

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

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

**Tuesday, December 6th, 2005  
Commencement: 4:47 p.m.  
Adjournment: 8:25 p.m.**

**COUNCILLOR LYNNE REYNOLDS PRESIDING**

Present Councillors Bradley, Caldarelli, Dupuis, Thompson

Staff A. Potvin, Manager of Development Approvals; K. Forrester, Real Estate Co-ordinator; A. Haché, City Clerk; F. Bortolussi, Planning Committee Secretary

Declarations of Pecuniary Interest None declared.

"In Camera" **Recommendation #2005-220:**

Dupuis-Bradley: That we move "In Camera" to deal with property matters 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 4:57 p.m., the Planning Committee recessed.

Reconvene At 5:33 p.m., the Planning Committee reconvened in the **Council Chamber** for the regular meeting.

**COUNCILLOR RUSS THOMPSON PRESIDING**

Present Councillors Bradley, Caldarelli, Dupuis, Reynolds

Staff A. Potvin, Manager of Development Approvals; G. Clausen, Director of Engineer Services; R. Webb, Supervisor of Development Engineering; D. Nadorozny, General Manager of Growth and Development; K. Forrester, Real Estate Co-ordinator; R. Irwin, Senior Planner; A. Haché, City Clerk; M. Laalo, Licensing & Assessment Clerk; F. Bortolussi, Planning Committee Secretary

News Media MCTV; Sudbury Star

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 property matters and the following recommendations emanated therefrom:

Sale of Vacant Land, Graham Road, Whitefish

### **Recommendation #2005-221:**

Bradley-Dupuis: THAT the property legally described as PIN 73380-0188 (LT), Parcel 20046 SWS, Lot 7 on Plan M-245, Township of Graham, Graham Road, Whitefish be sold to Charles MacDonald pursuant to the procedures governing the disposal of full marketability property as set out in By-Law 2003-294;

AND THAT an appropriate by-law be passed authorizing the execution of the documents necessary to complete the real estate transaction.

**CARRIED**

Sale of Land Main Street Val Caron

### **Recommendation #2005-222:**

Dupuis-Bradley: THAT a portion of the former Valley East Town Hall property legally described as Part of Parcel 19962 SES, Part of Lot 7, Concession 5, Township of Blezard, being Part 2 on Plan 53R-17851 be sold to Union Gas Limited;

AND THAT an appropriate by-law be passed authorizing the execution of the documents necessary to complete the real estate transaction.

**CARRIED**

## **PUBLIC HEARINGS**

### **APPLICATION FOR REZONING TO PERMIT A LOT ADDITION AT 118 RIVERSIDE DRIVE, DOWLING - CITY OF GREATER SUDBURY (AGENTS: ZIELENIEWSKI & SCULLY)**

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

Report dated November 29th, 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 lot addition at 118 Riverside Drive, Dowling, City of Greater Sudbury (Agents: Zieleniewski & Scully).

**APPLICATION FOR REZONING TO PERMIT A LOT ADDITION AT 118 RIVERSIDE DRIVE, DOWLING - CITY OF GREATER SUDBURY (AGENTS: ZIELENIEWSKI & SCULLY) (cont'd)**

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Judy Scully and Peter Zieleniewski, Riverside Drive, Dowling, agents for the applicant, were present.

The Manager of Development Approvals outlined the application to the Committee.

Councillor Bradley, Ward Councillor, asked the Committee's support of this application as it will be an enhancement for the area.

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 #2005-223:**

Bradley-Dupuis: THAT the application by City of Greater Sudbury (Agents: Zieleniewski & Scully) to amend By-law 83-300, being the Comprehensive Zoning By-law for the former Town of Onaping Falls, by changing the zoning classification of part of Parcel 18669 SWS, being part of Block 'A', Plan M-677 in Lot 3, Concession 4, Township of Dowling, from "P", Park Zone to "R1.D18", Single Residential Zone, be approved subject to the following condition:

- a) That prior to the passing of an amending by-law, the purchaser shall provide the Planning Services Division with a plan of survey describing the property to be rezoned.

