

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

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Committee Room C-11  
Tom Davies Square

Tuesday, March 6th, 2007  
Commencement: 4:45 p.m.  
Adjournment: 10:18 p.m.

**COUNCILLOR ANDRÉ RIVEST PRESIDING**

Present Councillors Berthiaume, Caldarelli

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Approvals; K. Forrester, Real Estate Co-ordinator; E. Labelle, Clerk Designate

Declarations of Pecuniary Interest None declared.

"In Camera" **Recommendation #2007-63:**

Berthiaume-Caldarelli: That we move "In Camera" to deal with a property acquisition 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 5:00 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

Councillor Dupuis

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Approvals; R. Webb, Supervisor of Development Engineering; B. Falcioni, Director of Roads and Transportation; K. Forrester, Real Estate Co-ordinator; D. Nadorozny, General Manager of Growth and Development, M. Manzon, Planner; 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 the following recommendations emanated therefrom:

Purchase of Land **Recommendation #2007-64:**

44 Mont Adam Street, Sudbury

Cimino-Berthiaume: THAT Council of the City of Greater Sudbury authorize the purchase of 44 Mont Adam Street, Sudbury, legally described as PIN 02132 - 0154 (LT), Lot 50, Plan M-103, 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 Capital Financing Reserve Fund - Roads.

**CARRIED**

### **PUBLIC HEARINGS**

#### **APPLICATION FOR REZONING TO ADD A TAKE-OUT RESTAURANT AS A SITE SPECIFIC PERMITTED USE, 1325 BELLEVUE AVENUE, SUDBURY - TIM PAQ HOLDINGS INC.**

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

Report dated February 21st, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to add a take-out restaurant as a site specific permitted use, 1325 Bellevue Avenue, Sudbury, Tim Paq Holdings Inc.

Letter of objection was received on February 27th, 2007 from Ross McNeice.

Petition of concern received March 5th, 2007 from concerned residents was distributed to the Committee members.

**PUBLIC HEARINGS (cont'd)**

**APPLICATION FOR REZONING TO ADD A TAKE-OUT RESTAURANT AS A SITE SPECIFIC PERMITTED USE, 1325 BELLEVUE AVENUE, SUDBURY - TIM PAQ HOLDINGS INC. (cont'd)**

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Letter of neighbourhood concerns dated March 5th, 2007 from Councillor Gasparini, Ward Councillor, we distributed to the Committee members.

Tim Bryant, the applicant, and Giorgio Lagana, real estate agent for the potential tenant, were present.

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

With respect to the condition in the recommendation that the entrance off Bellevue Avenue be closed, Tim Bryant asked if using it as an exit would be an option.

Giorgio Lagana indicated he represents the owners of Pizza Gallery and this location is suitable for their requirements. He stated they presently do not have 'drive-thru' service at any of their locations and have given no indication that they desire 'drive-thru' service.

When questioned about fumes from cooking and cars idling, Giorgio Lagana indicated that cars would be stopped when people pick up their pizza and the cooking fumes should not disturb the residents.

Robert Delaire, area resident, indicated this is a busy corner made hazardous by the removal of the turning lane last year to allow for a bike path. He stated vehicles are backed up for 1 km attempting to enter Dale Street. He feels fumes from idling cars and cooking will cause health concerns for residents and make seasonal outdoor living unpleasant. He presented the Committee with a petition signed by 16 people.

Tim Bryant indicated the pizza shop would service the Minnow Lake residents and feels most residents would utilize this service. He indicated the property has been vacant since 2004 resulting in graffiti on the walls. He feels this would lessen loitering on the premises.

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 ADD A TAKE-OUT RESTAURANT AS A SITE SPECIFIC PERMITTED USE, 1325 BELLEVUE AVENUE, SUDBURY - TIM PAQ HOLDINGS INC. (cont'd)**

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The following recommendation was presented:

Berthiaume-Cimino: THAT the application by Tim Paq Holdings Inc. 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 14649 S.E.S., Lots 75 and 76, Plan M-129 in Lot 2, Concession 3, Township of McKim by adding a take-out restaurant to the list of permitted uses in the "C1-4", Local Commercial Special zone be approved subject to the following conditions:

1. That a minimum of ten (10) parking spaces shall be provided for the take-out restaurant use.
2. That prior to the passage of an amending zoning by-law the owner shall undertake to close the existing driveway entrance off Bellevue Avenue to the satisfaction of the Director of Roads and Transportation.

