

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

Committee Room C-11
Tom Davies Square

Tuesday, October 2nd, 2007
Commencement: 4:32 p.m.
Adjournment: 8:18 p.m.

COUNCILLOR ANDRÉ RIVEST PRESIDING

Present Councillors Cimino (A4:33pm), Berthiaume, Dutrisac, Caldarelli

Staff B. Lautenbach, Director of Planning Services; K. Forrester, Real Estate Co-ordinator; T. Lamarche, Deputy City Clerk;

Declarations of Pecuniary Interest None declared.

Closed Session **Recommendation #2007-238:**

Caldarelli-Berthiaume: That we meet in closed session to deal with two acquisition/disposition of land matters 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 4:47 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 Cimino, Berthiaume, Dutrisac, Rivest

Mayor Rodriguez

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Approvals; R. Webb, Supervisor of Development Engineering; T. Lamarche, Deputy 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

MATTERS ARISING FROM THE CLOSED SESSION

Rise and Report Councillor Rivest reported the Committee met in closed session to deal with two acquisition/disposition of land matters and the following recommendations emanated therefrom:

Sale of Land R. R. # 84, Capreol Industrial Lot **Recommendation #2007-239:**

Berthiaume-Caldarelli: THAT the Council of the City of Greater Sudbury authorize the sale of part of PIN 73507-0134, being Parts 1 and 10, Plan 53R-13570, part of Lots 10 and 11, Concession 6, Township of Capreol, on M. R. #84, Capreol, to D. Joanis Holding Limited;

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 Land Acquisition Reserve Fund.

CARRIED

Former Long Lake Road (Abandoned) Release of Interest **Recommendation #2007-240:**

Caldarelli-Berthiaume: THAT Council authorize each of the following individually: the General Manager of Infrastructure Services, the City Engineer, and the Director of Roads and Transportation, to sign releases or other documentation as may be requested from time to time to reflect that the City makes no claim to the title to the land on which the abandoned roadway known as Old Long Lake Road is located.

CARRIED

PUBLIC HEARINGS

APPLICATION FOR REZONING IN ORDER TO ELIMINATE A SPLIT ZONING AS A RESULT OF A LOT CONSOLIDATION, SPRUCE STREET, SUDBURY - CITY OF GREATER SUDBURY (AGENTS: EUGENE AND CLAUDETTE CLARKE)

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

Report dated September 13th, 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 result of a lot consolidation, Spruce Street Sudbury, City of Greater Sudbury, (Agents: Eugene and Claudette Clarke).

Claudette Clarke, agent for the applicant, was present.

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

Councillor Cimino, Ward Councillor indicated he has received no calls and 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 #2007-241:

Rivest-Caldarelli: THAT the application by the City of Greater Sudbury (Agents: Eugene and Claudette Clarke) to amend By-law 95-500Z being the Comprehensive Zoning By-law for the former City of Sudbury as it applies to Part of PIN 73586-0411, Parts of Lot 21, Plan 4S, Lot 7, Concession 3, Township of McKim, Sudbury, by changing the zoning classification from "PS", Private Open Space Zone to "R2", Double Residential Zone be approved subject to the following:

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

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

CARRIED

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING IN ORDER TO PERMIT THE CONSTRUCTION OF A LINK HOME (TWO SINGLE DWELLINGS ATTACHED BELOW GRADE), FIRST AVENUE, SUDBURY, JAMES ADAMS (AGENT: CCS GROUP INC.)

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

Report dated September 14th, 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 construction of a link home (two single dwellings attached below grade), First Avenue, Sudbury, James Adams, (Agent: CCS Group Inc).

Rolly St-Onge, CCS Group Inc., agent for the applicant was present.

The Director of Planning Services outlined the application to the Committee. He indicated this particular application is unique in that there are no provision in the current by-law for link homes. He stated the proposal is not consistent with the character of the neighbourhood, where the majority of lots exceed 50 ft frontage. Planning Services is therefore recommending denial of the application which would create 2 lots with 35 ft frontage rather than the 50 feet required for a single family dwelling.

Mr. St-Onge indicated he plans to use this development to conduct a market survey for link homes to see if there is a demand for this type of housing in the City of Greater Sudbury. If there is a demand for link homes he would consider developing a small subdivision with this type of dwelling. He feels this type of dwelling would enhance the neighbourhood and minimize the cost of housing. He indicated he spoke to some neighbours and received no objections. He requested that the City adopt a by-law containing a category for link homes.

When asked what constitutes an adjoining wall, the Director of Planning Services indicated the proposed connection for the link homes being a strip of concrete below grade is not considered an adjoining wall as per the by-law as the 2 dwellings do not have common wall. This proposal, if approved, would technically allow two single family dwellings each with a 35-foot frontage, circumventing the current by-law and setting a precedent.

