

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

**Council Chamber
Tom Davies Square**

**Tuesday, February 10th, 2004
Commencement: 7:10 p.m.
Adjournment: 9:50 p.m.**

COUNCILLOR RUSS THOMPSON PRESIDING

Present Councillors Bradley, Caldarelli, Reynolds

Staff Bill Lautenbach, Director of Planning Services; Art Potvin, Manager of Development Services; Greg Clausen, Director of Engineering Services; Paul Baskcomb, Manager of Community & Strategic Planning; Ron Swiddle, Director of Legal Services/City Solicitor; Angie Haché, Deputy City Clerk; Melissa Burtch, Licencing and Assessment Clerk; Katherine Bowschar-Lische, Planning Committee Secretary

News Media Sudbury Star

Declarations of
Pecuniary Interest None declared.

DELEGATIONS

Item 1 Request to Amend By-law to Erect Signs on Private Property Letter dated January 13th, 2004, from Tania Van Norman, Founder and Survivor, Save the Children, Stop Sexual Abuse regarding a request to amend by-law to erect signs on private property.

Tania Van Norman, Founder and Survivor, Save the Children, Stop Sexual Abuse gave a verbal presentation regarding a request to amend by-law to erect signs on private property. She advised that for the past year she has had discussions with staff in an attempt to place "Save the Children, Stop Sexual Abuse" billboards on highways. A number of property owners have agreed to place these signs on their properties, however, By-law Enforcement has advised that the signs would not be permitted. She was before the Committee this evening as she could not see any other option.

She stated that her group has 40 highway billboards from Sault Ste. Marie to North Bay, including Manitoulin Island. These signs bring awareness to a much needed issue, childhood sexual abuse and incest. They are designed to give hope to victims of sexual abuse and to let sexual predators of children know that there is a voice. She also requested that the City donate the \$110.00 fee for each of her 8' x 8' signs.

Item 1
Request to Amend
By-law to Erect
Signs on Private
Property (cont'd)

The Director of Legal Services/City Solicitor advised that he had discussed this matter with By-law Enforcement, who had spent a considerable amount of time reviewing the situation. He pointed out that Ms. Van Norman has erected seven signs, without a sign permit, with some of the signs in hazardous locations.

Ms. Van Norman said that she had submitted, by registered mail, the seven permit applications, however, was advised by By-law Enforcement that the applications were not received.

The Committee agreed that Mr. Swiddle, along with By-law Enforcement would meet with Ms. Van Norman to review the location of the signs and see what could be permitted under the existing by-law. Staff will try to track down the seven application forms sent by registered mail. A report concerning this matter would be submitted to the Committee at a later date.

Item 2
Official Plan
Progress Report

Report dated February 5th, 2004, from the General Manager, Economic City of Greater Development and Planning Services was received regarding the Official Plan Progress Report. A copy of the electronic presentation entitled Official Plan Background Report was distributed to Committee Members at the meeting.

Paul Baskcomb, Manager of Community and Strategic Planning, gave an electronic presentation outlining the Official Plan Progress Report. He advised that:

- it has been 25 years since the last Official Plan was released in 1978
- currently, there are 13 Official Plans that exist and the goal of this new plan is to provide a single, up-to-date plan which is easier to understand for both the public and staff, policies will be applied consistently across the City and be more efficient
- now we are facing a different set of issues and challenges
- the new Official Plan will address such things as where development will occur over the next 20 years, if we have adequate sewer, water and transportation to accommodate our future development, etc.
- the New Official Plan will be guided by five key principles as established by the previous Council-One Plan for One City, A Healthy Community, Open for Business, Sustainable Development, A Focus on Opportunities

Item 2
Official Plan
Progress
Report (cont'd)

- both a web page and paper version are planned

The Manager of Community and Strategic Planning indicated that Background Studies - Healthy Community, Transportation, Parks & Leisure, Infrastructure, Agricultural, Storm Water, Waterfront & Rural Area & Natural Heritage are well underway. The majority of these studies should be completed by the Spring of 2004. These studies will provide a good foundation of information for the Official Plan. There are other studies they will have regard for when preparing the Official Plan such as the Coming of Age Document, Seniors Study and Accessibility. It is expected public meetings will be held in September, 2004. After receiving public input, the first draft should be ready in March or April, 2005. In November, 2003, an Official Plan web site was launched which will play a critical role in providing information and facilitating public input.