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

**CARRIED**

**APPLICATION FOR REZONING TO ONLY PERMIT AGRICULTURAL USES ON A 79 ACRE PARCEL FOLLOWING THE SEVERANCE OF A SURPLUS FARM DWELLING, 3789 MUNICIPAL ROAD 15, AZILDA - NORTH RANGE SOD**

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

Report dated November 23rd, 2005, was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to only permit agricultural uses on a 79 acre parcel

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

### **APPLICATION FOR REZONING TO ONLY PERMIT AGRICULTURAL USES ON A 79 ACRE PARCEL FOLLOWING THE SEVERANCE OF A SURPLUS FARM DWELLING, 3789 MUNICIPAL ROAD 15, AZILDA - NORTH RANGE SOD (cont'd)**

following the severance of a surplus farm dwelling, 3789 Municipal Road 15, Azilda, North Range Sod.

Mart Kivistik, Drummond Avenue, Sudbury, agent for the applicant, was present.

The Manager of Development Approvals outlined the application to the Committee.

Councillor Bradley, Ward Councillor, indicated that he will support the application as the OMB has ordered that the severance of the existing triplex should only occur if no further residential development were permitted on the balance of the property. However, he foresees problems in the future. He feels if there were a new owner of the dwelling, he or she will complain about dust, noise, etc. caused by farming activities.

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 #2005-224:**

Bradley-Dupuis: THAT the application by North Range Sod to amend By-law 83-302 being the Comprehensive Zoning By-law for the (former) Town of Rayside-Balfour from "A", Agricultural Reserve to "A-Special", Special Agricultural Reserve with respect to those lands described as Part of Parcels 1579 and 1597 SWS in Lot 5, Concession 4, Township of Rayside be recommended for approval subject to the following conditions:

1. That the amending zoning by-law establish the only permitted use shall be agriculture and its related accessory uses. Within the "A-Special", Special Agricultural Reserve zone a dwelling unit shall not be permitted as a main use, nor as an accessory use.
2. That the amending zoning by-law establish that a minimum 6.5 ft. (1.98 m) interior side yard width for an existing building shall be permitted on the part of this land which is to be 'retained'.

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

**CARRIED**

**APPLICATIONS FOR SUBDIVISION APPROVAL, OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT A 42 LOT SUBDIVISION FOR SINGLE RESIDENTIAL USE AND A BLOCK FOR A MOTEL NORTH OF LAROCQUE AVENUE AND LILLIAN STREET, VAL THERESE - 844367 ONTARIO INC. & J. BRASSARD**

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

Report dated November 29th, 2005, from the Director of Planning Services and the General Manager of Growth and Development regarding an applications for subdivision approval, Official Plan amendment and rezoning to permit a 42 lot subdivision for single residential use and a block for a motel north of Larocque Avenue and Lillian Street, Val Therese, 844367 Ontario Inc. & J. Brassard.

Letter dated December 6th, 2005, from Councillor Rivest in support of the application was distributed to the Committee Members at the meeting.

Daniel Bouchard, representing 844367 Ontario Inc., and Jean Brassard were present.

The Manager of Development Approvals outlined the applications to the Committee. He indicated that from a land use planning perspective, the approval of a motel on the applicants' property is not felt to be appropriate. Approval of the site specific Highway Commercial official plan amendment as proposed would be contrary to the stated intent of the official plan. The proposed official plan amendment, would constitute strip commercial development in an area required for future residential development and, therefore, it is not recommended for approval.

The Manager of Development Approvals suggested that the Committee complete the public hearing this evening but withhold any decisions on the subdivision and rezoning applications until changes have been made to the draft plan. A decision should be made on the Official Plan Amendment application tonight so that the applicant can proceed with the subdivision. If the Committee recommends the use of the property remain residential, a decision on the rezoning application should be deferred in order to deal with the matter of the relocation of the drainage course. If the Committee recommends the use of the property as commercial, a decision on the subdivision and rezoning applications should be deferred until certain issues have been resolved.

When questioned, the Manager of Development Approvals indicated that the recommendation of the Transportation Engineering Section that the road connection directly opposite Jeanne d'Arc Avenue extending from Municipal Road 80 to Street 'A' was based on the application. However, if the property is to be used for residential purposes, the applicant may request that the need of the extension be reviewed.