The following amendment to the recommendation was presented:

**Recommendation #2007-65:**

Cimino-Berthiaume: THAT the recommendation be amended to include the words "without drive-thru" after take-out restaurant.

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

**CARRIED**

The main recommendation as amended was presented:

**Recommendation #2007-66:**

Berthiaume-Cimino: THAT the application by Tim Paq Holdings Inc. 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 14649 S.E.S., Lots 75 and 76, Plan M-129 in Lot 2, Concession 3, Township of McKim by adding a take-out restaurant to the list of permitted uses in the "C1-4", Local Commercial Special zone be approved subject to the following conditions:

**PUBLIC HEARINGS (cont'd)**

**APPLICATION FOR REZONING TO ADD A TAKE-OUT RESTAURANT AS A SITE SPECIFIC PERMITTED USE, 1325 BELLEVUE AVENUE, SUDBURY - TIM PAQ HOLDINGS INC. (cont'd)**

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**Recommendation #2007-66 (cont'd):**

1. That a minimum of ten (10) parking spaces shall be provided for the take-out restaurant without drive-thru use.
2. That prior to the passage of an amending zoning by-law the owner shall undertake to close the existing driveway entrance off Bellevue Avenue to the satisfaction of the Director of Roads and Transportation.

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

**NON-CONCURRING MEMBERS: Councillor Caldarelli**

**CARRIED**

**APPLICATION FOR REZONING TO PERMIT AN EXISTING MULTIPLE FAMILY DWELLING CONTAINING THREE RESIDENTIAL UNITS, 403 MCLEAN STREET, SUDBURY - LUCIEN AND SUZANNE SAVOIE**

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

Report dated February 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 existing multiple family dwelling containing three residential units, 403 McLean Street, Sudbury, Lucien and Suzanne Savoie.

Lucien and Suzanne Savoie, the applicants, were present.

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

Councillor Dupuis, Ward Councillor, advised he received no calls in opposition to this application. He indicated a substantial amount of funds were expended to upgrade the property and urged the Committee to support the 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.**

**PUBLIC HEARINGS (cont'd)**

**APPLICATION FOR REZONING TO PERMIT AN EXISTING MULTIPLE FAMILY DWELLING CONTAINING THREE RESIDENTIAL UNITS, 403 MCLEAN STREET, SUDBURY - LUCIEN AND SUZANNE SAVOIE (cont'd)**

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The following recommendation was presented:

**Recommendation #2007-67:**

Berthiaume-Cimino: THAT the application by Lucien and Suzanne Savoie to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury as it applies to PIN 02123 - 0403, Parcel 13402 S.E.S., Lot 44, Plan M-164, Lot 4, Concession 5, Township of McKim, City of Greater Sudbury, by changing the zoning classification from "C1", Local Commercial Zone to "R3-S", Mixed Multiple Residential Special Zone be approved subject to the following:

1. That exceptions be provided in the amending by-law for:
  - a) a lot frontage of 15 metres;
  - b) a west side yard of 1.2 metres.
2. That the maximum number of dwelling units be restricted to three with three parking spaces being provided.
3. That three parking spaces be permitted in the exterior side yard with no parking permitted in the required front yard which shall be maintained as landscaped open space.

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

**CARRIED**

**APPLICATION FOR REZONING TO PERMIT THE RETAIL SALE AND APPRAISAL OF CARPETS AND A DWELLING UNIT ON THE SAME FLOOR AS THE NON-RESIDENTIAL USE, 159 PINE STREET, SUDBURY - A. MINNITI AND A. ARIANA**

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

Report dated February 13th, 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 retail sale and appraisal of carpets and a dwelling unit on the same floor as the non-residential use, 159 Pine Street, Sudbury, A. Minniti and A. Ariana.

## PUBLIC HEARINGS (cont'd)

### **APPLICATION FOR REZONING TO PERMIT THE RETAIL SALE AND APPRAISAL OF CARPETS AND A DWELLING UNIT ON THE SAME FLOOR AS THE NON-RESIDENTIAL USE, 159 PINE STREET, SUDBURY - A. MINNITI AND A. ARIANA (cont'd)**

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Anthony Minniti, one of the applicants, was present.

