

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

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

**Tuesday, September 7th, 2004
Commencement: 5:00 p.m.
Adjournment: 7:30 p.m.**

ANGIE HACHÉ PRESIDING

Present Councillors Bradley; Caldarelli (A: 5:05); Dupuis; Thompson

Councillor Craig

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Services, D. Braney, Property Negotiator / Appraiser; P. Reid, Business Development Officer; R. Swiddle, City Solicitor / Director of Legal Services; D. Nadorozny, General Manager of Economic Development and Planning Services; A. Haché, Deputy City Clerk; F. Bortolussi, Planning Committee Secretary

Recommendation #2004-199

Dupuis-Thompson: THAT Councillor Ron Bradley chair the In-Camera portion of the Planning Committee Meeting.

CARRIED

COUNCILLOR RON BRADLEY PRESIDING

Declarations of Pecuniary Interest None declared.

"In Camera" **Recommendation #2004-200:**

Dupuis-Thompson: 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 5:07 p.m., the Planning Committee recessed.

Reconvene At 5:30 p.m., the Planning Committee reconvened in the **Council Chamber** for the regular meeting.

COUNCILLOR RUSS THOMPSON PRESIDING

Present Councillors Bradley, Caldarelli, Dupuis

Councillor Craig

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Services, G. Clausen, Director of Engineering Services; R. Swiddle, City Solicitor / Director of Legal Services; R. Carré, Director of Leisure, Community & Volunteer Services; R. Norton, Manager of Technical Services, A. Haché, Deputy City Clerk; F. Bortolussi, Planning Committee Secretary; M. Burtch, Licensing & Assessment Clerk

Declarations of Pecuniary Interest None declared

MATTERS ARISING FROM THE “IN CAMERA” SESSION

Rise and Report Councillor Bradley reported the Committee met in closed session to deal with property matters and the following recommendations emanated therefrom:

Declare Surplus & Sell Vacant Land, Highway 69 North, Valley East The following recommendation was presented:

Recommendation #2004-201:

Dupuis-Thompson: THAT Part 7, Plan 53R-14476, Part of Lot 6, Concession 2, Township of Hanmer, being Part of Parcel 6592 Sudbury East Section, be declared surplus to the City’s needs;

AND THAT Part 7, Plan 53R-14476 be sold to the owner of the abutting lands legally described as Part of Part 4 on Plan 53R-14476.

CARRIED

Sale of Land - Mumford Drive, Walden Industrial Park The following recommendation was presented:

Recommendation #2004-202:

Thompson-Dupuis: THAT the Council of the City of Greater Sudbury authorize the sale of Part of Parcel 30457 S.W.S. being Parts 5, 10, & 11 on Plan 53R-14004, and Part 4 on Plan 53R-6274, Part of Lot 4, Concession 5, Township of Waters, to 1357375 Ontario Ltd.,

MATTERS ARISING FROM THE "IN CAMERA" SESSION (Cont'd)

Sale of Land -
Mumford Drive,
Walden Industrial
Park (cont'd)

Recommendation #2004-202 (cont'd):

THAT the Clerk and Property Negotiator / Appraiser be authorized to execute the required documents, and

THAT the net proceeds of the sale be credited to the Industrial Park Reserve Fund.

CARRIED

PUBLIC HEARINGS

APPLICATION FOR REZONING TO PERMIT ALL "C1", LOCAL COMMERCIAL ZONE LAND USES, 1325 BELLEVUE AVENUE, SUDBURY - MR. GAS LIMITED

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

Report dated August 26th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for rezoning to permit all "C1", Local Commercial zone land uses, 1325 Bellevue Avenue, Sudbury - Mr. Gas Limited.

Mark Gagnon, Vice-President of Mr. Gas Limited, 1 - 1420 Youville Drive, Orleans was present.