Councillor Dupuis asked, if the matter is deferred until the relocation of the drainage course is dealt with, how long would it take to proceed with the

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

### **APPLICATIONS FOR SUBDIVISION APPROVAL, OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT A 42 LOT SUBDIVISION FOR SINGLE RESIDENTIAL USE AND A BLOCK FOR A MOTEL NORTH OF LAROCQUE AVENUE AND LILLIAN STREET, VAL THERESE - 844367 ONTARIO INC. & J. BRASSARD (cont'd)**

application. The Committee was advised that the Hope Municipal Drain is expected to come back in February and once a decision is made on the drainage course, the application can be brought back quickly.

Daniel Bouchard indicated this is a large project that started last year with six lots and four more lots recently while working on the draft plan of subdivision. The idea of a motel has been in his plans for a long time because of the need in the Valley. He plans a nice, clean and secure type of motel. He also indicated there is not much land available in the area for this type of development. He stated that the Traffic Department advised him they had no objection to the application because of the street lights on Jeanne d'Arc Avenue. He also stated that the Traffic Department indicated they did not want a street that connects a highway to a residential area. He indicated the entrance from the highway was for the commercial use only as there are already two entrances to the subdivision being Larocque Avenue and Lillian Street.

Mr. Bouchard indicated he is well aware of drainage issues. He is hiring an engineering firm and he signed the Hope Municipal Drain petition when he was granted consents for the first six lots. Relocation of the drainage was mentioned because of the work on the Hope Municipal Drain.

Dale Vaillancourt, Larocque Avenue, Hanmer, indicated he looked at the proposal. There were no access roads other than those existing. He feels two new access roads should be constructed to reduce the traffic on and around Larocque Avenue. He provided the Committee with a petition to this effect signed by 28 area residents.

Stephan Arcand, Larocque Avenue, Hanmer, indicated he does not have an issue with the residential development. He has an issue with traffic as the bulk of the lots in the proposed subdivision are on Larocque Avenue which will make it a main artery. He feels additional road access should be provided for safety reasons and to accommodate increased traffic. He feels the connection to Jeanne d'Arc Avenue makes sense.

Percy Barriault indicated he is against the rezoning of this property as he would like the area to remain residential. There is a school in the area and children use Larocque Avenue and Lillian Street all the time. He also indicated he would like the road to be built prior to construction of the homes. He asked if the commercial use zoning would allow a restaurant or bar and was advised that these uses would be considered accessory uses to a motel and therefore be allowed.

## PUBLIC HEARINGS (cont'd)

### APPLICATIONS FOR SUBDIVISION APPROVAL, OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT A 42 LOT SUBDIVISION FOR SINGLE RESIDENTIAL USE AND A BLOCK FOR A MOTEL NORTH OF LAROCQUE AVENUE AND LILLIAN STREET, VAL THERESE - 844367 ONTARIO INC. & J. BRASSARD (cont'd)

Mike Desrosiers, Giumond Avenue, Hanmer, indicated there was never a mention of a motel being built and he strongly opposes a rezoning to commercial uses. He feels a motel should be built in another part of the Valley where there are amenities. He also feel there is a need for another road because of the traffic.

Recess At 7:12 p.m., the Planning Committee recessed.

Reconvene At 7:20 p.m., the Planning Committee reconvened.

Daniel Bouchard indicated that he would agree to the connecting road from Jeanne d'Arc Avenue to Street "A" only if the commercial zoning is granted as he feels two access roads are sufficient if there are no commercial uses.

With respect to the relocation of the drainage course, Mike Desrosiers indicated that there is presently wildlife in this area and also wonders how it will affect the present area residents.

The Director of Engineering Services indicated that the applicant has suggested the possibility of altering the drainage course. The applicant has hired the engineer working on the Hope Municipal Drain to look at different options to see if it is feasible. The applicant will also have to deal with the Ministry of Natural Resource and the Department of Fisheries and Oceans and satisfy them that it will not be detrimental as well as satisfying the City and the Nickel District Conservation Authority.

Councillor Dupuis, Ward Councillor, asked if the applicant would consider additional residential lots where the motel is proposed if the application is not approved and the applicant indicated it might be too expensive.

The Manager of Development Services indicated that it is staff's position that a road be provided whether the development is residential or commercial. The applicants' redesign of the plans should show the road location.