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

Anthony Minniti indicated the property was purchased in September of 2006 and the intent is to open a gallery type store for specialty rugs and carpets which will generate very few customer visits to the premises. He is concerned with the condition in the recommendation requiring a site plan control agreement because of the cost and time required to fulfill such an agreement. He requested that, as this property will be part of the downtown area in the new Official Plan and a site plan control agreement is not normally required in the downtown area, the requirement for the agreement be waived.

The Manager of Development Approvals advised that site plan control agreements are not requested in the downtown area as the zoning by-law allows construction from lot line to lot line. He stated that in an area like the subject area, a site plan control agreement would be required even under the new Official Plan. He indicated the intent of the requirement for the agreement is to ensure the front of the building is landscaped and parking is adequate.

When asked if he has any plans for landscaping, Mr. Minniti advised that the front area will be landscaped and parking will be as shown on the sketch submitted with the application.

Councillor Dutrisac, Ward Councillor, indicated she received telephone calls in opposition to this proposal.

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:

Berthiaume-Cimino: THAT the application by A. Minniti and A. Ariana 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 37, Plan 3S, Lot 6, Concession 4, Township of McKim from "C4", Office Commercial to "C4-Special", Office Commercial -Special be approved subject to the following:

**PUBLIC HEARINGS (cont'd)**

**APPLICATION FOR REZONING TO PERMIT THE RETAIL SALE AND APPRAISAL OF CARPETS AND A DWELLING UNIT ON THE SAME FLOOR AS THE NON-RESIDENTIAL USE, 159 PINE STREET, SUDBURY - A. MINNITI AND A. ARIANA (cont'd)**

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**Recommendation (cont'd)**

1. That in addition to the uses permitted in a "C4", Office Commercial Zone, the retail and appraisal of carpets and accessory office uses be added as a permitted use and that a dwelling unit be permitted on the same floor as a non-residential use.
2. That prior to the enactment of the amending by-law the owner shall have entered into a site plan agreement with the City of Greater Sudbury.

The following amendment to the recommendation was presented:

**Recommendation #2007-68:**

Dutrisac-Cimino: THAT Condition #2 be deleted.

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

**CARRIED**

The main recommendation as amended was presented:

**Recommendation #2007-69:**

Berthiaume-Cimino: THAT the application by A. Minniti and A. Ariana 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 37, Plan 3S, Lot 6, Concession 4, Township of McKim from "C4", Office Commercial to "C4-Special", Office Commercial -Special be approved subject to the following:

1. That in addition to the uses permitted in a "C4", Office Commercial Zone, the retail and appraisal of carpets and accessory office uses be added as a permitted use and that a dwelling unit be permitted on the same floor as a non-residential use.

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

**CARRIED**



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

### **APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT A MINI-STORAGE FACILITY IN AN UNSERVICED RURAL AREA, PIONEER ROAD, SUDBURY - 630450 ONTARIO INC.**

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

Report dated February 20th, 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 a mini-storage facility in an unserviced rural area, Pioneer Road, Sudbury, 630450 Ontario Inc.

Letter of objection dated February 21st, 2007 was received from John K. Muhia and Lynne Kinuthia.

Letter of objection received March 6th, 2007 from Arlene and Randy Walker was distributed to the Committee members.

Letter dated March 6th, 2007 from Trow Associates Inc. was distributed to the Committee members.

Barry Kindrat, the applicant, D. S. Dorland, 298 Larch Street, Sudbury, agent for the applicant, and Dr. S. A. Kirchhefer, Consulting Engineer, were present.

The Director of Planning Services outlined the applications to the Committee. He outlined several important land use concerns such as the conditions of the prior approval of the abutting subdivision, the protection of area waterbodies, land use compatibility and the existing supply of industrial lands.

Dave Dorland indicated the applicant owns the abutting subdivision and has found a non-invasive use for the subject lands. He stated this property is the best suited for this proposal. He indicated he can provide evidence that there is no environmental impact as the Trow Associates Inc. report states that the development of these lands as a mini-storage does not compromise the ability of the lands to act as an attenuation zone. In light of this report, he requested that an alternate recommendation to approve the applications be supported by the Committee. He indicated the applicant would be agreeable to entering into a site plan control agreement to ensure that adequate buffering is provided for the area residents. He stated that this proposal is not for the development of a high activity industrial use in the midst of a residential area. He indicated that the industrial uses listed in the zoning by-law do not include mini-storage or self-storage. He stated this should be considered an ancillary use to residential uses; however, the closest use in the by-law is warehousing. This is different

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

### **APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT A MINI-STORAGE FACILITY IN AN UNSERVICED RURAL AREA, PIONEER ROAD, SUDBURY - 630450 ONTARIO INC. (cont'd)**

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from warehousing which can be classified as industrial as there will be no employed workers at the property. Therefore, there will be little activity and little impact on area residents. He stated the use of this land for ancillary use for storage for private personal items is not bad planning.