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

Mark Gagnon indicated his only comment is with respect to the condition to close the entrance from Bellevue Avenue. He feels that the rezoning will enhance the property and advised that various potential purchasers and lessees have shown an interest. He believes it is a better use for the community and will generate less traffic than a gas station. The closing of the Bellevue Avenue entrance will hamper the business viability of the property, as the only entrance will be from Dale Street, which is a secondary street. He feels the Bellevue entrance is clearly visible and there is no blind spot. He indicated that two entrances will spread traffic entering the property.

In response to a question regarding the condition to close the Bellevue Avenue entrance, the Director of Engineering Services advised that it was the preference of the Public Works Department that the Bellevue Avenue be closed and entrance be from Dale Street. He pointed out that the speed limit on Howey Drive-Bellevue Avenue is 60 kph and, with that traffic speed and with the volume of traffic, the Bellevue entrance should be closed for safety reasons.

APPLICATION FOR REZONING TO PERMIT ALL "C1" LOCAL COMMERCIAL ZONE LAND USES, 1325 BELLEVUE AVENUE, SUDBURY - MR. GAS LIMITED (Cont'd)

Sheila Ouellette, 1 Dale Street, Sudbury stated that she lives behind the subject property. She has no objection to the entrance for the subject property being from Dale Street. She asked if this application would change the zoning of any other properties on Dale Street and what this rezoning would allow, in particular would it allow a half-way house. Ms. Ouellette indicated that the removal of the turning lane would cause traffic to back up in the winter when snow is piled on the side of the road.

The Director of Planning Services advised that the application would not change the zoning of any other properties in the area. He further listed the uses that would be permitted and indicated that a half-way house would not be permitted.

The Director of Engineering Services stated that City Council, at their last meeting, voted to remove the turning lane and construct bicycle lanes. The Public Works Department has until next spring to do the conversion and they will look into trimming trees and will monitor the snow situation during the winter.

Robert Dellaire, 14 Dale Street, Sudbury, stated he feels the Dale Street entrance has a blind spot as well as the Bellvue Avenue entrance. Trees at this location also create visibility problems and there have been a few accidents in the area.

_____ 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.

The following recommendation was presented:

Dupuis-Bradley: THAT the application by Mr. Gas Limited to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury from "C1-4", Special Local Commercial to a *revised* "C1-4", Special Local Commercial with respect to those lands described as Parcel 14649 S.E.S. being Lots 75 & 76, Plan M-129 in Lot 2, Concession 3, Township of McKim be recommended for approval subject to the following conditions:

1. The amending zoning by-law specify that only the uses permitted shall be those prescribed by a "C1", Local Commercial zone.
2. That prior to the passage of an amending zoning by-law the owner shall submit an environmental engineering report which addresses any potential contaminants on the subject lands to the satisfaction of the General Manager of Public Works.
3. That prior to the passage of an amending zoning by-law the owner shall undertake to close the existing driveway entrance off Bellevue Avenue to the satisfaction of the General Manager of Public Works.

APPLICATION FOR REZONING TO PERMIT ALL "C1" LOCAL COMMERCIAL ZONE LAND USES, 1325 BELLEVUE AVENUE, SUDBURY - MR. GAS LIMITED (Cont'd)

The following amendment to the recommendation was presented:

Recommendation #2004-203:

Dupuis-Caldarelli: That Condition #3 be deleted from the recommendation.

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

CARRIED

The main motion as amended was presented:

Recommendation #2004-204:

Dupuis-Bradley: THAT the application by Mr. Gas Limited to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury from "C1-4", Special Local Commercial to a *revised* "C1-4", Special Local Commercial with respect to those lands described as Parcel 14649 S.E.S. being Lots 75 & 76, Plan M-129 in Lot 2, Concession 3, Township of McKim be recommended for approval subject to the following conditions:

1. The amending zoning by-law specify that only the uses permitted shall be those prescribed by a "C1", Local Commercial zone.
2. That prior to the passage of an amending zoning by-law the owner shall submit an environmental engineering report which addresses any potential contaminants on the subject lands to the satisfaction of the General Manager of Public Works.

