

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

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Council Chamber  
Tom Davies Square

Tuesday, September 18, 2007  
Commencement: 5:37 p.m.  
Adjournment: 7:00 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; R. Webb, Supervisor of Development Engineering; R. Swiddle, City Solicitor; A. Haché, City Clerk; M. Laalo, Licensing & Assessment Clerk; F. Bortolussi, Council Secretary; Marie Vezina, Planning Committee Secretary

News Media MCTV; Sudbury Star

Declarations of Pecuniary Interest None declared

**PUBLIC HEARINGS**

**APPLICATION TO PERMIT THE TEMPORARY USE OF A GARDEN SUITE FOR A PERIOD OF TEN YEARS (1430 GRAVEL DRIVE, HANMER) - DEBORAH TRANCHEMONTAGNE (AGENT: MONIQUE WISELL)**

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

Report dated September 04, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application to permit the temporary use of a garden suite for a period of ten years (1430 Gravel Drive, Hanmer) - Deborah Tranchemontagne (Agent: Monique Wissell).

Monique Wissell, agent for the applicant was present.

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

Ms. Wissell advised that the garded suite was for her in-laws.

**PUBLIC HEARINGS (cont'd)**

**APPLICATION TO PERMIT THE TEMPORARY USE OF A GARDEN SUITE FOR A PERIOD OF TEN YEARS (1430 GRAVEL DRIVE, HANMER) - DEBORAH TRANCHEMONTAGNE (AGENT: MONIQUE WISELL) (cont'd)**

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Councillor Rivest, Ward Councillor, indicated he has received no phone calls regarding this application. He stated he is in support of this application.

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 #2007-233:**

Berthiaume-Dutrisac: THAT the application by Deborah Tranchemontagne, (Agent: Monique Wissell) as it applies to Parcel 44984 S.E.S, Part 1, 53R-8404, Lot 6, Concession 4, Township of Hanmer, City of Greater Sudbury, in order to permit a garden suite on the subject lands for a period of 10 years, pursuant to Section 39 of The Planning Act, be approved.

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

**CARRIED**

**APPLICATION FOR REZONING TO ALLOW A SECOND DWELLING UNIT TO BE CONSTRUCTED WITHIN THE EXISTING DWELLING, (3923 HAROLD CRESCENT, VAL CARON) - PETER LEARN & CHANTELE MORIN**

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

Report dated September 04, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to allow a second dwelling unit to be constructed within the existing dwelling, (3923 Harold Crescent, Val Caron) - Peter Learn & Chantelle Morin.

Peter Learn, the applicant was present.

**PUBLIC HEARINGS (cont'd)**

**APPLICATION FOR REZONING TO ALLOW A SECOND DWELLING UNIT TO BE CONSTRUCTED WITHIN THE EXISTING DWELLING, (3923 HAROLD CRESCENT, VAL CARON) - PETER LEARN & CHANTELE MORIN (cont'd)**

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

Clarification was requested with respect to the appeal process as a result of Bill 51 as it applies to second dwelling units. It was noted that an application for a second dwelling unit is approved there is no appeal process however, if the application is denied can the denial be appealed. The Director of Planning Services indicated that he would look into the matter and report back to the Committee.

Mr. Learn indicated the second dwelling is for his wife's parents who just recently sold their home because it was too much for them to manage and this is a means in acquiring affordable accommodation.

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 #2007-234:**

Berthiaume-Dutrisac: THAT the application by Peter Learn & Chantelle Morin to amend By-law 83-300 being the Comprehensive Zoning for the former Town of Valley East as it applies to Parcel 29593 S.E.S, Lot 91, Plan M-565, Lot 7, Concession 1, Township of Hanmer, City of Greater Sudbury, by changing the zoning classification from "R1", Single Residential Zone to "R2", Double Residential Zone, be approved.

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

**CARRIED**

**APPLICATION FOR REZONING TO PERMIT THE GROUND FLOOR OF A BUILDING IN A "C4", OFFICE COMMERCIAL ZONE TO BE USED AS A DWELLING UNIT, 275 LARCH STREET, SUDBURY - MARY ELIZABETH GIBBONS.**

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 GROUND FLOOR OF A BUILDING IN A "C4", OFFICE COMMERCIAL ZONE TO BE USED AS A DWELLING UNIT, 275 LARCH STREET, SUDBURY - MARY ELIZABETH GIBBONS. (cont'd)**

Report dated September 04, 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 ground floor of a building in a "C4", Office Commercial Zone to be used as a dwelling unit, 275 Larch Street, Sudbury - Mary Elizabeth Gibbons

Mary Elizabeth Gibbons, the applicant was present.

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

Ms. Gibbons noted the existing residential dwelling is one unit on the second and third floor.

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 #2007-235:**

Dutrisac-Berthiaume: THAT the application by Mary Elizabeth Gibbons 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 Lot 53, Plan 2S, Lot 5, Concession 3, McKim Township, City of Greater Sudbury from "C4", Office Commercial to "C4-Special", Office Commercial - Special be approved subject to the following:

That the amending by-law include:

- a. That in addition to the uses permitted in a "C4", Office Commercial Zone a single detached and duplex dwelling are permitted and may occupy the ground floor of a building provided that there are no non-residential uses within the building;

**PUBLIC HEARINGS (cont'd)**

**APPLICATION FOR REZONING TO PERMIT THE GROUND FLOOR OF A BUILDING IN A "C4", OFFICE COMMERCIAL ZONE TO BE USED AS A DWELLING UNIT, 275 LARCH STREET, SUDBURY - MARY ELIZABETH GIBBONS. (cont'd)**

- b. That the minimum westerly interior side yard shall be 1.5m for a two storey building used exclusively for residential purposes.