Dr. S. A. Kirchhefer indicated that in reading the Trow Associates Inc. report and the staff report there appears to be two concerns: one dealing with attenuation and the other dealing with waterbodies. With respect to the second concern, he stated that the proposed development will not generate any contaminants or sewage and therefore would not have a negative impact on waterbodies.

With respect to the first concern, Dr. Kirchhefer indicated that the development of lands normally includes roads and buildings and in an area with a high water table with saturated soil there would be no place for surface run off to infiltrate the lands. He stated this proposal provides for a gravel bed and a gravel road which will provide additional storage as water will be absorbed.

Dave Dorland indicated that the proposal provides larger than required buffering. He provided a list of 18 people who were contacted and are not opposed to the project. He stated they have addressed the concerns of the area residents through landscaping and buffering and are willing to meeting with any concerned resident.

When asked whether the site plan control agreement will deal with security such as lighting and cameras, the Manager of Development Approvals indicated that it is not a function of a site plan agreement to secure the property. He indicated that it is required that details of lighting be provided more as a concern that any lighting may be an annoyance for the neighbours.

When asked about security, the applicant indicated that they have considered the use of access cards and limiting access times. Mr. Dorland indicated the lighting will be dome shaped lights facing downward so as not to be offensive to the neighbours.

Janet Caesar, area resident, indicated she has spoken with the applicant and her concerns have been addressed. She feels the environmental issues have been addressed. She indicated she is not opposed and feels the development will be an improvement as the lands are now barren.

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

### **APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT A MINI-STORAGE FACILITY IN AN UNSERVICED RURAL AREA, PIONEER ROAD, SUDBURY - 630450 ONTARIO INC. (cont'd)**

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Larry Watkinson indicated his first reaction to the proposal was not positive; however, now that he has become more informed he supports the application. He feels the buffer zone will improve the situation for the neighbours. He stated that there is a need for a mini-storage facility for area apartment dwellers.

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 #2007-70:**

Rivest-Dutrisac:

1. THAT the application by 630450 Ontario Inc. to amend the Official Plan for the Sudbury Planning Area by redesignating lands described as PIN 73479 - 0462 (LT), Parcel 30324 S.E.S., Parts 3 to 8, Plan 53R-17203 in Lot 12, Concession 5, Township of Dill from "Rural" and "Non-Urban Settlement Residential" to "Industrial" in the Secondary Plan for Long Lake Area Waterbodies and the Non-Urban Settlements of Richard-McFarlane Lake Flats and East End of Long Lake, be approved subject to the following condition:
  - a) That the only permitted use shall be mini-storage buildings and no private sewer or water services shall be permitted.
  
2. THAT the application by 630450 Ontario Inc. 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 PIN 73479 - 0462 (LT), Parcel 30324 S.E.S., Parts 3 to 8, Plan 53R-17203 in Lot 12, Concession 5, Township of Dill from "PS", Private Open Space to "M1 - Special", Mixed Light Industrial/Service Commercial Special, be approved subject to the following conditions:
  - a) That the only permitted use shall be a mini-storage facility and no private sewer or water services shall be allowed and the minimum set back from any lot line shall be 25 metres; and,

**PUBLIC HEARINGS (cont'd)**

**APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT A MINI-STORAGE FACILITY IN AN UNSERVICED RURAL AREA, PIONEER ROAD, SUDBURY - 630450 ONTARIO INC. (cont'd)**

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**Recommendation #2007-70 (cont'd):**

- 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, on-site circulation and adequate buffering.

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

**CARRIED**

Recess At 8:05 p.m., the Planning Committee recessed.

Reconvene At 8:15 p.m., the Planning Committee reconvened.

**APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT THE DEVELOPMENT OF A COMMERCIAL SHOPPING CENTRE, REGIONAL ROAD 80, HANMER - HENRI JEANNOTTE & ROGER AND DIANE TROTTIER**

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

Report dated February 16th, 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 commercial shopping centre, Regional Road 80, Hanmer, Henri Jeannotte & Roger and Diane Trottier.

Carolyn Piquette and John Cerilli, of Canada Builders Inc., agent for the applicant, was present.

The Director of Planning Services outlined the applications to the Committee. He stated the historical three commercial nodes in Val Caron, Val Therese and Hanmer which should be reinforced as the new Official Plan does not identify the needs for additional commercial lands. There is currently 217,000 square feet of development space available and in the last ten years 151,000 square feet have been developed. He indicated the applications are against what was originally planned for Valley East.

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

### **APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT THE DEVELOPMENT OF A COMMERCIAL SHOPPING CENTRE, REGIONAL ROAD 80, HANMER - HENRI JEANNOTTE & ROGER AND DIANE TROTTIER (cont'd)**

Carolyn Piquette indicated that Canada Builders Inc. has been working in Valley East for over 20 years and has brought growth to the area. She indicated they chose the subject site as their potential tenants have certain criteria. They want a large land area with high exposure. They are not looking for infill sites for small retailers. She stated the development will bring Val Caron and Hanmer together. She indicated that there is an abundance of residential land in the area and the subject land on the highway should not be developed as residential. This will be a new retail centre and will create 500 jobs and part time jobs for area residents.

Ms. Piquette indicated they met with the residents of Carol Richard Park who were concern with safety and requested traffic lights. She stated the proposal provides for a traffic light and the site is large enough to provide a large buffer abutting the highway. The applicant is in full agreement with the requirement for a traffic study. They are also in agreement with the requirement for a storm water management report as drainage was one of the issues brought up by the residents. They do not feel a market study is required. The proposal is a long term development that will be completed in phases.

Ms. Piquette requested that, if approval is granted and the by-law passed, that it be given a "H", Holding designation.

When asked, Ms. Piquette indicated they estimate the development will cost \$20M.

The applicant was asked if other sites were considered with the aid of staff. John Cerilli advised that they did meet with staff and other sites were identified. He indicated that they are very familiar with the Valley East area and recognize that the subject land will bring the Valley together as it is in the middle of the community. The other lands they considered did not meet their requirements.

Marc Tassé, President of Carol Richard Park Residents Association and Chair of Valley East Community Action Network, stated that the economic development of the community must be considered. He indicated the developer held a public meeting to explain the proposal and address the concerns of the residents. He further stated that the proposed traffic light will alleviate existing problems. He feels this will be beneficial to the people in the area.

Richard Pelland indicated he was representing the interests of his mother-in-law who resides to the east of the subject property. He stated she was concerned with drainage which was previously addressed. He further stated that she was concerned that her property would become landlocked.

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

### **APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT THE DEVELOPMENT OF A COMMERCIAL SHOPPING CENTRE, REGIONAL ROAD 80, HANMER - HENRI JEANNOTTE & ROGER AND DIANE TROTTIER (cont'd)**

The Director of Planning Services indicated that her property would not be landlocked as this matter would have to be dealt with at the time of development.

Monique Laforge, area resident, indicated she has some concerns. She indicated her property is beside the Whitson River and her lot line is on the Hydro road and she is concerned about the collector road. She is also concerned with flooding and asked about a retention pond. She further stated that she feels there may not be a need for 'big box' stores which will negatively affect the smaller businesses.

The Director of Planning Services indicated that the traffic study will show which road should be used as a collector road. With respect to flooding, he indicated that as a portion of the property is in a designated flood plain, the application will have to satisfy the Nickel District Conservation Authority before receiving approval. With respect to the retention pond, he advised that there may not be a retention pond as there may be other ways to deal with the issue.

Robert Kirwan, long time area resident and business man, indicated he is present to support the staff recommendation. He feels this development will have a negative impact on the smaller businesses. He stated that the plan for Valley East for the development of certain areas for commercial uses and certain areas for residential uses and the new Official Plan is not changing this. He indicated that Valley East is booming and there is a need for more residential properties to reinforce the existing commercial uses. He stated that granting a general commercial zoning places no restrictions on what can be developed. He feels there will be problems if this commercial use is developed without increasing the population base. He feels the large commercial properties should be in the former City of Sudbury with the suburbs saved for residential uses.

