Greater Sudbury Chamber of Commerce

Letter of opposition dated March 5th, 2007 from Paul Rainville, Jr. was distributed to the Committee Members.

Letter (email) of support dated April 2nd, 2007 from US ProMiniGolf Association was distributed to the Committee Members.

Marcel and Josephine Rainville, the applicants, were present.

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

Josephine Rainville clarified that they are not organic growers, however they do not use herbicides on their property. She stated they want to support Greater Sudbury's tourism initiative and promote the City.

Paul Rainville indicated his property abuts the subject property. He stated his issue is the fact that there is no fence between the two properties. He uses pesticides on his property and, having no fence, can not control the public entering his property. He feels there could be harm to the public if they enter his property within 24 hours of the application of pesticides. He stated that a fence can not be erected because of the trees that were planted some twenty years ago and the trees that were planted recently along the lot line.

Josephine Rainville indicated that there is a grass border of approximately fifteen feet around the property which they keep mowed to indicate the property line. She further indicated there is a fence which was erected in 1982; however, as it is a pipe fence, it can be easily crossed.

Photographs of the trees and fence were circulated to the Committee at the meeting.

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.**

**PUBLIC HEARINGS (cont'd)**

**APPLICATION FOR REZONING TO PERMIT THE CONSTRUCTION OF AN ENCLOSED MINI-PUT, 3316 ST LAURENT STREET, AZILDA - MARCEL AND JOSEPHINE RAINVILLE (cont'd)**

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The following recommendation was presented:

**Recommendation #2007-96:**

Dutrisac-Rivest: THAT the application by Marcel and Josephine Rainville to amend By-law 83-302 being the Comprehensive Zoning By-Law for the former Town of Rayside-Balfour as it applies to Parcel 7517 S.W.S., Lot 2, Concession 5, Township of Rayside, City of Greater Sudbury, by changing the zoning classification from "A", Agricultural to "A-S", Agricultural Special zone be approved subject to the following:

1. That the lands be placed in a "H" Holding designation. The Holding designation will be removed by Council once the applicant has provided the Building Services Section with architectural and engineered drawings, information pertaining to plumbing facilities and adequate water supply for fire fighting all to the satisfaction of the Director of Building Services/Chief Building Official.

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

**CARRIED**

**PRESENTATIONS/DELEGATIONS**

Bill 51 - Planning and Conservation Land Statute Law Amendment Act, 2006

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Report dated February 26th, 2007 was received from the General Manager of Growth and Development regarding Bill 51 - The Planning and Conservation Land Statute Law Amendment Act, 2006.

The Manager of Community and Strategic Planning made an electronic presentation briefly providing key highlights of Bill 51 - The Planning and Conservation Land Statute Law Amendment Act, 2006. He indicated Bill 51 consists of amendments to the Planning Act and several other acts including the Conservation Lands Act. He further indicated there is now the requirement that decisions be consistent with the Provincial Policy Statement in effect on the date of the decision. He explained the new 'Complete Application' process and the notices that must be given to the applicant and area residents once a complete application has been received. He

## **PRESENTATIONS/DELEGATIONS (cont'd)**

Bill 51 - Planning  
and Conservation  
Land Statute Law  
Amendment Act,  
2006 (cont'd)

further explained that all information must now be made available to the public.

The Manager of Community and Strategic Planning stated that if the Planning Committee/Council does not approve an application, it is now necessary to provide reasons for the refusal.

The Manager of Community and Strategic Planning indicated that a municipality is now required to review the Official Plan every five years and amend all zoning by-laws within three years of any revision to ensure conformity. He further indicated that there are significant changes to site plan control provisions; one being that now external design can be controlled. He continued by explaining certain changes when dealing with Committee of Adjustment, Plans of Subdivision and Community Improvement Plans. With respect to the Ontario Municipal Board, he explained the limits placed on appeals and who may appeal.

The Manager of Community and Strategic Planning stated that a planning procedure review will be presented in May. At that time, Bill 51 requirements will be addressed, practices in other municipalities will be highlighted and the City's approach will be proposed and discussed.