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)**

**APPLICATIONS FOR SUBDIVISION APPROVAL, OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT A 42 LOT SUBDIVISION FOR SINGLE RESIDENTIAL USE AND A BLOCK FOR A MOTEL NORTH OF LAROCQUE AVENUE AND LILLIAN STREET, VAL THERESE - 844367 ONTARIO INC. & J. BRASSARD (cont'd)**

The following recommendations were presented:

**Recommendation #2005-225:**

Caldarelli-Bradley: THAT the application by 844367 Ontario Inc. & Jean Brassard to amend the Valley East Secondary Plan by changing the land use designation of part of Parcel 16001 SES in Lot 7, Concession 2, Hanmer Township from "Low Density Residential" and "Community Park and Greenbelt" to "Highway Commercial" with site specific policies restricting development to a motel, be denied.

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

**NON-CONCURRING MEMBERS: Councillors Caldarelli, Reynolds**

**CARRIED**

**Recommendation #2005-226:**

Caldarelli-Bradley: THAT the part of the application by 844367 Ontario Inc. & Jean Brassard to amend By-law 83-300 being the Zoning By-law for the former Town of Valley East by changing the zoning classification of Block 1 of the proposed draft plan of subdivision of part of Parcel 16001 SES in Lot 7, Concession 2, Hanmer Township from "RU", Rural to "C6-S", Highway Commercial Special to permit a motel, be denied.

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

**NON-CONCURRING MEMBERS: Councillors Caldarelli, Reynolds**

**CARRIED**

**Recommendation #2005-227:**

Thompson-Bradley: THAT the application by 844367 Ontario Inc. & Jean Brassard 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 of Parcel 16001 SES in Lot 7, Concession 2, Hanmer Township from "RU", Rural to "R1.D18", Single Residential be deferred to allow the associated subdivision to be redesigned.

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

**CARRIED**



**PUBLIC HEARINGS (cont'd)**

**APPLICATIONS FOR SUBDIVISION APPROVAL, OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT A 42 LOT SUBDIVISION FOR SINGLE RESIDENTIAL USE AND A BLOCK FOR A MOTEL NORTH OF LAROCQUE AVENUE AND LILLIAN STREET, VAL THERESE - 844367 ONTARIO INC. & J. BRASSARD (cont'd)**

**Recommendation #2005-228:**

Bradley-Thompson: THAT the decision to issue draft approval for the subdivision of part of Parcel 16001 SES in Lot 7, Concession 2, Hanmer Township be deferred to allow the applicants (844367 Ontario Inc. & Jean Brassard ) to undertake a redesign which addresses the needs of the Nickel District Conservation Authority, Department of Fisheries and Oceans and the Infrastructure and Emergency Services Department.

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

**CARRIED**

**PART I - CONSENT AGENDA**

The following recommendation was presented to adopt Items C-1 to C-5 contained in Part 1 of the Consent Agenda:

**Recommendation #2005-229:**

Dupuis-Bradley: THAT Items C-1 to C-5 contained in Part 1, Consent Agenda, be adopted.

**CARRIED**

**MINUTES**

Item C-1  
Report #55  
DLAC Minutes  
Nov. 3, 2005

**Recommendation #2005-230:**

Bradley-Dupuis: That Report #55, Development Liaison Advisory Committee Minutes of November 3rd, 2005, be received.

**CARRIED**

## **PART I - CONSENT AGENDA (cont'd)**

### **ROUTINE MANAGEMENT REPORTS**

Item C-2  
Declaration of  
Vacant Surplus  
Land, Municipal  
Road 15,  
Chelmsford

Report dated November 25th, 2005, was received from the General Manager of Infrastructure and Emergency Services regarding declaration of vacant surplus land, Municipal Road 15, Chelmsford.

#### **Recommendation #2005-231:**

Caldarelli-Dupuis: THAT the property legally described as PIN 73347-0093 (LT), being Parcel 13210 SES, Township of Rayside, Regional Road #15, Chelmsford, be declared surplus to the City's needs and offered for sale pursuant to the procedures governing the disposal of full marketability property as set out in By-law 2003-294 subject to the following:

THAT any agreement of purchase and sale for the said land be conditional upon:

1. an easement along the north side of the subject land be reserved for storm sewage;
2. the purchaser closing the existing road access onto R.R. #15 at their own expense.

**CARRIED**

Item C-3  
Declaration of  
Vacant Surplus  
Land, Fourth  
Avenue, Sudbury

Report dated November 23rd, 2005, was received from the General Manager of Infrastructure and Emergency Services regarding declaration of vacant surplus land, Fourth Avenue, Sudbury.