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

CARRIED

APPLICATION FOR REZONING IN ORDER TO REDEVELOP THE SUBJECT LANDS TO PERMIT THE ESTABLISHMENT OF A RECREATIONAL VEHICLE SALES, SERVICE AND STORAGE BUSINESS, 314 HARRISON DRIVE/LONG LAKE ROAD, SUDBURY - 724026 ONTARIO LIMITED AND 979060 ONTARIO LIMITED (PROPONENT: SUDBURY BOAT AND CANOE)

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

APPLICATION FOR REZONING IN ORDER TO REDEVELOP THE SUBJECT LANDS TO PERMIT THE ESTABLISHMENT OF A RECREATIONAL VEHICLE SALES, SERVICE AND STORAGE BUSINESS, 314 HARRISON DRIVE/LONG LAKE ROAD, SUDBURY - 724026 ONTARIO LIMITED AND 979060 ONTARIO LIMITED (PROPONENT: SUDBURY BOAT AND CANOE) (Cont'd)

Report dated August 26th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for rezoning in order to redevelop the subject lands to permit the establishment of a recreational vehicle sales, service and storage business, 314 Harrison Drive/Long Lake Road, Sudbury - 724026 Ontario Limited and 979060 Ontario Limited (Proponent: Sudbury Boat and Canoe).

Gary Hodgins of Sudbury Boat & Canoe and Marty Kivistik, agent for the applicant, were present.

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

Councillor Craig, Ward Councillor, stated that this development will enhance what currently exists on the subject property and will be compatible with the four-laning of Long Lake Road. He commended the applicant for meeting with the area residents to advise them of the proposed development. He further stated that he received no negative phone calls regarding this application and urged the Committee to support the application.

Marty Kivistik questioned the condition in the recommendation requesting a dedication of approximately 4 metres of property for road widening purposes. He stated that MTO has already taken 5 metres for the four-laning of the highway and now an additional 4 metres is being requested. He asked staff determine what would really be required as taking another 4 metres would disadvantage potential development.

The Director of Engineering Services stated that, with the information available, what is being requested is the normal road width that the Public Works Department would require for a 4-lane highway. He indicated he will have further discussions with Mr. Kivistik and would review this condition as the road design is finalized and, if it is found that the 4 metres is not needed, they will not impose the condition.

Councillor Caldarelli, Ward Councillor, also stated that she has received no negative comments and requested Committee Members to support the proposal.

The Chair asked whether anyone in the audience 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 REDEVELOP THE SUBJECT LANDS TO PERMIT THE ESTABLISHMENT OF A RECREATIONAL VEHICLE SALES, SERVICE AND STORAGE BUSINESS, 314 HARRISON DRIVE/LONG LAKE ROAD, SUDBURY - 724026 ONTARIO LIMITED AND 979060 ONTARIO LIMITED (PROPONENT: SUDBURY BOAT AND CANOE) (Cont'd)

The following recommendation was presented:

Recommendation #2004-205:

Bradley-Dupuis: THAT the application by 724026 Ontario Limited and 979060 Ontario Limited to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury from "C2-38", Special General Commercial and "FD", Future Development to "M1-Special", Special Mixed Light Industrial/Service Commercial with respect to those lands described as Parcels 50214 S.E.S. and 30192 S.E.S. in Lot 6, Concession 6, Township of Broder be recommended for approval subject to the following conditions:

1. The amending by-law establish that the only permitted uses shall be as follows:
 - an automotive accessories store,
 - an automotive dealership,
 - a vehicle sales or rental establishment,
 - a merchandise service shop,
 - a service trade,
 - a warehouse,
 - any use permitted in all zones.