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

**CARRIED**

**APPLICATION FOR A SITE SPECIFIC REZONING IN ORDER TO RECOGNIZE AN EXISTING BOAT LAUNCH, DOCKING FACILITY AND PARKING AREA (MARINA ROAD, DOWLING) - BONNIE CALDWELL & WINDY LAKE BOAT PEOPLE INC. (AGENT: JAMES LEJAMBE).**

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

Report dated September 04, 2007 was received from the Director of planning Services and the General Manager of Growth and Development regarding an application for a site specific rezoning in order to recognize an existing boat launch, docking facility and parking area (Marina Road, Dowling) - Bonnie Caldwell & Windy Lake Boat People Inc. (Agent: James Lejambe).

James Lejambe, Agent for the applicant was present.

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

Mr. Lejambe indicated with the approval of this application it will clear up frontage issues for four properties and allow 24 campers permanent access to their properties. It will allow property owners of Parcel 5524 to develop the property other than a marina.

Horst Rycholowski, area resident, advised he and his wife are the owners of Parcel 7591 which is located to the west of the subject property. To get to their property they travel across Parcel 5524, part of which crosses the subject property. He noted with the approval of this application it will allow him to obtain an easement giving him permanent registered access to his property. He has no objection to the application and feels it should be granted.

**PUBLIC HEARINGS (cont'd)**

**APPLICATION FOR A SITE SPECIFIC REZONING IN ORDER TO RECOGNIZE AN EXISTING BOAT LAUNCH, DOCKING FACILITY AND PARKING AREA (MARINA ROAD, DOWLING) - BONNIE CALDWELL & WINDY LAKE BOAT PEOPLE INC. (AGENT: JAMES LEJAMBE) (cont'd).**

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Steven Shinton, area resident, one of the four property owners along Marina Road, feels this property should remain public access and submitted a petition with 300 signatures from individuals around Sudbury wanting to keep public access to the lake. This petition as well as a petition from a few years ago were circulated to Committee Members. Mr. Shinton also stated this is the only existing boat launch area for the lake and denying all Sudbury residents the opportunity to utilize the lake would be unfair. Mr. Shinton asked that in looking at maps it appears that the road is a public road.

The City Solicitor advised that the Ontario Superior Court of Justice in a Court Order dated October 11th, 2005 declared Marina Road is a private road, not a public road. Mr. Shinton was advised that the Committee could not overturn a Court Order.

Denise Serpell, one of the four property owners on Marina Road, indicated she has no objection to the application, however wanted to note when she bought her property she had access to the lake and when the property was sold the new owner denied access. She requested access for herself and her neighbours.

When asked, Mr. Lejambe noted the Windy Lake Boat People Inc.'s have financially invested in the property, therefore allowing anyone else the same privileges would be unfair to the paying members. Mr. Lejambe also noted any additional applications for membership would have to be agreed by Corporation.

Councillor Berthiaume, Ward Councillor noted the City of Greater Sudbury has a great many roads that are private roads and to make these roads into public roads would be very costly to the citizens of the City of Greater Sudbury. The Court has determined it is a private road and we cannot override a court of law. He would hope there could be some cooperation between the Windy Lake Boat People Inc. and the 3 residents but it is private property and they can do as they wish.

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:

## PUBLIC HEARINGS (cont'd)

### **APPLICATION FOR A SITE SPECIFIC REZONING IN ORDER TO RECOGNIZE AN EXISTING BOAT LAUNCH, DOCKING FACILITY AND PARKING AREA (MARINA ROAD, DOWLING) - BONNIE CALDWELL & WINDY LAKE BOAT PEOPLE INC. (AGENT: JAMES LEJAMBE) (cont'd).**

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#### **Recommendation #2007-236:**

Berthiaume-Dutrisac: THAT the application by Bonnie Caldwell & Windy Lake Boat People Inc. 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 lands described as Part of PINs 73354-0322 and 73354-0311, being Part of Parcels 5524 and 7153 in Lot 10, Concession 4, Township of

Dowling from "R7.D2.5", Seasonal Residential to "R7.D2.5 - Special", Seasonal Residential Special be approved subject to the following conditions:

- a. That the amending by-law indicate that the only permitted uses shall be a parking lot, boat launch and docking facility without buildings; and,
- b. 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 by-law.

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

**CARRIED**

## **OTHER BUSINESS**

### **UPDATE ON OFFICIAL PLAN**

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The Director of Planning Services updated the Committee regarding the Pre-hearing Conference on the Official Plan for the City of Greater Sudbury. This Plan was approved by Council and 4 appeals were received. During the Pre-hearing Conference, the Ontario Municipal Board advised that three of the appeals would be heard by the Board on February 4th, 2008, setting aside 4.5 days for the hearing. On April 21, 2008 the Laakso appeal will be heard. The Board has set aside 4.5 days for this hearing. It is staff's expectation that the Board will approve the rest of the Official Plan with the exception of the four items in the not to distant future.

Adjournment

**Recommendation #2007-237:**

Dutrisac-Berthiaume: That we do now adjourn.  
Time: 7:00 p.m.

**CARRIED**

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CITY CLERK

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COUNCILLOR FRANCES CALDARELLI