The Manager of Developmental Approvals indicated now that the new Official Plan is almost approved, that the City is currently in the process of reviewing the current 8 zoning by-laws to create one single zoning by-law for the City of Greater Sudbury and will be completed within the next 2 years. Standards for link homes can be considered during this review.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING IN ORDER TO PERMIT THE CONSTRUCTION OF A LINK HOME (TWO SINGLE DWELLINGS ATTACHED BELOW GRADE), FIRST AVENUE, SUDBURY, JAMES ADAMS (AGENT: CCS GROUP INC.) (cont'd)

Glenda McDonald, area resident indicated once she received the notice of public hearing, she contacted the City for clarification. She sees this proposal as two dwellings on one property to circumvent the 50 foot frontage requirement. Also, she does not feel the 3-storey dwellings are compatible with the area and would rather see these types of homes being built in a subdivision. She indicated she canvassed the neighbourhood and no one she spoke with indicated they had been contacted by the applicant; not even herself or her sister who lives next door.

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 #2007-242:

Rivest-Berthiaume: THAT the application by James Adams (Agent: CCS Group Inc.) to amend By-law 95-500Z being the Comprehensive Zoning By-law for the former City of Sudbury as it applies to Parts 3, 4 & 5, Plan 53R-17651, Lot 12, Concession 3, Township of Neelon, Sudbury, by changing the zoning classification from "R1", Single Residential zone to "R1-S", Single Residential - Special zone be denied.

CONCURRING MEMBERS: Councillors Cimino, Berthiaume, Rivest, Caldarelli

NON-CONCURRING MEMBERS: Councillors Dutrisac

CARRIED

The Chair stated the reasons for denial of the application, the Committee does not feel this type of housing is appropriate in this neighbourhood of single family dwellings. The Committee also feels calling them link homes is a way of circumventing the current by-law requirements. The Committee also feels this would be precedent setting.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING IN ORDER TO PERMIT THE CREATION OF TWO LOTS FOR SINGLE RESIDENTIAL USE, JASON BERGERON & SHERI TOMCHIK - ST AGNES STREET, AZILDA

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

Report dated September 13th, 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 creation of two lots for single residential use, St. Agnes Street, Azilda, Jason Bergeron & Sheri Tomchik.

Jason Bergeron, the applicant, was present.

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

Councillor Dutrisac, Ward Councillor indicated she has received no calls and 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 #2007-243:

Berthiaume-Rivest: THAT the application by Jason Bergeron & Sheri Tomchik to amend By-law 83-302 being the Comprehensive Zoning By-Law for the former Town of Rayside Balfour as it applies to Part of Parcels 10690 'A' & 13885 'A' S.W.S, Lot 6 Concession 1, Concession 4, Township of Rayside, Azilda, City of Greater Sudbury, by changing the zoning classification from "RU", Rural Zone to "R1", Single Residential zone be approved subject to the following:

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

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

CARRIED

PUBLIC HEARINGS (cont'd)

Recess At 7:15 p.m., the Planning Committee recessed.

Reconvene At 7:25 p.m., the Planning Committee reconvened.

APPLICATION FOR REZONING TO PERMIT AN AGGREGATE PIT, PART OF PARCELS 21623 AND 21624 S.E.S. IN LOTS 5 AND 6, CONCESSION 1, MACLENNAN TOWNSHIP, CITY OF GREATER SUDBURY - FALCONBRIDGE LIMITED (AGENT: WILLIAM DAY CONSTRUCTION LIMITED)

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

Report dated September 14th, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to permit an aggregate pit, MacLennan Township, City of Greater Sudbury, Falconbridge Limited (Agent: William Day Construction Limited).

Harold Cheley, representative for the agent, was present.

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

Mr. Cheley noted the mine in question has a long history in the area and the material on this site is the type of material they require. He indicated that this property is off the main road, is isolated and has gates controlled by Xstrata. The material is destined for Xstrata; however, they do not want to close the door to any potential future market. He stated they do not see any other market in the foreseeable future because there are many other pit sites closer to the market.

Mr. Cheley stated that the request for a 1.5 km truck climbing lane on Municipal Road 86 is unreasonable at this time as they only need to cross the intersection. He suggested that perhaps a condition could be included in the Site Plan Control Agreement to limit the amount of trucking on Municipal Road 86; perhaps a limit of 20,000 tonnes annually. If the limit is exceeded, they can enter into an agreement with the City regarding the traffic issues involved. He advised that a condition in the Site Plan Agreement is enforceable because one of the conditions of the licence from the Ministry of Natural Resources is compliance with the Site Plan Control Agreement and a compliance report must be submitted annually. The City receives a copy of this report. He indicated they would be agreeable to being required to advise the City any time they would be hauling materials on Municipal Road 86.