2. Prior to the issuance of any building permit, and/or prior to any change of land use taking place, the owner shall enter into a Site Plan Control Agreement with the City of Greater Sudbury respecting the subject lands. Among the items to be addressed by way of this agreement will be the dedication of approximately four (4) metres of property, for road widening purposes, along the easterly boundary of the subject property abutting Long Lake Road to the satisfaction of the General Manager of Public Works. Further, said agreement shall establish a twelve (12) metre daylighting/sight triangle abutting the public roadways at the southeast limits of the subject lands, and provide for only one driveway access to Harrison Drive.

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

CARRIED

APPLICATION FOR REZONNG IN ORDER TO RECOGNIZE AN EXISTING SINGLE DWELLING, 1597 LAKESHORE DRIVE, VAL CARON - J. KILIMNICK (AGENT: MONIQUE WOODLEY)

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

Report dated August 26th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for rezonng in order to recognize an existing single dwelling, 1597 Lakeshore Drive, Val Caron - J. Kilimnick (Agent: Monique Woodley).

Monique Woodley, 374 King Street, Sudbury, agent, was present.

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

Councillor Dupuis, Ward Councillor, stated he has not received any calls or comments regarding this proposal and he supports of this application.

The Chair asked whether anyone in the audience 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 #2004-206:

Dupuis-Bradley: THAT the application by J. Kilimnik (Agent: Monique Woodley) 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 A, Plan M-554 in Lot 7, Concession 4, Blezard Township from "I", Institutional to "R1.D17", Single Residential be approved.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Thompson

CARRIED

APPLICATION FOR A TEMPORARY BY-LAW TO PERMIT A GARDEN SUITE FOR A TEN-YEAR TERM, 277 LINDEN DRIVE, HANMER - LUC & CELINE LEGAULT

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

APPLICATION FOR A TEMPORARY BY-LAW TO PERMIT A GARDEN SUITE FOR A TEN-YEAR TERM, 277 LINDEN DRIVE, HANMER, LUC & CELINE LEGAULT(cont'd)

Report dated August 26th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for a temporary by-law to permit a garden suite for a ten-year term, 277 Linden Drive, Hanmer - Luc & Celine Legault.

Luc & Celine Legault, 227 Linden Drive, Hanmer, the applications were present.

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

Councillor Dupuis, Ward Councillor, urged the Committee to support this application.

The Chair asked whether anyone in the audience 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 #207:

Dupuis-Bradley: THAT the application by L. and C. Legault to amend By-law 83-300 being the Zoning By-law for the former Town of Valley East by passing a temporary by-law in accordance with Section 39 of the Planning Act with respect to Parcel 51480 SES, being Part 1, Plan 53R-15993 in Lot 11, Concession 3, Township of Capreol to permit a second dwelling in the form of a mobile home used as a garden suite on the subject property for a maximum temporary period of ten (10) years be approved.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Thompson

CARRIED

APPLICATION FOR REZONING, PARCEL 17844 SES, EDEN POINT DRIVE, CITY OF GREATER SUDBURY

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

Report dated August 26, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for rezoning, Parcel 17844 SES, Eden Point Drive, City of Greater Sudbury.

APPLICATION FOR REZONING, PARCEL 17844 SES, EDEN POINT DRIVE, CITY OF GREATER SUDBURY (Cont'd)

Letter dated September 6, 2004 from Bob Bale, 59 Eden Point Drive, Sudbury, in support of the application was distributed to the Committee Members at the meeting.

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

Raymond Jacques, 58 Eden Point Drive, Sudbury, stated that the neighbours would like the subject property to remain a park. Everyone strongly supports this application as indicated by the people in attendance tonight as well as by those who signed the petition. He further stated that a lot of people moved to this area in the last 5 to 10 years, including himself, and a strong selling point was access to the lake. The property has been used for access to the lake, sitting down, swimming, canoeing and kayaking, and is a safe place for children to play. It is part of the character of Eden Point and makes their community better and more attractive. He stated that the Official Plan placed tremendous emphasis on creating a healthy community and this application falls right into the statement of the Official Plan. In 2003, this property was debated by City Council and it was decided that it not be declared surplus. If the property is not rezoned, it will send a message to the neighbours that the City could sell it. He also stated that the City has no liability for the property.

