

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

**Council Chamber
Tom Davies Square**

**Tuesday, February 24th, 2004
Commencement: 7:10 p.m.
Adjournment: 8:12 p.m.**

COUNCILLOR LYNNE REYNOLDS PRESIDING

Present Councillors Bradley, Caldarelli, Dupuis, Thompson (A: 7:20 p.m.)

Staff Bill Lautenbach, Director of Planning Services; Art Potvin, Manager of Development Services; Ron Norton, Superintendent of Physical Services; Angie Haché, Deputy City Clerk; Melissa Burtch, Licencing and Assessment Clerk; Katherine Bowschar-Lische, Planning Committee Secretary

News Media Sudbury Star; MCTV

Declarations of Pecuniary Interest None declared.

PUBLIC HEARINGS

APPLICATION FOR REZONING TO PERMIT A TEMPORARY USE APPLICATION FOR A MAXIMUM PERIOD OF THREE YEARS TO CONTINUE TO BE OCCUPIED BY A HOCKEY TRAINING FACILITY AT 398 LLOYD STREET, SUDBURY - DONI REALTY LTD.

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

Report dated February 12th, 2004, from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding a temporary use application for a maximum period of three years in order to permit the subject lands to continue to be occupied by a hockey training facility, 398 Lloyd Street, Sudbury - Doni Realty Ltd.

The applicants, Frank Doni and Steven Doni, were present.

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

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT A TEMPORARY USE APPLICATION FOR A MAXIMUM PERIOD OF THREE YEARS TO CONTINUE TO BE OCCUPIED BY A HOCKEY TRAINING FACILITY AT 398 LLOYD STREET, SUDBURY - DONI REALTY LTD. (cont'd)

Mr. Steven Doni indicated that the hockey facility is a hobby and part-time job. The hours the hockey school operates are from 5 p.m. to 8 p.m. He enjoys teaching children, aged 7 to 10, on a one-to-one basis. He stated that traffic in the area is very low, there is plenty of parking and very little or no noise.

Mr. Frank Doni said that they have looked at a permanent location however, because there is not a high demand for this service, it is not feasible at this time. He advised that he speaks with the neighbouring residents on a daily basis and has never received a complaint.

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 #2004-31:

Dupuis-Bradley: That the application by Doni Realty Ltd., the owner of Parcel 1015 S.E.S., being Lot 38, Plan M-103 except Part II of Plan D-455, Lot 4, Concession 4, Township of McKim to permit a commercial recreation centre, being a hockey skills training facility, within an accessory structure on the subject property for a maximum temporary period of three (3) years, pursuant to Section 39 of The Planning Act be approved subject to the following:

1. That the amending by-law specify four (4) parking spaces be provided and maintained on the subject property to the satisfaction of the Director of Planning Services.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Reynolds

CARRIED

PUBLIC HEARINGS (cont'd)

At 7:30 p.m., Councillor Lynne Reynolds vacated the Chair and Councillor Russ Thompson assumed the Chair.

Chair COUNCILLOR RUSS THOMPSON PRESIDING

APPLICATION FOR REZONING TO PERMIT PART OF A BUILDING TO BE CONVERTED INTO OFFICE SPACE (SAVE AND EXCEPT MEDICAL OFFICES) AT 546 LASALLE BOULEVARD, SUDBURY - GRANT & PHILIP MENARD

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

Report dated February 16th, 2004, from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding a rezoning application in order to permit part of a building to be converted into office space (save and except medical offices), 546 Lasalle Boulevard, Sudbury - Grant and Philip Menard.

Mr. Grant Menard, 31 Logan Street, was present. He advised that when he purchased the property, there was a wall already built which joined the two single family residential dwellings.

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

Councillor Dupuis, Ward Councillor, indicated that getting in and out anywhere on Lasalle Boulevard is difficult, and the proposed use will not have any impact on traffic. He advised that he has not received any telephone calls or complaints against this application.

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.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT PART OF A BUILDING TO BE CONVERTED INTO OFFICE SPACE (SAVE AND EXCEPT MEDICAL OFFICES) AT 546 LASALLE BOULEVARD, SUDBURY - GRANT & PHILIP MENARD (cont'd)

The following Recommendation was presented:

Recommendation #2004-32:

Dupuis-Bradley: That the application by Grant and Philip Menard to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury from "R4", Multiple Residential to "R4-Special", Special Multiple Residential with respect to those lands described as Parcel 10756 S.E.S. in Lot 3, Concession 6, Township of McKim be recommended for approval subject to the following conditions:

1. That in addition to the uses permitted in an "R4" zone, offices (save and except medical offices) not to exceed a total of 100 m² of gross floor area shall be permitted. A minimum of 50% of the total gross floor area of all buildings shall be used for residential purposes.
2. That in addition to the signs permitted in an "R4" zone, one (1) business identification ground sign not exceeding 2.25 m² in sign area, not exceeding 1.35 m in height and located not closer than 3 m from any lot line shall be permitted.
3. That prior to the passage of an amending zoning by-law the owner shall enter into a Site Plan Control Agreement with the City of Greater Sudbury respecting the subject lands to the satisfaction of the Director of Planning Services.

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

CARRIED

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE CREATION OF THREE (3) LOTS FOR SEASONAL RESIDENTIAL USE, EAST SIDE OF THE VERMILION RIVER BETWEEN VERMILION LAKE AND LARCHMOUNT DRIVE - DENIS LAMBERT

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

Report dated February 16th, 2004, from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding a rezoning application in order to permit the creation of three (3) lots for seasonal residential use, east side of the Vermilion River between Vermilion Lake and Larchmount Drive - Denis Lambert.