Councillor Dupuis, Ward Councillor, indicated that he investigated the business areas in Valley East and there is no area that can accommodate 194,000 square feet of new development. He stated Valley East is booming because the area is attracting this type of development and the outlying areas should be promoted. He indicated this development will result in traffic lights where there are now safety concerns by pedestrians having to cross five lanes of traffic. He stated that the Valley East residents deserve the opportunity to shop in their town and deserve to have the same quality of stores as in the former City of Sudbury. He indicated that 300 notices had been sent for the public meeting held on February 1st, 2007 at which 56 people attended and their concerns were addressed. He stated that Valley East is now working with an outdated plan and that Council must work for development. He stressed the need of this type of development in the Valley East area.

**PUBLIC HEARINGS (cont'd)**

**APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT THE DEVELOPMENT OF A COMMERCIAL SHOPPING CENTRE, REGIONAL ROAD 80, HANMER - HENRI JEANNOTTE & ROGER AND DIANE TROTTIER (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.**

Proceed      The following recommendation was presented:

Past

10:00 p.m.    **Recommendation #2007-71:**

Rivest-Berthiaume: THAT we proceed past the hour of 10:00 p.m.

**CARRIED**

The following recommendation was presented:

**Recommendation #2007-72:**

Cimino-Berthiaume: THAT the application by Henri Jeannotte & Roger and Diane Trottier to amend the Official Plan for the Sudbury Planning Area by redesignating the lands forming Parcel 23150 'A' S.E.S., Lot 6, Concession 1, Township of Hanmer from "Medium Density Residential" to "General Commercial" in the Secondary Plan for the Town of Valley East, be approved;

That an amendment to the Valley East Secondary Plan be prepared for Council's adoption redesignating the subject lands to General Commercial;

And whereas the City adopted a New Official Plan on June 14, 2006 in which the subject lands are designated Living Area 1;

And whereas an amendment to the New Official Plan would also be required to permit the uses as proposed;

And whereas the General Commercial designation in the Valley East Secondary Plan has been replaced with a Mixed Use designation in the New Official Plan;

And whereas a decision of the New Official Plan by the Ministry of Municipal Affairs and Housing is expected to be imminent;

That the Ministry of Municipal Affairs and Housing be requested to include the subject lands in a Mixed Use designation in their approval of the New Official Plan;

**PUBLIC HEARINGS (cont'd)**

**APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT THE DEVELOPMENT OF A COMMERCIAL SHOPPING CENTRE, REGIONAL ROAD 80, HANMER - HENRI JEANNOTTE & ROGER AND DIANE TROTTIER (cont'd)**

**Recommendation #2007-72 (cont'd):**

And should the Ministry of Municipal Affairs and Housing in their approval of the New Official Plan, not include the subject lands in a Mixed Use designation;

An amendment to the New Official Plan be brought forward for Council to adopt redesignating the subject lands as Mixed Use Commercial.

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

**CARRIED**

The following recommendation was presented:

Berthiaume-Cimino: THAT the application by Henri Jeannotte & Roger and Diane Trottier to amend By-law 83-300 being the Zoning By-law for the (former) Town of Valley East to change the zoning classification of the lands forming Parcel 23150 'A' S.E.S., Lot 6, Concession 1, Township of Hanmer, from "RU", Rural to "C2", General Commercial, be approved subject to the following:

1. That prior to the enactment of the amending by-law, the applicant shall have prepared a traffic impact study and the applicant shall have entered into an agreement with the City to undertake the improvements to the road network as set out in the approved traffic impact study all to the satisfaction of the General Manager of Infrastructure and Emergency Services .
2. That the amending by-law include a maximum permitted gross floor area of 18,023m<sup>2</sup>.

The following amendment to the recommendation was presented:

**Recommendation #2007-73:**

Dutrisac-Rivest: THAT Condition #3 be added:

3. That an "H" holding provision be added by by-law not to be removed until such time as a site plan controls agreement is registered on title.

