

**THE TWENTY-FOURTH MEETING OF THE PLANNING COMMITTEE
OF THE CITY OF GREATER SUDBURY**

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

**Tuesday, February 15th, 2005
Commencement: 4:50 p.m.
Adjournment: 6:25 p.m.**

COUNCILLOR LYNNE REYNOLDS PRESIDING

Present Councillors Caldarelli, Dupuis

Staff D. Braney, Property Negotiator / Appraiser; B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Services; G. Clausen, Director of Engineering Services; A. Haché, Deputy City Clerk; F. Bortolussi, Planning Committee Secretary

Declarations of Pecuniary Interest None declared.

"In Camera" **Recommendation #2005-30:**

Dupuis-Reynolds: That we move "In Camera" to deal with a property matter in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2002-202 and the Municipal Act, 2001, s.239(2)(f).

CARRIED

Recess At 5:00 p.m., the Planning Committee recessed.

Reconvene At 5:35 p.m., the Planning Committee reconvened in the **Council Chamber** for the regular meeting.

ANGIE HACHÉ PRESIDING

Present Councillors Caldarelli, Dupuis, Reynolds

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Services; G. Clausen, Director of Engineering Services; A. Haché, Deputy City Clerk; M. Burtch, Licensing & Assessment Clerk; F. Bortolussi, Planning Committee Secretary

News Media MCTV

Recommendation #2005-31:

Reynolds-Caldarelli: THAT Councillor Dupuis chair this meeting of the Planning Committee.

CARRIED

COUNCILLOR RON DUPUIS PRESIDING

Declarations of Pecuniary Interest None declared

MATTERS ARISING FROM THE “IN CAMERA” SESSION

Rise and Report Councillor Reynolds reported the Committee met in closed session to deal with a property matter and the following recommendation emanated therefrom:

Acquisition of Land, Inco Well #1, Falconbridge Road, Garson

Recommendation #2005-32:

Reynolds-Dupuis: THAT the City of Greater Sudbury acquire from INCO Limited the property known as Inco Well No. 1, Falconbridge Road being Part 3, 53R-17304, part of PIN 73493-0065 formerly Parcel 748 S.E.S. together with a right-of-way over Part 1 & 2, 53R-17304, part of Lot 4, Concession 2, Township of Garson, City of Greater Sudbury, for a tax receipt in the amount of \$565,000, and

THAT a By-law be passed authorizing the execution of the documents required to complete the transaction.

CARRIED

PUBLIC HEARINGS

APPLICATION FOR REZONING TO PERMIT THE CONVERSION OF THE BUILDING FOR OFFICE USES, FORMER NOLIN SCHOOL, 435 NOTRE DAME AVENUE, SUDBURY - 1594684 ONTARIO INC.

Report dated February 8th, 2005, was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to permit the conversion of the building for office uses, former Nolin School, 435 Notre Dame Avenue, Sudbury, 1594684 Ontario Inc.

Jeff Gladu, the Kingsway, Sudbury, was present on behalf of the applicant.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE CONVERSION OF THE BUILDING FOR OFFICE USES, FORMER NOLIN SCHOOL, 435 NOTRE DAME AVENUE, SUDBURY - 1594684 ONTARIO INC. (cont'd)

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

Jeff Gladu stated he was satisfied with the overview presented by the Director of Planning Services as it covered all aspects of the application.

Councillor Reynolds, Ward Councillor, stated she was pleased to see the building occupied with businesses. She also stated it is a nice project for the Floor Mill area. She indicated her support of 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.

The following recommendation was presented:

Recommendation #2005-33:

Dupuis-Reynolds: THAT the application by 1594684 Ontario Inc. to amend the former City of Sudbury Zoning By-law 95-500Z by changing the zoning classification of Block 'A', Plan 49-S, from "R6", Established Residential Zone to "C3", Limited General Commercial Zone, be approved subject to the following condition:

- a) That prior to the passing of an amending by-law, the owner shall enter into a Site Plan Control Agreement.

CONCURRING MEMBERS: Councillors Caldarelli, Reynolds, Dupuis

CARRIED

APPLICATION FOR REZONING TO EXPAND THE ST. ANNE ELEMENTARY SCHOOL SITE, ST. MICHEL STREET, HANMER - DENIS SONIER AND CITY OF GREATER SUDBURY

Report dated February 8th, 2005, was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to expand the St. Anne Elementary School site, St. Michel Street, Hanmer, Denis Sonier and City of Greater Sudbury.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO EXPAND THE ST. ANNE ELEMENTARY SCHOOL SITE, ST. MICHEL STREET, HANMER - DENIS SONIER AND CITY OF GREATER SUDBURY (cont'd)

Michael Keenan, counsel for the applicant, and Denis Faucher, Sudbury Catholic District School Board, were present.