## **PART I - CONSENT AGENDA**

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

### **Recommendation #2007-97:**

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

**CARRIED**



## **ROUTINE MANAGEMENT REPORTS**

Item C-1  
Amendments and  
Extension to Draft  
Plan of  
Subdivision and  
Rezoning  
Approval,  
Monticello  
Subdivision,  
Barrydowne/  
Kingsway,  
Sudbury, Mary  
Rose Bernardi

Report dated March 16th, 2007 was received from the General Manager of Growth and Development regarding Amendments and Extension to Draft Plan of Subdivision and Rezoning Approval, Part of Parcel 30885 SES, Lot 1, Concession 4, Township of McKim, Monticello Subdivision, Barrydowne/Kingsway, Sudbury, Mary Rose Bernardi.

### **Recommendation #2007-98:**

Dutrisac-Rivest: THAT the approval to rezone part of Parcel 30885 S.E.S., Lot 1, Concession 4, Township of McKim, by changing the zoning classification from "PS", Private Open Space to "HC2-Special", Holding General Commercial Special, be extended for a period of two years.

**CARRIED**

### **Recommendation #2007-99:**

Rivest-Dutrisac: THAT upon payment of Council's rezoning and subdivision extension fee of \$3,236.00 the draft approval for the Monticello Subdivision application, File 780-6/94009 shall be amended as follows:

i) That condition #11 be deleted and replaced with the following:

"11. "Prior to the submission of servicing plans, the applicant/owner shall have a stormwater management report and plan prepared by a consulting engineer with a valid certificate of authorization. Said report shall establish the drainage areas draining to and within this proposed subdivision. The report shall establish how stormwater quality and quantity will be managed within the subdivision development in order to meet City design criteria and requirements to limit the impact of stormwater both within the subdivision and on downstream receiving storm sewers, drainage channels and creeks. The Regional Storm flow path, to an approved outlet, is to be set out in the plan. The report and plans shall be to the satisfaction of the Acting General Manager of Infrastructure. The owner shall be responsible for the design and construction of any required stormwater management facility as

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

**ROUTINE MANAGEMENT REPORTS (cont'd)**

Item C-1  
Amendments and  
Extension to Draft  
Plan of  
Subdivision and  
Rezoning  
Approval,  
Monticello  
Subdivision,  
Barrydowne/  
Kingsway,  
Sudbury, Mary  
Rose Bernardi  
(cont'd)

**Recommendation #2007-99 (cont'd):**

- part of the servicing plans for the subdivision and the owner shall dedicate the lands for the stormwater management facility as a condition of this development.”
- ii) That condition # 19 be deleted and replaced with the following:  

“19. That this draft approval shall lapse on March 24<sup>th</sup>, 2009.”
  - iii) For clarification purposes condition #25 be revised to read as follows:  

“25. That the development of Lot 2 shall require the construction of Barrydowne Road to the west limit of Lot 2, as shown on the approved draft plan. A front-end agreement for the construction of the North/South, road from the Kingsway to Barrydowne Road will be examined at the time of application. Development beyond Lot 2 shall require the construction of Barrydowne west to the proposed North/South Road.
  - iv) By adding the following condition #29:  

“29. 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.

**CARRIED**

**PART II - REGULAR AGENDA**

**MANAGERS' REPORTS**

Item R-1  
Application to Lift  
an "H", Holding  
Designation  
Jeanne D'Arc St.,  
Hanmer, B.P.H.  
Financial Inc.

Report Report dated March 16th, 2007 was received from the General Manager of Growth and Development regarding an application to lift an "H", Holding designation to permit the development of single detached dwellings, easterly extension of Jeanne D'Arc Street, Hanmer, B.P.H. Financial Inc., c/o Gord Hope.

**Recommendation #2007-100:**

Dutrisac-Rivest: THAT the request by B.P.H. Financial Inc. to remove the "H", Holding designation pertaining to By-law 83-300 being the Comprehensive Zoning By-law for the former Towns of Valley East and Onaping Falls in order to permit the development of the lands described as Parts 3, 4, 5 and 6, Plan 53R-18258, part of Lot 6, Concession 2, Township of Hanmer, City of Greater Sudbury be approved.

**CARRIED**

Adjournment

**Recommendation #2007-101:**

Rivest-Dutrisac: That we do now adjourn.  
Time: 7:26 p.m.

**CARRIED**

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DEPUTY CLERK

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COUNCILLOR FRANCES CALDARELLI