Michel Bonin, 708 Loach's Road, Sudbury, pointed out that the park is used not only by the residents of Eden Point Drive but also Loach's Road because it provides lake access for families and children. The community is tightly knit and it was alarming when the City tried to sell this property last year as evidenced by the attendance tonight.

Councillor Craig, Ward Councillor, stated that the Master Leisure Plan indicated that there was a lack of park land in South end. He indicated that there is no expectation by the residents that the City spend enormous amounts of money on the park. It has existed since the subdivision was registered in 1972. He further stated he supports the application and urged the Planning Committee to support it as well.

Dave Petryna owns the adjacent property. He stated that he is in favour of the application. He is in favour of keeping this property as undeveloped park land. The expectation of the neighbours is that no monies be spent on the property. They do not want the property developed but kept in its pristine state. They have had no vandalism or other problems with the property. Mr. Petryna also wanted to clarify the matter of liability. Liability is his until the laneway is completed; then it will go back to the City.

When asked about the maintenance of the property if rezoned to park land, the Director of Leisure, Community & Volunteer Services advised that it would be like any normally maintained park. The Director of Planning Services stated that the neighbours could take a roll in the maintenance.

APPLICATION FOR REZONING, PARCEL 17844 SES, EDEN POINT DRIVE, CITY OF GREATER SUDBURY (Cont'd)

Colleen Johnston, 68 Eden Point Drive, Sudbury, resides directly behind the subject property and stated she would like to reiterate the comments already made. She sees it as a positive move to improve health. There are more than 30 area children in the area and lack of green space is a concern. This will cement that Council has a long term commitment to a healthy city and to improving the City's image.

Councillor Caldarelli, Ward Councillor, stated that she supports the application. Initially this land was there to serve these neighbours and not for the City to sell. She stated that the City should not sell any waterfront property. She further stated that the Province of Ontario has the Public Lands Act which states that land on a lake is not to be sold unless there is a certain percentage available for use by the residents. The rezoning would put the residents at ease because they would know the City would not sell the subject property.

_____ 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.

The following recommendation was presented:

Recommendation #2004-208:

Bradley-Dupuis: THAT the application by the City of Greater Sudbury to amend By-law 95-500Z, being the Comprehensive Zoning By-law for the former City of Sudbury, by changing the zoning classification of Parcel 17844, being Block "A", Plan M-963, and Lane, Lot 4, Concession 1, Township of McKim, from "R1", Single Residential Zone to "P", Public Park Zone, be approved.

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

CARRIED

APPLICATION FOR REZONING IN ORDER TO ADD AN AUDIO/VISUAL STUDIO AND AN OFFICE TO LIST OF USES PERMITTED ON SITE, 190 CHURCH STREET, GARSON - CITY OF GREATER SUDBURY (AGENT: 1264156 ONTARIO INC.)

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

APPLICATION FOR REZONING IN ORDER TO ADD AN AUDIO/VISUAL STUDIO & AN OFFICE TO LIST OF USES PERMITTED ON SITE, 190 CHURCH ST, GARSON - CITY OF GREATER SUDBURY (AGENT: 1264156 ONTARIO INC.) (Cont'd)

Report dated August 27th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for rezoning in order to add an audio/visual studio and an office to list of uses permitted on site, 190 Church Street, Garson - City of Greater Sudbury (Agent: 1264156 Ontario Inc.).

Denise & Mike Gauthier, 355 Goodwill Drive, Garson, applicants, were present.

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

Mr. and Mrs. Gauthier stated that 13 parking spaces is 3 times more than what they need based on their current operation. They further stated that they would like approval without a Site Plan Control Agreement. They feel a Site Plan Control Agreement unnecessary as they will prepare the property for their recording studio and office creating an improvement for the Garson area.