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

Michael Keenan indicated the property was conveyed to Denis Sonier in 1990 by the Town of Valley East and, in 1992, the property to the north was conveyed to Glenda Sonier. He further indicated that the wild line existed at the time the property was conveyed by the municipality or installed with their approval. He stated that it is the intent of the School Board to deal with Mr. Sonier regarding the wild line. Mr. Sonier will need to remove the wild line if it breaks and restore the land to its previous condition. With respect to the site plan control agreement, Mr. Keenan stated the school board has already started discussions with the City. Also, a reference plan for registration has been ordered for the land which has been acquired from the City.

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 #2005-34:

Dupuis-Reynolds: THAT the application by Denis Sonier and the City of Greater Sudbury to amend By-law 83-300 being the Zoning By-law for the former Town of Valley East by changing the zoning classification of Part 6 and part of Part 7, Plan 53R-12291, Lot 11, Concession 3, Capreol Township from "R2.D36", Double Residential and "P", Public Park, as the case may be, to "I", Institutional be approved subject to the following:

- a) That the school board be advised that the Development Services Section will require a registered survey plan of the part of Part 7, Plan 53R-12291, being rezoned to enable the preparation of an amending by-law.
- b) That the school board initiate the site plan control agreement amendment process to the satisfaction of the Manager of Development Services prior to the passing of an amending by-law.

CONCURRING MEMBERS: Councillors Caldarelli, Reynolds, Dupuis

CARRIED

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO ESTABLISH A SITE SPECIFIC POLICY EXEMPTION FROM THE POLICIES OF THE VALLEY EAST SECONDARY PLAN AND CORRESPONDINGLY REZONE THE SUBJECT LANDS IN ORDER TO PERMIT THE CREATION OF A ONE ACRE RESIDENTIAL LOT, 510 COTE BOULEVARD, HANMER - ROBERT JOSEPH RUSIN

Report dated February 7th, 2005, 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 establish a site specific policy exemption from the policies of the Valley East Secondary Plan and correspondingly rezone the subject lands in order to permit the creation of a one acre residential lot, 510 Cote Boulevard, Hanmer, Robert Joseph Rusin.

Dave Dorland, 298 Larch Street, Sudbury, agent for the applicant, was present along with Mitch Selk and Nadine Sauder. Mitch Selk is grandson of original owner and nephew of present owner and is the proposed owner, along with Nadine Sauder, of the severed portion of the property which would be permitted by these applications.

The Director of Planning Services outlined the applications to the Committee. He indicated the Ministry of Municipal Affairs and Housing comments recommend that the application not be approved. The Ministry indicated this application does not meet the original owner provisions of the Official Plan. The Ministry also stated that the City of Greater Sudbury has the responsibility to have regard to provincial interests. The Ministry advised that the proposed use constitutes scattered rural development, is outside the settlement area and in a designated agricultural reserve. Also, they feel it is premature as the official plan review is now underway.

The Director of Planning Services further indicated that an Agricultural Background Study has been prepared as a component of the review of the Official Plan for the purpose of delineating prime agricultural lands for consideration to be protected by the Official Plan. This Study uses a Land Evaluation and Area Review (LEAR) System as an evaluation process and the local LEAR Committee considers lands that score higher than 475 to be prime agricultural lands and the subject property has a LEAR score of 536. He stated that, based on the above-mentioned comments, the Planning Services Division recommends this application be denied.

Dave Dorland stated that the property has been in the family since 1953 with Mitch Selk's grandfather being the original owner and his uncle being the applicant. The property was transferred to the present owner in 1986; seven years shy of the adoption of the official plan which permits severance by the original owner. The property is the subject of a consent application which has been approved subject to nine conditions including the approval of the official

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO ESTABLISH A SITE SPECIFIC POLICY EXEMPTION FROM THE POLICIES OF THE VALLEY EAST SECONDARY PLAN AND CORRESPONDINGLY REZONE THE SUBJECT LANDS IN ORDER TO PERMIT THE CREATION OF A ONE ACRE RESIDENTIAL LOT, 510 COTE BOULEVARD, HANMER - ROBERT JOSEPH RUSIN (cont'd)

plan amendment and the rezoning. He stated that the portion of the property being severed is not suitable for agricultural purposes and that is why it has never been used as such. He asked the Committee to approve the applications and vote in favour of the applications to allow the severance.

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 recommendations were presented:

Recommendation #2005-35:

Reynolds-Caldarelli: THAT the application by Robert Joseph Rusin to amend the Valley East Secondary Plan by introducing a site specific policy amendment to permit the creation of one residential lot with respect to those lands described as P.I.N. 73508-1060 being Parcels 1189, 1190 & 1714 S.E.S. in Lot 10, Concession 3, Township of Capreol, be denied.