Councillor Bradley requested that all of the information available on the progress of the new Official Plan should be inserted into a binder and provided to the Councillors as a reference when they attend the public meetings.

The Director of Planning Services indicated that this would be provided.

PUBLIC HEARINGS

APPLICATION FOR REZONING TO PERMIT A RETAIL GARDEN NURSERY AS A TEMPORARY USE FOR A MAXIMUM PERIOD OF THREE YEARS AT 3201 HEROLD DRIVE, SUDBURY- GERALD DESROCHES

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

Report dated January 29th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding a rezoning application to permit a retail garden nursery as a temporary use for a maximum period of three years at 3201 Herold Drive, Sudbury - Gerald Desroches.

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

The applicant, Mr. Gerald Desroches, was not present.

No objectors were present.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT A RETAIL GARDEN NURSERY AS A TEMPORARY USE FOR A MAXIMUM PERIOD OF THREE YEARS AT 3201 HEROLD DRIVE, SUDBURY- GERALD DESROCHES (cont'd)

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 #2004-23:

Reynolds-Bradley: That the application by Gerald Desroches, the owner of Parcel 13543 S.E.S. in Lot 3, Concession 5, Township of Broder, to permit a retail garden nursery (which may or may not involve propagation of plants on the subject property) for a maximum temporary period of three (3) years, pursuant to Section 39 of The Planning Act be approved.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson

CARRIED

APPLICATION FOR REZONING TO PERMIT THE CREATION OF FIVE (5) SINGLE RESIDENTIAL LOTS ADJACENT TO NOTRE DAME STREET, AZILDA - FIRNIL ENTERPRISES LTD.

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

Report dated January 29th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding a rezoning application to permit the creation of five (5) single residential lots adjacent to Notre Dame Street, Azilda - Firnil Enterprises Ltd.

Mr. Dave Dorland, 298 Larch Street, agent for the applicant, and Mr. Jean-Nil Jollette, were present.

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

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE CREATION OF FIVE (5) SINGLE RESIDENTIAL LOTS ADJACENT TO NOTRE DAME STREET, AZILDA - FIRNIL ENTERPRISES LTD. (cont'd)

Mr. Dorland indicated that he is satisfied with staff's recommendations, however, he questioned staff's recommendation at consent stage to extend the lots on Notre Dame Street to the back of the property. The lots would be anywhere from 400' to 700' deep and would preclude the property owner from developing the land as R-3 in the future. He indicated there are several options which can be discussed with Planning Staff at the consent stage regarding this recommendation. He also expressed concern regarding the requirement of a cash payment of \$14,000 for the construction of a sidewalk which may never take place.

Councillor Bradley, Ward Councillor, questioned staff when a sidewalk would be constructed on Notre Dame Street.

The Director of Engineering Services stated he does not have a definite time frame or commitment as to when sidewalks would be constructed. When there is a demonstrated need and budget, the sidewalks would be constructed. This condition is consistent with other approved applications, if property fronts on an arterial road then the developer is asked to contribute monies for sidewalks. He advised that if Council deems sidewalks are not required then the monies are returned.

Councillor Bradley indicated that he would support the application but that the cash contribution for future sidewalks should be reconsidered as it will be a very long time before they are constructed.

No objectors were present.