#### **Recommendation #2005-232:**

Thompson-Dupuis: THAT Parcels 10264 and 38027 SES being Parts 4 and 5 on Plan SR-2622, Township of Neelon, Fourth Avenue, Sudbury, be declared surplus to the City's needs and be offered for sale to the general public pursuant to the procedures governing the disposal of full marketability property as set out in By-law 2003-294.

**CARRIED**

## **PART I - CONSENT AGENDA (cont'd)**

### **ROUTINE MANAGEMENT REPORTS (cont'd)**

Item C-4  
Declaration of  
Vacant Surplus  
Land, Brodie  
Avenue, Sudbury

Report dated November 30th, 2005, was received from the General Manager of Infrastructure and Emergency Services regarding declaration of vacant surplus land, Brodie Avenue, Sudbury.

**Recommendation #2005-233:**

Dupuis-Thompson: THAT the property legally described as PIN 73586-0070 (LT) being part of Lots 35 and 36, Plan 29S'B', Township of McKim, Brodie Avenue, Sudbury, be declared surplus to the City's needs and be offered for sale pursuant to the procedures governing the disposal and sale of full marketability property as set out in By-law 2003-294.

**CARRIED**

Item C-5  
Declaration of  
Vacant Surplus  
Land, Highway  
537, Cleland  
Township

Report dated November 30th, 2005, was received from the General Manager of Infrastructure and Emergency Services regarding declaration of vacant surplus land, Highway 537, Cleland Township.

**Recommendation #2005:234:**

Dupuis-Caldarelli: THAT the property legally described as PIN 73469-0147 (LT) being Parcel 35546 SES, Part 15, Plan SR-2922, Township of Cleland, Highway 537, be declared surplus to the City's needs and offered for sale pursuant to the procedures governing the disposal of full marketability property as set out in By-law 2003-294.

**CARRIED**

### **CORRESPONDENCE FOR INFORMATION ONLY**

Item C-6  
Property Sales &  
Acquisitions, 2005

Report dated November 30th, 2005, was received from the General Manager of Infrastructure and Emergency Services regarding Property Sales and Acquisitions for 2005.

## **PART II - REGULAR AGENDA**

### **REFERRED AND DEFERRED MATTERS**

Item R-1  
Request for  
Exemption from  
Fire Flow Policy  
Y. & J. Henry

Report dated December 1st, 2005, was received from the General Manager of Growth and Development regarding request for exemption from the City's Fire Flow Policy, Yvon and Joanne Henry.

The Committee agreed to defer the matter as the applicants were not in attendance.

### **MANAGERS' REPORTS**

Item R-2  
Appointment of  
Chair and Vice-  
Chair, Planning  
Committee

Report dated December 1st, 2005, was received from the Executive Director of Administrative Services regarding the appointment of the Chair and Vice-Chair of the Planning Committee.

Nominations for the appointment of Chair, Planning Committee were opened.

Nominator

Nominee

Councillor Bradley  
Councillor Caldarelli

Councillor Dupuis.  
Councillor Reynolds.

There being no further nominations, nominations were closed.

Following a vote by paper ballot, the following recommendation was presented:

**Recommendation #2005-235:**

Bradley-Caldarelli: THAT Councillor Dupuis be appointed Chair of the Planning Committee for the term ending November 30th, 2006, or until such time as his successor is appointed.

**CARRIED**

Nominations for the appointment of Vice-Chair, Planning Committee were opened.

Nominator

Nominee

Councillor Dupuis

Councillor Thompson

There being no further nominations, nominations were closed.

## **MANAGERS' REPORTS**

Item R-2  
Appointment of  
Chair and Vice-  
Chair, Planning  
Committee

Following a vote by paper ballot, the following recommendation was presented:

**Recommendation #2005-236:**

Dupuis-Caldarelli: THAT Councillor Thompson be appointed Vice-Chair of the Planning Committee for the term ending November 30th, 2006, or until such time as his successor is appointed.

**CARRIED**

Adjournment

**Recommendation #2005-237:**

Caldarelli-Dupuis: That we do now adjourn.  
Time: 8:25 p.m.

**CARRIED**

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CITY CLERK

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COUNCILLOR RUSS THOMPSON