CONCURRING MEMBERS: Councillor Reynolds

NON-CONCURRING MEMBERS: Councillors Caldarelli, Dupuis

DEFEATED

Recommendation #2005-36:

Caldarelli-Dupuis: THAT the application by Robert Joseph Rusin to amend the Valley East Secondary Plan by introducing a site specific policy amendment to permit the creation of one residential lot with respect to those lands described as P.I.N. 73508-1060 being Parcels 1189, 1190 & 1714 S.E.S. in Lot 10, Concession 3, Township of Capreol, be approved subject to the following condition:

1. Severance to create one single residential lot may be permitted subject to the following criteria being satisfied:

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO ESTABLISH A SITE SPECIFIC POLICY EXEMPTION FROM THE POLICIES OF THE VALLEY EAST SECONDARY PLAN AND CORRESPONDINGLY REZONE THE SUBJECT LANDS IN ORDER TO PERMIT THE CREATION OF A ONE ACRE RESIDENTIAL LOT, 510 COTE BOULEVARD, HANMER - ROBERT JOSEPH RUSIN (cont'd)

Recommendation #2005-36 (cont'd):

- i) the lot size shall be from 0.4 to 0.8 hectares,
- ii) the minimum lot frontage shall be 60 metres along an existing public road,
- iii) soil conditions must be proven to be suitable for the installation of private sewage systems,
- iv) there must be a proven potable water supply in both quantity and quality for domestic purposes.

CONCURRING MEMBERS: Councillors Caldarelli, Dupuis

NON-CONCURRING MEMBERS: Councillor Reynolds

CARRIED

Recommendation #2005-37:

Caldarelli-Dupuis: THAT the application by Robert Joseph Rusin to amend By-law 83-300 being the Comprehensive Zoning By-law for the (former) City of Valley East from "RU", Rural to "RU-Special", Special Rural in order to recognize variances resulting from the creation of a lot resulting from Consent Application B0169/2004 as it will have a lot frontage of approximately 69.6m where 90m is required, a lot depth of 63.7m where 90m is required and a lot area of 0.45ha where 2ha is required with respect to those lands described as P.I.N. 73508-1060 being Parcels 1189, 1190 & 1714 S.E.S. in Lot 10, Concession 3, Township of Capreol, be approved subject to the following condition:

- 1. That prior to the passage of an amending zoning by-law, the owner shall provide the Development Services Section with a registered plan of survey which describes the lands to be rezoned.

CONCURRING MEMBERS: Councillors Caldarelli, Dupuis

NON-CONCURRING MEMBERS: Councillor Reynolds

CARRIED

PART I - CONSENT AGENDA

The following recommendation was presented to adopt Items C-1 to C-3 contained in Part 1 of the Consent Agenda:

Recommendation #2005-38:

Reynolds-Dupuis: THAT Items C-1 to C-3 contained in Part 1, Consent Agenda, be adopted.

CARRIED

MINUTES

Item C-1
Report #1
VETAC Minutes
January 12, 2005

Recommendation #2005-39:

Dupuis-Reynolds: That Report #1, Vegetation Enhancement Technical Advisory Committee Minutes of January 12th, 2005, be received.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-2
Draft Approval,
Plan of Subdivision
Niemi Road/
Sugarbush Drive,
Lively

Report dated February 4th, 2005, was received from General Manager of Growth and Development regarding an amendment to the conditions of Draft Approval for a Plan of Subdivision, part of Parcel 22159'D' SWS, in Lot 8, Concession 5, Township of Waters, Niemi Road/Sugarbush Drive, Lively, Dalron Construction Limited.

Recommendation #2005-40:

Reynolds-Dupuis: THAT the request by Dalron Construction Limited to amend the conditions of draft approval with respect to the Draft Plan of Subdivision of part of Parcel 22159 'D' S.W.S. in Lot 8, Concession 5, Township of Waters, File # 780-8/90002 be amended as follows:

a) By deleting Condition # 1. and replacing it with the following:

"1. That this approval applies to the draft plan of subdivision of Part of Parcel 22159 'D', S.W.S., in Lot 8, Concession 5, Township of Waters, as shown on a plan prepared by D.S. Dorland, O.L.S., and dated January 16th, 1990; and as further amended by a sketch titled Sugarbush Draft Amendment, Dennis Consultants Civil Engineers, October 29, 2004."

CARRIED

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-3
Hope Municipal
Drain

Report dated February 9th, 2005, was received from General Manager of Infrastructure and Emergency Services regarding Hope Municipal Drain.

Recommendation #2005-41:

Dupuis-Reynolds: THAT the City of Greater Sudbury accept the petition for a Municipal/Agricultural Drainage works submitted by Gord Hope of 996465 Ontario Ltd. for lands within the area described as Lot 6, Concession 2, in the Township of Hanmer which was filed with the Clerk on the 8th day of February, 2005, and that the City of Greater Sudbury appoint the engineering firm of K. Smart Associates Limited as the drainage engineer for this project.

CARRIED

Adjournment

Recommendation #2005-42:

Reynolds-Dupuis: That we do now adjourn.
Time: 6:25 p.m.

CARRIED

DEPUTY CITY CLERK

COUNCILLOR RON DUPUIS PRESIDING