

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

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

**Tuesday, March 23, 2004
Commencement: 6:30 p.m.
Adjournment: 9:15 p.m.**

COUNCILLOR LYNNE REYNOLDS PRESIDING

Present Councillors Bradley, Caldarelli, Dupuis, Thompson

Staff D. Belisle, General Manager of Public Works; D. Nadorozny, General Manager of Economic Development and Planning; D. Braney, Property Negotiator / Appraiser; Angie Haché, Deputy City Clerk; K. Bowschar-Lische, Planning Committee Secretary

Declarations of Pecuniary Interest None declared.

“In Camera” **Recommendation #2004-49:**

Thompson-Dupuis: 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)(e).

CARRIED

Recess At 7:15 p.m., the Planning Committee recessed.

Reconvene At 7:25 p.m. the Planning Committee reconvened in the **Council Chambers** for the regular meeting.

COUNCILLOR RUSS THOMPSON PRESIDING

Present Councillors Bradley, Caldarelli, Dupuis, Reynolds

Staff D. Nadorozny, General Manager of Economic and Development Services; B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Services; A. Haché, Deputy City Clerk; K. Bowschar-Lische, Planning Committee Secretary; M. Burtch, Licensing & Assessment Clerk

News Media MCTV

Declarations of Pecuniary Interest None declared

MATTERS ARISING FROM THE "IN CAMERA" SESSION

Rise and Report Councillor Lynne Reynolds, as Vice Chair of the Planning Committee, reported the Committee met in closed session to deal with a property matter and the following resolution emanated therefrom:

Land Acquisition Report dated March 17th, 2004, was received from the General Manager, Public Works regarding Land Acquisition - Radisson Park, Chelmsford - Expansion of Chelmsford Depot.

Radisson Park, Chelmsford
Expansion of
Chelmsford Depot The following recommendation was presented.

Recommendation #2004-50

Dupuis-Thompson: That the City of Greater Sudbury purchase from Northland Engineering (1987) Limited, Lot 3, Plan M-956, Part of Block B on Plan M-956 designated as Part 1 on Plan 53R-10627 and Part of Lot 11, Concession 3, designated as Part 2 on Plan 53R-10627 all in the Township of Rayside under the terms and conditions outlined in the report dated March 3rd, 2004 from the General Manager of Corporate Services; conditional that the Parcel owned by the Ontario Realty Corporation on Highway 144 be sold and conditional that proceeds from the sale of the land remain with the municipality;

That the acquisition be funded from the Transition Board Budget; and

That the Property Negotiator/Appraiser and the Clerk be authorized to execute the required documents.

CARRIED

PUBLIC HEARINGS

APPLICATION FOR REZONING TO PERMIT THE CONTINUED USE OF THE SUBJECT LANDS AS AN ACCESSORY COMMERCIAL PARKING AREA FOR A TEMPORARY PERIOD FOR THE ADJOINING SMITH'S MARKETS INC. RETAIL STORE, WEST SIDE OF ARTHUR STREET - CITY OF GREATER SUDBURY (AGENT: GEORGE ROSSET)

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

Report dated March 15th, 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 continued use of the subject lands as an accessory commercial parking area for a temporary period for the adjoining Smith's Markets Inc. retail store, west side of Arthur Street - City of Greater Sudbury (Agent: George Rosset)

The agents for the applicant, George Rosset and Michael Rosset, owners of 630548 Ontario Inc., were present.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE CONTINUED USE OF THE SUBJECT LANDS AS AN ACCESSORY COMMERCIAL PARKING AREA FOR A TEMPORARY PERIOD FOR THE ADJOINING SMITH'S MARKETS INC. RETAIL STORE, WEST SIDE OF ARTHUR STREET - CITY OF GREATER SUDBURY (AGENT: GEORGE ROSSET) (cont'd)

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

Mr. George Rosset indicated that in 1997/1998, Smith's Market was developed. He said that it was evident at that time that additional parking would be required. The vacant lot at the time was a swamp and he spent \$12,000.00 to bring the lot to standard for parking purposes. They pay \$200.00 per month to lease the lot and are taxed \$2,000.00 per year for a total of \$4,400.00 per year for the use of the vacant lot. He stated that Smith's Market employs 80 part time and full time employees. He advised that there is a 60 day escape clause in the Lease should the City require the property. The applicants paid a fee of \$835.00 for this temporary zoning application being a \$575.00 administration fee plus \$260.00 for advertising. He requested that the Committee waive the \$575.00 administration fee as they did in 2001. In response to a question from the Committee, Mr. Rosset indicated that he would buy the subject property if the City was interested in selling it.

It was suggested that Mr. Rosset write to the Property Negotiator/Appraiser expressing his interest in purchasing the property.

Councilor Reynolds, Ward Councillor, commented that she believes that this property is an enhancement to the community. She indicated that she would support the 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.