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

**CARRIED**



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

### **APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT THE DEVELOPMENT OF A COMMERCIAL SHOPPING CENTRE, REGIONAL ROAD 80, HANMER - HENRI JEANNOTTE & ROGER AND DIANE TROTTIER (cont'd)**

The main recommendation as amended was presented:

#### **Recommendation #2007-74:**

Berthiaume-Cimino: THAT the application by Henri Jeannotte & Roger and Diane Trottier to amend By-law 83-300 being the Zoning By-law for the (former) Town of Valley East to change the zoning classification of the lands forming Parcel 23150 'A' S.E.S., Lot 6, Concession 1, Township of Hanmer, from "RU", Rural to "C2", General Commercial, be approved subject to the following:

1. That prior to the enactment of the amending by-law, the applicant shall have prepared a traffic impact study and the applicant shall have entered into an agreement with the City to undertake the improvements to the road network as set out in the approved traffic impact study all to the satisfaction of the General Manager of Infrastructure and Emergency Services.
2. That the amending by-law include a maximum permitted gross floor area of 18,023m<sup>2</sup>.
3. That an "H" holding provision be added by by-law not to be removed until such time as a site plan controls agreement is registered on title.

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

**CARRIED**

## **PRESENTATIONS/DELEGATIONS**

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

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

Due to the time, the Committee agreed this presentation would be heard at the next Planning Committee meeting to be held on March 20th, 2007.

## **PART I - CONSENT AGENDA**

The following recommendation was presented to adopt Items C-1 to C-6 contained in Part 1 of the Consent Agenda:

### **Recommendation #2007-75:**

Cimino-Berthiaume: THAT Items C-1 to C-6 contained in Part 1, Consent Agenda, be adopted.

**CARRIED**

## **MINUTES**

Item C-1  
Report #10  
VETAC Minutes  
Dec, 12, 2006

### **Recommendation #2007-76:**

Cimino-Berthiaume: That Report #10, VETAC Committee Minutes of December 12th, 2006, be received.

**CARRIED**

## **ROUTINE MANAGEMENT REPORTS**

Item C-2  
Subdivision  
Referral Request  
for Consent  
Application  
B17/2007,  
Finnwoods Road  
& Kantola Road,  
Lively, Laura and  
Einard Mikkola

Report dated February 15th, 2007 was received from the General Manager of Growth and Development regarding and application for Subdivision Referral Request for Consent Application B17/2007, Finnwoods Road & Kantola Road, Lively, Laura and Einard Mikkola.

### **Recommendation #2007-77:**

Cimino-Berthiaume: THAT Consent Application B17/2007 with respect to Parcel 2415 S.W.S. in Lot 4, Concession 4, Township of Waters, be permitted to proceed by way of the consent process.

**CARRIED**

Item C-3  
Lane Closure &  
Declaration of  
Surplus Land,  
Unopened Lane  
South of Spruce  
Street and West  
of MacLachlan  
Street, Sudbury

Report dated February 28th, 2007 was received from the Acting General Manager of Infrastructure regarding.

### **Recommendation #2007-78:**

Cimino-Berthiaume: THAT the lane south of Spruce Street and west of MacLachlan Street, Sudbury, legally described as PIN 73586 -1264 (LT), Lane on Plan 4SC abutting Lots 19 to 34, Plan 4SC, Township of McKim, City of Greater Sudbury, be closed by by-law and declared surplus to the City's needs.

**CARRIED**



**ROUTINE MANAGEMENT REPORTS**

Item C-6  
Vesting of  
Properties from  
the April 2006  
Public Tax Sale  
(cont'd)

**Recommendation #2007-81 (cont'd):**

3. vacant land on Wendy Street, Val Caron, legally described as part of PIN 73498 - 0472, formerly Parcel 17085 S.E.S., Lot 17, Plan M-270, Lot 7, Concession 4, Township of Blezard;
4. 15 East Street, Coniston, legally described as Firstly: PIN 73560 - 0229, formerly Parcel 9003 S.E.S., Lot 9, Plan M-23, Secondly: PIN 73560 - 0914, formerly Parcel 17822 S.E.S., Part of Lot 10, Plan M-23, Township of Neelon;

AND THAT 559 Granite Street, Sudbury not be vested;

AND THAT the total taxes, including penalties, owing to the date of vesting be written off as uncollectible.

**CARRIED**

Adjournment

**Recommendation #2007-82:**

Berthiaume-Rivest: That we do now adjourn.  
Time: 10:18 p.m.

**CARRIED**

\_\_\_\_\_  
CLERK DESIGNATE

\_\_\_\_\_  
COUNCILLOR FRANCES CALDARELLI