To address the concern from the Committee as to road damage due to the additional trucks, the Director of Planning indicated the City receives seven cents per tonne for road maintenance.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT AN AGGREGATE PIT, PART OF PARCELS 21623 AND 21624 S.E.S. IN LOTS 5 AND 6, CONCESSION 1, MACLENNAN TOWNSHIP, CITY OF GREATER SUDBURY - FALCONBRIDGE LIMITED (AGENT: WILLIAM DAY CONSTRUCTION LIMITED)

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:

Rivest-Berthiaume: THAT the application by William Day Construction Limited to amend By-law 83-304 being the Zoning By-law for the (former) Town of Nickel Centre by changing the zoning classification from "RU", Rural to "M5", Extractive Industrial be approved subject to the following:

1. That prior to the enactment of the amending by-law, the applicant shall have entered into arrangements with the City of Greater Sudbury regarding the construction of a southbound truck climbing lane on Municipal Road 86 south of the private road, known as Pipeline Road, to the satisfaction of the General Manager of Infrastructure and the City Solicitor.

The following amendment to the recommendation was presented:

Recommendation #2007-244:

Cimino-Berthiaume: THAT condition #1 be deleted and that the following condition be added:

1. That the Ministry of Natural Resources be requested to place a provision in the site plan restricting haulage on MR #86 to a maximum of 20,000 tons per year. Prior to any amendments to the site plan allowing haulage along MR #86 in excess of 20,000 tons, the applicant shall enter into an agreement with the City relating to required road improvements.

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

CARRIED

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT AN AGGREGATE PIT, PART OF PARCELS 21623 AND 21624 S.E.S. IN LOTS 5 AND 6, CONCESSION 1, MACLENNAN TOWNSHIP, CITY OF GREATER SUDBURY - FALCONBRIDGE LIMITED (AGENT: WILLIAM DAY CONSTRUCTION LIMITED) (cont'd)

The main recommendation as amended was presented:

Recommendation #2007-245:

Rivest-Berthiaume: THAT the application by William Day Construction Limited to amend By-law 83-304 being the Zoning By-law for the (former) Town of Nickel Centre by changing the zoning classification from "RU", Rural to "M5", Extractive Industrial be approved subject to the following:

1. That the Ministry of Natural Resources be requested to place a provision in the site plan restricting haulage on Municipal Road 86 to a maximum of 20,000 tons per year. Prior to any amendments to the site plan allowing haulage along Municipal Road 86 in excess of 20,000 tons, the applicant shall enter into an agreement with the City relating to required road improvements.

CONCURRING MEMBERS: Councillors Cimino, Berthiaume, Dutrisac, 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 #2007-246:

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

CARRIED

MINUTES

Item C-1
Report #5
VETAC Minutes
July 4th, 2007

Recommendation #2007-247:

Rivest-Berthiaume: That Report #5, VETAC Committee Minutes of July 4th, 2007, be received.

CARRIED

PART I - CONSENT AGENDA (cont'd)

ROUTINE MANAGEMENT REPORTS

Item C-2 Report dated September 19th, 2007 was received from the General
Deeming of Plans, Manager of Infrastructure Services regarding Deeming of Plans,
Closure of Roads, Closure of Roads, Declare Surplus and Transfer Plans M-1130, M-
Declare Surplus 1131 and M-1132
and Transfer
Plans M-1130, M- **Recommendation #2007-248:**
1131 and M-1132

Berthiaume-Rivest: THAT all of the lots, streets and blocks on
Plans M-1130, M-1131 and M-1132, excluding part of Lot 20, Plan
M-1132, being Parts 1 and 2 on Plan 53R-9293 be deemed;

THAT all of the streets on Plans M-1130, M-1131 and M-1132
known as Lowcrest Avenue, Bramble Court, Day Street, Northwood
Drive, Cherrytree Road, Fifth Street, Rue Alliston Street, Rue
Ecclestone Street, Birchleaf Crescent, Air Street, Third Street and
Alderwood Avenue be closed by by-law, declared surplus to the
City's needs and transferred to Dalron Construction Limited for
nominal consideration;

THAT the reserves and blocks described as Blocks A, B, C, D, E, F
and G on Plan M-1130, Blocks B, C, D and E on Plan M-1131, and
Parts 3 and 4 on Plan 53R-9293, be declared surplus to the City's
needs and transferred to Dalron Construction Limited for nominal
consideration; and

THAT an appropriate by-law be passed authorizing the execution
of the documents necessary to complete the transfers, all in
accordance with the report from the General Manager of
Infrastructure Services dated September 19th, 2007.

CARRIED

Adjournment **Recommendation #2007-249:**

Berthiaume-Rivest: That we do now adjourn.
Time: 8:18 p.m.

CARRIED

DEPUTY CLERK

PC - October 2nd, 2007 (17th)

COUNCILLOR FRANCES CALDARELLI

- 10 -