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 #2004-24

Reynolds-Bradley: 1. That the application by Firnil Enterprises Ltd. to amend by-law 83-302 being the Comprehensive Zoning By-law for the (former) Town of Rayside-Balfour from "RU", Rural to "R1.D18", Single Residential in order to permit the creation of five (5) single residential lots with respect to those lands described as Parcel 29936 S.W.S. in Lot 6, Concession 2, Township of Rayside be recommended for approval; and further,

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE CREATION OF FIVE (5) SINGLE RESIDENTIAL LOTS ADJACENT TO NOTRE DAME STREET, AZILDA - FIRNIL ENTERPRISES LTD. (cont'd)

Recommendation #2004-24 (cont'd)

2. That subdivision of the lands described in Item # 1 of this Recommendation be allowed to proceed by way of the Consent Process.
3. That staff be directed not to charge the developer \$14,175.00 for a concrete sidewalk during the consent stage.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson

CARRIED

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND FOR REZONING TO PERMIT THE DEVELOPMENT OF AN INDUSTRIAL PARK, SOUTH SIDE OF HIGHWAY 17, WEST OF THE SOUTHEAST BY-PASS - PIONEER CONSTRUCTION INC.

Recess At 8:55 p.m., the Planning Committee recessed.

Reconvene At 9:00 p.m. the Planning Committee reconvened.

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

Report dated January 29th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding Official Plan amendment and rezoning applications in order to permit the development of an industrial park, south side of Highway 17, west of the southeast by-pass - Pioneer Construction Inc.

The agent for the applicant, Mr. MacGregor D. Sinclair, 214 Alder Street, Sudbury, and Mr. Martin Gran, Vice-President of Pioneer Construction Inc., were present.

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

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND FOR REZONING TO PERMIT THE DEVELOPMENT OF AN INDUSTRIAL PARK, SOUTH SIDE OF HIGHWAY 17, WEST OF THE SOUTHEAST BY-PASS - PIONEER CONSTRUCTION INC. (cont'd)

Mr. Sinclair advised this proposal will integrate all services presently on the site. This integrated industrial park is not common in Sudbury wherein the roads and water services are private and if sewers are constructed, they will be private services as well. The location of the industrial park is suitable for the transportation industry. Pioneer Construction Inc. has been on this site for 30 years and have their offices and construction equipment at this location. He stated that Pioneer Construction Inc. is aware of the conditions and the conditions are acceptable to them.

No objectors were present.

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 #2004-25

Bradley-Caldarelli: That having had regard to the Provincial Policy Statement and in the interest of fostering economic development, the application by Pioneer Construction Inc. to amend the City of Sudbury Secondary Plan as it applies to Part of Parcel 1960 S.E.S. in Lot 7, Concession 3, Neelon Township by changing the land use designation from "Rural District" to "Light Industrial District" be approved subject to the following:

1. That the subject property be made an area of Site Plan Control pursuant to Section 40 of the Planning Act.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson

CARRIED

Recommendation #2004-26

Caldarelli-Bradley: That the application by Pioneer Construction Inc. to amend By-law 95-500Z being the Zoning By-law for the former City of Sudbury by changing the zoning classification of Plan 53R-4262, being Parcel 37720 S.E.S., and Part of Parcel 1960 S.E.S., Lot 7, Concession 3, Neelon Township from "FD", Future Development and "RU", Rural, as the case may be, to "M2", Light Industrial be approved subject to the following:

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND FOR REZONING TO PERMIT THE DEVELOPMENT OF AN INDUSTRIAL PARK, SOUTH SIDE OF HIGHWAY 17, WEST OF THE SOUTHEAST BY-PASS - PIONEER CONSTRUCTION INC. (cont'd)

Recommendation #2004-26 (cont'd):