The following recommendation was presented:

Recommendation #2004-51

Caldarelli-Bradley: That the application by the City of Greater Sudbury (Agent: George Rosset) to amend By-law 95-500Z being the (former) City of Sudbury Zoning By-law as it applies to P.I.N. # 02123-0379, being an unopened portion of the Chapman Street Road Allowance west of Arthur Street, Plan M-243 in Lot 12, Concession 5, Township of McKim, City of Greater Sudbury, to permit "overflow parking for the business operation at 971 Lasalle Boulevard" for a maximum temporary period of three (3) years pursuant to Section 39 of The Planning Act, R.S.O., 1990, be approved subject to the following:

- (a) That no part of the parking area shall be located closer than 1.8 m to a residential lot, nor closer than 3 m to Arthur Street.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE CONTINUED USE OF THE SUBJECT LANDS AS AN ACCESSORY COMMERCIAL PARKING AREA FOR A TEMPORARY PERIOD FOR THE ADJOINING SMITH'S MARKETS INC. RETAIL STORE, WEST SIDE OF ARTHUR STREET - CITY OF GREATER SUDBURY (AGENT: GEORGE ROSSET) (cont'd)

Recommendation #2004-51 (cont'd)

(b) That we waive the application fee of \$575.00.

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

CARRIED

APPLICATION FOR REZONING TO PERMIT THE CONVERSION OF PORTIONS OF AN EXISTING BUILDING INTO GUEST ROOMS FOR SENIORS OR RESIDENTS WHO REQUIRE NURSING AND/OR HOMECARE, AS WELL AS COMMON KITCHEN AND EATING FACILITIES, GODFREY DRIVE AND CREIGHTON ROAD, COPPER CLIFF - 1582611 ONTARIO LTD.

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

Report dated March 16th, 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 conversion of portions of an existing building into guest rooms for seniors or residents who require nursing and/or homecare, as well as common kitchen and eating facilities, Godfrey Drive and Creighton Road, Copper Cliff - 1582611 Ontario Ltd.

Letter dated March 16th, 2004, received March 17th, 2004, from Frances and Dan Kelly, Copper Cliff, in favour of the above-noted application.

Facsimile dated March 23, 2004, and received on the same date, from Elizabeth Wilson of Wilson Pharmacy Copper Cliff Ltd., in favour of the above-noted application.

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

Mr. Andre Lacroix, 36 Elgin St., Sudbury, agent for the applicant, was present. He indicated that the changes to be made in the building would not be dramatic. The second and third floors will be used for seniors and the main floor already has offices. He stated that the owner had determined that there was a need and demand for this type of use. He said that he is satisfied with the staff recommendation.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE CONVERSION OF PORTIONS OF AN EXISTING BUILDING INTO GUEST ROOMS FOR SENIORS OR RESIDENTS WHO REQUIRE NURSING AND/OR HOMECARE, AS WELL AS COMMON KITCHEN AND EATING FACILITIES, GODFREY DRIVE AND CREIGHTON ROAD, COPPER CLIFF - 1582611 ONTARIO LTD. (cont'd)

Ms. Barbara Constantin, 24 Park Street, Copper Cliff, was present. She questioned staff regarding what uses were allowed in the subject building and more particularly, if a group home was allowed under the institutional use. Her sister lives in a small group home and she was informed that an acquaintance who currently resides in a group home would be moving to a group home at this location. She advised that she had received the Notice of Public Hearing regarding this application but most of her neighbours had not. She stated that there seemed to be enough parking at the site.

The Manager of Development Services replied that offices and all institutional uses such as schools, churches, non-profit organizations and government offices were allowed. He said that group homes are allowed in a residential zone and very large scale not-for-profit group homes would be permitted in an institutional zone.

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 #2004-52:

Bradley-Caldarelli: That the application by 1582611 Ontario Ltd. to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury from "I-9", Special Institutional to a *revised* "I-9", Special Institutional with respect to those lands described as Parcel 41123 S.E.S. being Lot 93, Plan M-102 in Lot 12, Concession 2, Township of McKim be recommended for approval subject to the following conditions:

1. In addition to the uses permitted in the "I-9", Special Institutional Zone a maximum of 80 guest rooms designed for seniors or residents thereof who require nursing and/or homecare, as well as common kitchen and eating facilities shall be permitted.
2. The amending zoning by-law create a minimum parking requirement of one (1) parking space per four (4) guest rooms.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE CONVERSION OF PORTIONS OF AN EXISTING BUILDING INTO GUEST ROOMS FOR SENIORS OR RESIDENTS WHO REQUIRE NURSING AND/OR HOMECARE, AS WELL AS COMMON KITCHEN AND EATING FACILITIES, GODFREY DRIVE AND CREIGHTON ROAD, COPPER CLIFF - 1582611 ONTARIO LTD. (cont'd)

Recommendation #2004-52 (cont'd)

3. Prior to the passage of an amending zoning by-law a Site Plan Control Agreement with the City of Greater Sudbury respecting the subject lands shall be established to the satisfaction of the Director of Planning Services.

