

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

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**Council Chamber  
Tom Davies Square**

**Tuesday, March 15<sup>th</sup>, 2005  
Commencement: 5:35 p.m.  
Adjournment: 6:41 p.m.**

**COUNCILLOR RUSS THOMPSON PRESIDING**

Present Councillors Bradley, 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

Declarations of Pecuniary Interest None declared

**PUBLIC HEARINGS**

**APPLICATION FOR REZONING TO PERMIT A “GARDEN SUITE” AS A TEMPORARY USE FOR A MAXIMUM PERIOD OF TEN (10) YEARS, 107 FINNWOODS ROAD, LIVELY - INGA AND JOHN NELSON**

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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 7<sup>th</sup>, 2005, was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to permit a “garden suite” as a temporary use for a maximum period of ten (10) years, 107 Finnwoods Road, Lively, Inga and John Nelson.

John and Inga Nelson, Finnwoods Road, Lively, the applicants, were present.

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

The Chair asked whether there was anyone in the audience who wished to speak in favour or against this application and seeing none:

**APPLICATION FOR REZONING TO PERMIT A “GARDEN SUITE” AS A  
TEMPORARY USE FOR A MAXIMUM PERIOD OF TEN (10) YEARS, 107  
FINNWOODS ROAD, LIVELY - INGA AND JOHN NELSON (cont’d)**

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**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 #2005-50:**

Dupuis-Bradley: THAT the application by Inga & John Nelson, the owners of Parcel 24945 S.W.S. being Part 2, Plan 53R-5950 in Lot 3, Concession 3, Township of Waters, to permit a second dwelling unit on the subject property for a maximum temporary period of ten (10) years, pursuant to Section 39 of the Planning Act be approved.

**CONCURRING MEMBERS: Councillors Bradley, Dupuis, Reynolds,  
Thompson**

**CARRIED**

**APPLICATION FOR REZONING IN ORDER TO LEGALIZE AN EXISTING DUPLEX  
DWELLING, 1390 MAIN STREET, VAL CARON - PHILIPPE RANGER**

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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 7<sup>th</sup>, 2005, was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning in order to legalize an existing duplex dwelling, 1390 Main Street, Val Caron, Philippe Ranger.

The applicant was not in attendance.

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

Councillor Dupuis, Ward Councillor, stated that this property has been used as a duplex for over twenty years. He indicated that, although the area is generally single residential, there are some other houses which have two units. He further indicated he has not received any telephone calls of concern regarding 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.**

**APPLICATION FOR REZONING IN ORDER TO LEGALIZE AN EXISTING DUPLEX DWELLING, 1390 MAIN STREET, VAL CARON - PHILIPPE RANGER (cont'd)**

The following recommendation was presented:

**Recommendation #2005-51:**

Dupuis-Bradley: THAT the application by Philippe Ranger to amend By-law 83-300 being the Comprehensive Zoning By-law for the (former) City of Valley East from "R1.D18", Single Residential to "R2.D36", Double Residential with respect to those lands described as Parcel 23053 S.E.S. being Lot 25, Plan M-486 in Lot 6, Concession 6, Township of Blezard be recommended for approval subject to the following condition:

1. Prior to the passage of an amending zoning by-law, the owner shall initiate an application for a building permit with respect to the subject structure at 1390 Main Street, Val Caron to the satisfaction of the Chief Building Official.

**CONCURRING MEMBERS: Councillors Bradley, Dupuis, Reynolds, Thompson**

**CARRIED**

**APPLICATION FOR REZONING TO PERMIT AN EQUESTRIAN SUPPLY BUSINESS AND RETAIN THE EXISTING PARTY NOVELTY BUSINESS, 1021 KINGSWAY, SUDBURY - 1594759 ONTARIO INC.**

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

Report dated March 8<sup>th</sup>, 2005, was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to permit an equestrian supply business and retain the existing party novelty business, 1021 Kingsway, Sudbury, 1594759 Ontario Inc.

Vito Repele of Mallette-Goring Inc., 289 Cedar Street, Sudbury, and George Nichols, Royal LePage - North Heritage Realty Inc., 860 LaSalle Boulevard, Sudbury were present on behalf of the applicant.