Letter dated February 23rd, 2004, from Claude Berthiaume, Councillor Ward 2, in favour of the above-noted application, was distributed at the meeting.

The applicant, Mr. Denis Lambert, 3282 St. Laurent St., Chelmsford, was present.

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

Mr. Lambert indicated Mr. Desloges owns the property which provides road access to his property. He has Mr. Desloges permission to use the private road as long as use is kept to a minimum. The legal access to the property would be by water. He advised that all of the residents in the area either bring in water or boil water from the Vermilion River. He stated that he has owned this property for many years and his property has never flooded.

Mr. Gilles Desloges and Mr. Norm Desloges addressed the Committee. They own 130 acres at the end of Vermilion Lake Road. They are concerned as this is the first time they have heard about the parcel of land being subdivided. There was no road there prior to Mr. Lambert putting one in and the road was built on their property without their permission. They advised that there are three families who have their permission to use the private road. Should the Committee allow the property to be subdivided, access will need to be by water as road access will not be permitted.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE CREATION OF THREE (3) LOTS FOR SEASONAL RESIDENTIAL USE, EAST SIDE OF THE VERMILION RIVER BETWEEN VERMILION LAKE AND LARCHMOUNT DRIVE - DENIS LAMBERT (cont'd)

Councillor Bradley, Ward Councillor, indicated that he would support the application. He suggested that an agreement be registered on title to advise prospective purchasers that access is by water only. He advised that he was informed that there was a road in the area many years ago for horses and that road was upgraded for cars.

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 #2004-33:

Bradley-Reynolds: That the application by Denis Lambert to amend By-law 83-300 being the Zoning By-law for the former Town of Onaping Falls by changing the zoning classification of Part of Parcel 29917 in Lot 8, Concession 1, Dowling Township from "RU-17", Rural Special to "R7.D2.5", Seasonal Residential to permit the creation of three lots for seasonal residential use be approved subject to the following:

1. That the applicant provide the Development Services Section with a registered survey plan outlining the land to be rezoned to enable the preparation of an amending by-law.
2. That prior to the passing of an amending by-law, the applicant enter into an agreement with the City whereby each proposed lot will have a condition registered on title where the owner must provide design or survey evidence by an Ontario Land Surveyor or by a Professional Engineer that any water well location must be outside the flood plain.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, 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 #2004-34:

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

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-1
Subdivision
Referral Request
for Consent
Applications
B159/2003 &
B160/2003,
98 Bonin Street,
Chelmsford
-Silvio and Noella
O'Bomsawin

Report dated February 12th, 2004, from the General Manager, Economic Development and Planning Services regarding Subdivision Referral Request for Consent Applications B159/2003 & B160/2003, 98 Bonin Street, Chelmsford - Silvio and Noella O'Bomsawin.

Letter dated February 23rd, 2004, from Claude Berthiaume, Councillor Ward 2, in favour of the application, was distributed at the meeting.

Recommendation #2004-35:

Bradley-Dupuis: That Consent Applications B159/2003 and B160/2003 with respect to Parcel 719 SWS in Lot 11, Concession 4, Rayside Township be permitted to proceed by way of the consent process.

CARRIED

Item C-2
Extension to Draft
Approval, Draft Plan
of Subdivision
- Adam & Eve's
Garden & Patio
Centre - Neelon
Township - 1991
Maley Drive

Report dated February 10th, 2004, from the General Manager, Economic Development and Planning Services regarding Extension to Draft Approval, Draft Plan of Subdivision - Adam & Eve's Garden & Patio Centre - Neelon Township - 1991 Maley Drive.

Recommendation #2004-36:

Reynolds-Dupuis: That upon payment of the processing fee of \$1,486.50 prior to the June 4, 2004 lapsing date, the conditions of draft approval of the draft plan of subdivision of Parcels 760 NWS and 2768 SES and Part of Block F, Plan M-1005, in Lot 11, Concession 6, Neelon Township, File 780-6/97001 shall be amended as follows:

(a) By deleting Condition #10 and replacing it with the following:

“10. That this draft approval shall lapse on June 4, 2007.”

ROUTINE MANAGEMENT REPORTS (cont'd):

Item C-2
Extension to Draft
Approval, Draft Plan
of Subdivision
- Adam & Eve's
Garden & Patio
Centre - Neelon
Township - 1991
Maley Drive (cont'd)

Recommendation #2004-36 (cont'd):

(b) By deleting Condition #15 and replacing it with the following:

“15. Prior to the submission of servicing plans, the Applicant/Owner shall, to the satisfaction of the General Manager of Public Works, provide a soils 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 recommended 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.”

(c) By adding a new condition as follows:

____ “24. The owner shall provide a detailed lot grading plan for all the proposed lots as part of the submission of servicing plans. This plan must show finished grades around new homes, side yards, swales and lot corners. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties. Suitable provisions shall be incorporated into the Subdivision Agreement to ensure that the grading is undertaken, all to the satisfaction of the General Manager of Public Works.”

CARRIED

Adjournment

Recommendation #2004-37

Reynolds-Dupuis: That we do now adjourn.
Time: 8:12 p.m.

CARRIED

DEPUTY CITY CLERK

CHAIR RUSS THOMPSON PRESIDING