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

CARRIED

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT A SINGLE DETACHED DWELLING ON THE SUBJECT PROPERTY, SOUTH BAY ROAD - R.M. BELANGER LTD.

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

Report dated March 23rd, 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 to permit a single dwelling on the subject property, South Bay Road - R.M. Belanger Ltd.

Late letter dated March 17th, 2004, from the Ministry of Municipal Affairs and Housing regarding comments on the above-noted application.

The Director of Planning Services outlined the application to the Committee . He briefly explained the comments contained in the letter received from the Ministry of Municipal Affairs and Housing. The letter requests the City to have regard to the provisions of the Provincial Policy Statement as they relate to "full municipal sewage and water services are preferred form of servicing for urban areas". He advised that once the By-laws for the Official Plan and Zoning are passed there is a 20 day appeal period from the date Notices are mailed.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT A SINGLE DETACHED DWELLING ON THE SUBJECT PROPERTY, SOUTH BAY ROAD - R.M. BELANGER LTD. (cont'd)

Mr. Dave Dorland, 298 Larch St., Sudbury, the agent for the applicant was present. He indicated that the Committee should be comfortable with the recommendation because of the safeguards that are inherent in conditional approval. If there are problems with the lay of the land and the detailed soils analysis, then approval will not come into place. He stated he is satisfied with the staff recommendation and conditions. He could not understand why the Ministry of Municipal Affairs and Housing is interested in this application for one additional single family dwelling when in 1995/96 they approved an Official Plan Amendment in the area for five lots. He stated that there would be no blasting required on the site. He advised that the Sudbury & District Health Unit had inspected the property and ascertained that it was suitable for a Class 4 septic system.

Councillor Caldarelli, Ward Councillor, indicated that she had not received any telephone calls or comments concerning 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.

The following recommendations were presented:

Recommendation #2004-53:

Bradley-Caldarelli: That the application by R.M. Belanger Ltd. to amend the City of Sudbury Secondary Plan by adding a site specific policy to the "Conservation District" policies that apply to Parcel 9284 SES, being Parts 1 and 2, Plan 53R-9528, in Lot 1, Concession 1, McKim Township be approved subject to the following:

1. the yard requirements of the "R1.D2.5", Single Residential zone shall apply;
2. the lands shall be placed in an "H" Holding Zone to permit a single detached dwelling and the "H" shall only be lifted upon the approval of the Sudbury and District Health Unit for a private waste disposal system and the proof of adequate potable water to the satisfaction of the Commissioner of Public Works;
3. no severances shall be permitted.

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

CARRIED

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT A SINGLE DETACHED DWELLING ON THE SUBJECT PROPERTY, SOUTH BAY ROAD - R.M. BELANGER LTD. (cont'd)

Recommendation #2004-54:

Bradley-Caldarelli: That the application by R.M. Belanger Ltd. to amend By-law 95-500Z being the zoning by-law for the former City of Sudbury by changing the zoning classification of Parcel 9284 SES being Parts 1 and 2, Plan 53R-9528, Lot 1, Concession 1, McKim Township from "PS", Private Open Space to "HPS-2", Holding Private Open Space Special be approved subject to the following:

1. That in addition to normal "PS" uses, a single detached dwelling shall be permitted when the "H" designation is removed.
2. That the "H" Holding designation shall only permit "PS", Private Open Space uses.

The "H" Holding prefix shall only be lifted by Council upon the fulfilment of the following requirements:

- (a) The proof of an adequate supply of potable water on the property to the satisfaction of the General Manager of Public Works.
 - (b) Approval from the Sudbury and District Health Unit to establish a subsurface waste disposal system on the property to the satisfaction of the Health Unit.
 - (c) Approval of a driveway entrance location to the satisfaction of the General Manager of Public Works.
3. That the amending by-law permit the yard requirements of the "R1.D2.5", Single Residential zone.

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

CARRIED

MANAGERS' REPORTS

Item R-1
Request for Special
Planning Committee
Meeting Report dated March 18th, 2004 from the General Manager of Economic Development and Planning Services and the Director of Planning Services regarding Requested Special Meeting of Planning Committee was tabled at the meeting for information only.

_____ The Committee discussed the date the Special Planning Meeting could be held and the format to be followed.

MANAGERS' REPORTS

Item R-1
Request for Special
Planning Committee
Meeting (cont'd)

The Committee agreed to hold the Special Planning Committee meeting on Tuesday, May 11th, 2004 at 7:00 p.m. The May 4th Planning Committee meeting will be cancelled. The Chair of the Planning Committee will make a brief presentation followed by input from the development community.

The Director of Planning Services will prepare a further information report for the April 13th, 2004 Planning Committee Agenda. In addition to the methods of advertising the Special Meeting outlined in the report, it was also indicated that all Members of Council be informed and invited to attend and that news releases be issued.

Adjournment

Recommendation #2004-55:

Bradley-Caldarelli: That we do now adjourn.
Time: 9:15 p.m.

CARRIED

DEPUTY CITY CLERK

COUNCILLOR RUSS THOMPSON PRESIDING