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

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.**

**APPLICATION FOR REZONING TO PERMIT AN EQUESTRIAN SUPPLY BUSINESS AND RETAIN THE EXISTING PARTY NOVELTY BUSINESS, 1021 KINGSWAY, SUDBURY - 1594759 ONTARIO INC. (cont'd)**

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The following recommendation was presented:

**Recommendation #2005-52:**

Bradley-Dupuis: THAT the application by 1594759 Ontario Inc. to amend By-law 95-500Z being the Zoning By-law for the former City of Sudbury by changing the zoning classification of Parcel 48001 SES, being Parts 1 to 4, Plan 53R-11392, Parts 1 to 5, Plan 53R-11711, and Lots 66 and 68, Plan M-132, all in Lot 2, Concession 4, McKim Township from "C6", Highway Commercial and "C6-3", Highway Commercial Special, as the case may be, to "M1-Special", Mixed Light Industrial/Service Commercial Special be approved subject to the following:

- a) That in addition to normal "M1" uses, the following shall be permitted:
  - an equestrian supply business; and
  - a business involved in the manufacture, wholesale, retail and storage of party novelty products
- b) Parking for the party novelty business and for the equestrian supply business shall be provided at a minimum ratio of 1 space per 20m<sup>2</sup> of net floor area.

**CONCURRING MEMBERS: Councillors Bradley, Dupuis, Reynolds, Thompson**

**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 #2005-53:**

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

**CARRIED**

## **MINUTES**

Item C-1  
Report #2  
VETAC Minutes  
February 9<sup>th</sup>, 2005

### **Recommendation #2005-54:**

Dupuis-Bradley: That Report #2, Vegetation Enhancement Technical Advisory Committee Minutes of February 9<sup>th</sup>, 2005, be received.

**CARRIED**

## **ROUTINE MANAGEMENT REPORTS**

Item C-2  
Crown Land in  
Fraleck Township  
Mike Gosselin

Report dated March 8<sup>th</sup>, 2005, was received from the General Manager of Growth and Development regarding an application by Mike Gosselin to purchase Crown land in Fraleck Township where there is no official plan or zoning by-law and authorize the City Solicitor to enter into an agreement whereby the purchaser will not apply for a building permit until the area is cover by an Official Plan and Zoning By-law.

### **Recommendation #2005-55:**

THAT the Ministry of Natural Resources be advised that the City of Greater Sudbury has no objections to the application by Mike Gosselin to purchase his approximate 0.5ha Land Use Permit area on the northwest shore of Pine Lake in Fraleck Township subject to the following:

- a) That prior to the sale of the Crown land in question Mr. Gosselin enter into an agreement with the City of Greater Sudbury whereby he agrees that, if successful in acquiring the subject Crown land, he will not make any building permit applications to the City or build any new buildings on the subject property until such time as the area is covered by an Official Plan and Zoning By-law, to the satisfaction of the City Solicitor.

**CARRIED**

## **CORRESPONDENCE FOR INFORMATION ONLY**

Item C-3  
New Provincial  
Policy Statement

Report dated February 28<sup>th</sup>, 2005, was received for information from the General Manager of Growth and Development regarding the New Provincial Policy Statement (2005).

## PART II - REGULAR AGENDA

### MANAGERS' REPORTS

Item R-1  
Amendments and  
Extension to  
Draft Plan of  
Subdivision and  
Rezoning Approval  
Monticello  
Subdivision

Report dated March 8<sup>th</sup>, 2005, 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, Lot 1, Concession 4, Township of McKim, Monticello Subdivision, Mary Rose Bernardi and John Cerilli.

Letter dated March 11<sup>th</sup>, 2005 was received from Mary Bernardi regarding this application.

#### Recommendation #2005-56:

Dupuis-Bradley: THAT Resolution #95-155 of the Council of the former Regional Municipality of Sudbury relating to the zoning approval and Official Plan amendment for the Monticello Subdivision be rescinded.