Councillor Thompson, Ward Councillor, asked whether there would be a buffer between fire department and the subject property. It is a volunteer fire station and hopefully customers attending the studio will not park in the fire department section.

Mr. Gauthier advised that they are prepared to separate their property from that of the fire hall.

The Chair asked whether anyone in the audience 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 #2004-209:

Dupuis-Bradley: That the application by the City of Greater Sudbury (Agent: 1264156 Ontario Inc.) to amend By-law 83-304 being the Zoning By-law for the former Town of Nickel Centre by changing the zoning classification of Parts 2 and 3, Plan 53R-17536, in Lot 4, Concession 2, Garson Township from "I", Institutional to "I-Special", Institutional Special be approved subject to the following:

- a) That the amending by-law add an audio/visual studio and an office to list of uses permitted.
- b) That the amending by-law recognize the existing building setbacks from the front lot line and south lot line.

APPLICATION FOR REZONING IN ORDER TO ADD AN AUDIO/VISUAL STUDIO & AN OFFICE TO LIST OF USES PERMITTED ON SITE, 190 CHURCH ST, GARSON - CITY OF GREATER SUDBURY (AGENT: 1264156 ONTARIO INC.) (Cont'd)

Recommendation #2004-209 (cont'd)

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Thompson

CARRIED

APPLICATION FOR REZONING TO PERMIT A CONSOLIDATION OF ADDITIONAL LANDS WITH THE BINGO ONE LIMITED SITE, NEWGATE AVENUE, SUDBURY - NEWGATE SUDBURY (1980) INC.

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

Report dated August 27th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for rezoning to permit a consolidation of additional lands with the Bingo One Limited site, Newgate Avenue, Sudbury - Newgate Sudbury (1980) Inc.

Ray Loiselle, principle of the applicant corporation, and Normand Forest, Counsel Solicitor for the applicant, were present.

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

Normand Forest stated that the applicant is in agreement with the recommendation and that the applicant is very aware of the history of the property. They are aware that the property is not to be developed. He stated that the intended use is for additional parking and storage of excess snow.

Leighton Roslyn (Conroy Trebb Scott Hurtubise), 164 Elm Street, Sudbury, on behalf of 900364 Ontario Limited who owns land in the Ponderosa Flood Plain. Paul Temelini, the principal of the corporation, has a direct and indirect interest and has had interest in the property for many years. The majority of property is in the flood plain and it is important that the rezoning not negatively impact on flood plain and water storage capacity of these lands and, if it does, the rezoning should not be permitted. Anytime there is development in the flood plain, it increases the amount of water that goes into the basin and takes water storage capacity away from the entire basin which has a negative impact. He is also concerned that if, part of the lands are used for the storage of snow, when the snow melts the water will no longer go to the storm sewer on Newgate but into the flood plain. He requested that, if the rezoning is permitted, a condition be attached that the property owner enter into a lot drainage agreement to the satisfaction of staff and that, if parking is permitted, drainage is to go towards the Newgate storm sewer rather than back into the flood plain.

APPLICATION FOR REZONING TO PERMIT A CONSOLIDATION OF ADDITIONAL LANDS WITH THE BINGO ONE LIMITED SITE, NEWGATE AVENUE, SUDBURY - NEWGATE SUDBURY (1980) INC. (Cont'd)

He request that a provision be included providing that prior to any development the neighbouring land owners be given notice of the application and the opportunity to make submissions even though there is no requirement for such notice. Also, he requested that a condition be made providing for no snow storage on the land.

The Director of Engineering Services stated this was the first time he heard of Mr. Temelini's concerns. All storm water drainage that goes down Newgate ends up in Junction Creek. Whether the adjacent lands would be impacted and how significantly he could not say at this time, as some analysis will need to be done.