1. That an "H" Holding designation in accordance with Section 36 of the Planning Act be placed on the zoning. While the "H" is in effect, the only permitted uses shall be dry industrial uses as defined in the staff report. When the subject property is fully serviced with municipal sanitary sewer and water services the owner may apply to Council for the removal of the "H", Holding designation. When the "H" has been removed, all "M2", Light Industrial uses shall be permitted.
2. That prior to the passing of an amending by-law the owner enter into an agreement whereby the owner agrees that if sanitary sewer services become available on the subject portion off the Kingsway then the owner will extend sanitary sewer services into the industrial park at his expense to the satisfaction of the City Solicitor.
3. That prior to the passing of an amending by-law, the applicant shall undertake a hydro geological analysis to indicate how each proposed industrial lease site can and will be serviced with private sewage systems and indicating how groundwater in the area will be protected.
4. That prior to the passing of an amending zoning by-law the applicant shall undertake a traffic impact analysis to identify road improvements made necessary by the proposed development to the satisfaction of the General Manager of Public Works. Further, the applicant shall agree to undertake the road improvements to the satisfaction of the City Solicitor.
5. That prior to the issuance of any building permits the applicant shall enter into a Site Plan Control Agreement with the City. The agreement shall cover the whole of the subject property and it shall deal with such items as stormwater management and overall drainage, Ministry of Transportation clearance if required, entrance design, provision of a right of way for abutting land under the same ownership, Conservation Authority concerns, slope treatments, landscaping, maintenance of natural state area until sites are developed, paving of required parking spaces, fencing of outdoor storage, servicing issues, etc.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND FOR REZONING TO PERMIT THE DEVELOPMENT OF AN INDUSTRIAL PARK, SOUTH SIDE OF HIGHWAY 17, WEST OF THE SOUTHEAST BY-PASS - PIONEER CONSTRUCTION INC. (cont'd)

Recommendation #2004-26 (cont'd):

6. That the amending by-law permit one general ground sign for the industrial park with a maximum total area of 20m² (10m² per side), one low profile ground sign on each lease site with a maximum total area of 6m² and one fascia sign per main use with a maximum area of 20m².
7. That the amending zoning by-law shall regard each lease site as a separate lot for purposes of determining building setbacks, landscaping, parking, signage, etc.
8. That the amending zoning by-law shall require that each lease site have a minimum area of 1 hectare (2.5 acres).
9. That the applicant provide the Development Services Section with a registered survey plan of the part of Parcel 1960 S.E.S. to enable the preparation of an amending by-law.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson

CARRIED

PART I - CONSENT AGENDA

The following recommendation was presented to adopt Item C-1 to C-2 contained in Part 1 of the Consent Agenda:

Recommendation #2004-27

Reynolds-Bradley: That Item C-1 to C-2 contained in Part 1, Consent Agenda, be adopted.

CARRIED

MINUTES

Item C-1 Recommendation #2004-28

Report #1,
VETAC
Minutes of
January 7th ___
2004

Reynolds-Bradley : That Report #1, Vegetation Enhancement Technical Advisory Committee Minutes of January 7th, 2004, be received.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-2
Extension of
Draft Approval,
Part of Parcel
1869, in Lot 5,
Concession 4,
Twp. Waters -
Southfield Place
Subdivision

Report dated January 30th, 2004, was received from the General Manager, Economic Development and Planning Services regarding Extension of Draft Approval, Part of Parcel 1869, in Lot 5, Concession 4, Twp. Waters - Southfield Place Subdivision.

Recommendation #2004-29

Bradley-Caldarelli: That upon payment of Council's extension fee of \$1059.00 prior to the February 24th, 2004 lapsing date, the conditions of draft approval for the plan of subdivision of Part of Parcel 1869 in Lot 5, Concession 4, Township of Waters, File #RP780-8/94007 be amended as follows:

1. By deleting condition #13 and replacing it with the following:

“13. That this draft approval shall lapse on February 24th, 2007.”

This draft plan of subdivision received draft approval from Regional Council on February 24th, 1995, and is scheduled to lapse on February 24th, 2004. The subdivision proposes the creation of 9 lots for single residential use. An amending zoning by-law has been passed, rezoning the lands included in the draft plan to “R1”, Single Residential Zone.

The applicant has requested that the draft approval be extended, and a copy of his correspondence is attached.

The Public Works Department's Technical Services Section and Traffic and Transportation Section have both advised that they have no requirements with respect to the requested extension.

Attached are copies of the current conditions of draft approval and a sketch of the draft approved plan.

It is recommended that the extension be granted upon payment of Council's extension fee prior to the February 24th lapsing date.

CARRIED

Adjournment

Recommendation #2004-30

Reynolds-Caldarelli: That we do now adjourn.
Time: 9:50 p.m.

CARRIED

DEPUTY CITY CLERK

CHAIR RUSS THOMPSON PRESIDING