**CARRIED**

#### Recommendation #2005-57:

Bradley-Dupuis: THAT the application to amend By-law 95-500Z with respect to part of Parcel 30885, 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 approved subject to the following conditions:

- i) The total gross floor area for all buildings on Lot 2 shall be 140,000 square feet, and Lot 1 shall remain zoned "PS", Private Open Space.
- ii) Until such time as the "H" holding symbol has been removed by amendment to this by-law by City Council in accordance with Section 36 of The Planning Act, the only permitted uses on Lots 1 & 2 shall be those uses permitted in a "PS", Private Open Space Zone. The "H" symbol will only be removed once Barrydowne Road has been extended to the west boundary of Lot # 2, as shown on the approved draft plan.
- iii) That prior to the passing of an amending by-law, the owner shall provide the Planning Services Division with a plan of survey describing the property to be rezoned.

**CARRIED**

## **MANAGERS' REPORTS (cont'd)**

Item R-1  
Amendments and  
Extension to  
Draft Plan of  
Subdivision and  
Rezoning Approval  
Monticello  
Subdivision  
(cont'd)

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### **Recommendation #2005-58:**

Dupuis-Bradley: THAT upon payment of Council's rezoning and subdivision extension fee of \$6222.00, the draft approval for the Monticello Subdivision application, File 780-6/94009 shall be amended as follows:

i) 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 30885, Lot 1, Concession 4, Township of McKim, as shown on a plan prepared by D.S. Dorland, O.L.S. and dated October 17<sup>th</sup>, 2002."

ii) By deleting conditions 8, 9, 10, 14, and 22.

iii) 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 and how stormwater will be managed within the subdivision development in order to limit the impact of stormwater both within the subdivision and on downstream receiving storm sewers, drainage channels and creeks. The report shall deal with sediment control and the control of both the 1:5 and Regional storm events. The Regional storm flow path is to be set out on the plan. The report and plans shall be to the satisfaction of the General Manager of Infrastructure and Emergency Services. The owner shall be responsible for the design and construction of any required stormwater management facility as part of the servicing plans for the subdivision."

iv) That condition # 19 be deleted and replaced with the following:

"19. That this draft approval shall lapse on March 24<sup>th</sup>, 2007."

## **MANAGERS' REPORTS (cont'd)**

Item R-1  
Amendments and  
Extension to  
Draft Plan of  
Subdivision and  
Rezoning Approval  
Monticello  
Subdivision  
(cont'd)

### **Recommendation #2005-58 (cont'd):**

- v) By adding the following condition # 22:
- “22. Prior to the submission of servicing plans, the applicant/owner shall, to the satisfaction of the General Manager of Infrastructure and Emergency Services, provide a geotechnical report prepared by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommend construction procedures for the following items: storm and sanitary sewers, watermains, roads, the mass filling of land, surface drainage works including erosion control, slope stability (if applicable) and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official.”
- vi) By adding the following condition # 23:
- “23. That the proposed future road alignment, including the North/South road, be amended to reflect the alignment identified in the “BA Group Traffic Impact Study.”
- vii) By adding the following condition # 24:
- “24. That the subdivision agreement contain provisions requiring the installation of traffic signals at the intersection of Marcus Drive and Barrydowne Road as identified in the Traffic Impact study.
- viii) By adding the following condition # 25:
- “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. Development beyond Lot 2 shall require the construction of Barrydowne Road west to the proposed North/South road as well as construction of the North/South road from the extended Barrydowne Road to the Kingsway. A front-end agreement for the construction of the North/South road will be examined at the time of application.”

**MANAGERS' REPORTS (cont'd)**

Item R-1  
Amendments and  
Extension to  
Draft Plan of  
Subdivision and  
Rezoning Approval  
Monticello  
Subdivision  
(cont'd)

**Recommendation #2005-58 (cont'd):**

ix) By adding the following condition # 26:

“26. That the applicant be required to update the Traffic Impact Study if development does not occur prior to 2008.”

x) By adding the following condition #27:

“27. That the subdivision agreement contain a provision requiring that the applicant dedicate on demand, that portion of the westerly extension of Marcus Drive which extends across the north-east portion of the subject lands, as shown on the approved draft plan.

**CARRIED**

Adjournment

**Recommendation #2005-59:**

Dupuis-Bradley: That we do now adjourn.  
Time: 6:41 p.m.

**CARRIED**

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DEPUTY CITY CLERK

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COUNCILLOR RUSS THOMPSON PRESIDING