The Director of Planning Services read correspondence from Nickel District Conservation Authority as follows: "Further to our correspondence of June 23, 2004, I provide additional information. In regard to Parcel 262 SES being used for snow storage, the Nickel District Conservation Authority has no comment as we have no jurisdiction over snow storage. The use of the parcel for a parking area will be subject to an application to the N.D.C.A. under Section 28 of the Conservation Authorities Act. The details of the application will have to be reviewed by ourselves, Department of Fisheries & Oceans Canada and Ministry of Natural Resources before we can make any further comments."

The Committee approved a motion by Councillor Bradley to defer this matter to the next meeting of the Planning Committee in order that further discussions could be held with the Nickel District Conservation Authority.

The Public Hearing concerning this matter was closed and the Planning Committee resumed in order to discuss and vote on the application.

Recess At 7:25 p.m., the Planning Committee recessed.

Reconvene At 7:28 p.m., the Planning Committee reconvened.

APPLICATION REGARDING THE TRILLIUM CENTRE BRANCH D MUNICIPAL DRAIN

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

Report dated September 1st, 2004, was received from the General Manager, Public Works regarding the Trillium Centre Branch D Municipal Drain.

Ken Smart, P. Eng., who prepared the report was present.

The Chair asked whether anyone in the audience 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 #2004-210:

Bradley-Dupuis: THAT the Planning Committee recommend that the Council of the City of Greater Sudbury give first and second reading to a draft By-law to provide for the Trillium Branch "D" Municipal Drainage works in the City of Greater Sudbury.

**CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis,
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 #2004-211:

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

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-1
Subdivision
Referral Request
for Consent
Applications
B117/2004 &
B118/2004 by E.
Mikkola, Kantola
Road, Lively

Report dated August 27th, 2004, was received from the Director of Planning and the General Manager, Economic Development and Planning Services regarding Subdivision Referral Request for Consent Applications B117/2004 & B118/2004 by E. Mikkola, Kantola Road, Lively.

Recommendation #2004-212:

Dupuis-Caldarelli: THAT Consent Applications B0117/2004 and B0118/2004 with respect to Parcel 2415 S.W.S. in Lot 4, Concession 4, Township of Waters be permitted to proceed by way of the consent process.

CARRIED

Item C-2
Declaration of
Surplus Land,
Parcels 19104,
13981 & 5297 SES

Report dated September 1st, 2004, was received from the General Manager, Corporate Services regarding declaration of surplus land, Parcel 19104 S.E.S., Parcel 13981 S.E.S. and Parcel 6297 S.E.S., Part of Lots 7 & 8, Concession 6, Township of Dryden.

Recommendation #2004-213

Caldarelli-Dupuis: THAT the City of Greater Sudbury declare surplus and sell in accordance with the procedures governing the sale of land, the properties legally described as Parcel 19104 S.E.S., Parcel 13981 S.E.S., Parcel 6325 S.E.S., and Parcel 6297 S.E.S., Part of Lots 7 & 8, Concession 6, Township of Dryden.

CARRIED

Item C-3
Removal of "H"
Holding Symbol,
Broder Sudbury
Developments,
Municipal Road
#80, Val Caron

Report dated August 27th, 2004, was received from the General Manager, Corporate Services regarding removal of an "H" Holding Symbol by Broder Sudbury Developments pertaining to By-law 2004-2-2 (HC2-16) on the east side of Municipal Road #80, Val Caron.

Recommendation #2004-214

Dupuis-Caldarelli: THAT the request by Broder Sudbury Developments to remove the "H", Holding Symbol pertaining to By-law 83-300 being the Comprehensive Zoning By-law for the (former) City of Valley East with respect to the "HC2-16", Holding Special General Commercial zone in order to permit development of the subject lands described as Parcel 12378 S.E.S., Parcel 25102 S.E.S. and Parcel 31241 S.E.S. in Lot 6, Concession 6, Township of Blezard be approved.

CARRIED

Adjournment

Recommendation #2004-215:

Caldarelli-Dupuis: That we do now adjourn.
Time: 7:30 p.m.

CARRIED

DEPUTY CITY CLERK

COUNCILLOR RUSS THOMPSON PRESIDING