

## **CIVIC PETITIONS**

### **Councillor Bradley**

Councillor Bradley submitted a Petition to the City Clerk, signed by approximately seven thousand four hundred forty-four (7,444) residents of the City of Greater Sudbury *"demanding that the Rayside-Balfour Medical Center remain open as there is an urgent need for doctors to continue providing care for about four thousand (4,000) clients"*.

### **Councillor Bradley**

Councillor Bradley submitted a Petition to the City Clerk, signed by approximately twelve (12) members of the North West Side Vermilion Lake Campers Association asking to be placed or acknowledged on a priority list for a grant to up-grade Campers Road and to supply a garbage disposal NIM bin.

### **Councillor Callaghan**

Councillor Callaghan submitted a Petition to the City Clerk, signed by approximately eleven (11) residents of Ward 4, Garson, Ontario asking that the patrons of O'Malley's Bar situated on Church Street, Garson adhere to Noise By-law.

### **Councillor McIntaggart**

Councillor McIntaggart submitted a petition to the City Clerk, signed by nineteen (19) residents of Martindale Road, Sudbury, protesting the removal of the sidewalk on the east side of Martindale Road from Martindale Confectionary to the top of the hill.

## **QUESTION PERIOD**

### **Snow Removal Policy**

With Council's concurrence, Councillor Portelance requested a report from the General Manager of Public Works regarding the Snow Removal Policy from private properties.

### **Adjournment**

2003-435 Bradley-Gainer: THAT this meeting does now adjourn.  
Time: 11:00 p.m.

**CARRIED**

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Mayor

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Clerk

**THE TWENTY-SECOND MEETING OF THE PLANNING COMMITTEE  
OF THE CITY OF GREATER SUDBURY**

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Council Chamber  
Tom Davies Square

Tuesday, August 12th, 2003  
Commencement: 12:33 p.m.  
Adjournment: 3:40 p.m.

**COUNCILLOR RON BRADLEY PRESIDING**

**Present**

Councillors Dupuis, McIntaggart, Petryna, Portelance

Councillors Callaghan, Kilgour

**Staff**

Bill Lautenbach, Director of Planning Services; Art Potvin, Manager of Development Services; Doug Nadorozny, General Manager of Economic Development and Planning Services; Don Bélisle, General Manager of Public Works; Danielle Braney, Property Negotiator/Appraiser; Ian Wood, Co-ordinator of Convention and Visitors Services; Angie Haché, Deputy City Clerk; Franca Bortolussi, Planning Committee Secretary

**News Media**

Sudbury Star

**Declarations of  
Pecuniary Interest**

None declared.

**DELEGATIONS**

**Lease of Garson  
Municipal Garage  
to Sudbury Trail  
Plan**

Report dated August 6th, 2003 was received from the General Manager of Corporate Services regarding Lease of Garson Municipal Garage to the Sudbury Trail Plan.

Richard Riach, President, Sudbury Trail Plan Association made an electronic presentation to the Planning Committee regarding the proposed use of the Garson Municipal Garage by STP.

He advised that the proposal before the Committee recommends a five year lease. Due to funds they will be spending to upgrade the building the Sudbury Trail Plan Association requested a ten year lease.

## **DELEGATIONS (Cont'd)**

Lease of Garson  
Municipal Garage  
to Sudbury Trail  
Plan (Cont'd)

### **Recommendation #2003-130**

McIntaggart-Petryna: That the City of Greater Sudbury enter into a ten-year lease with the Sudbury Trail Plan Association under the terms and conditions outlined in the Staff Report dated August 6th, 2003, and

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

**CARRIED**

Recess

At 1:05 p.m., the Planning Committee recessed.

Reconvene

At 1:10 p.m., the Planning Committee reconvened.

## **PUBLIC HEARINGS**

### **APPLICATION FOR REZONING IN ORDER TO PERMIT A RETAIL CRAFT SHOP, 32 MORRISON AVENUE, SUDBURY - MARK & RHONDA MASON**

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

Report dated July 30th, 2003 was received from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding an application for rezoning in order to permit a retail craft shop, 32 Morrison Avenue, Sudbury - Mark & Rhonda Mason.

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

The applicant, Rhonda Mason, 32 Morrison Avenue, Sudbury, and the applicant's agent, Dave Dorland, were present.

Mr. Dorland advised the Committee that the property had been used as commercial for over 40 years. He stated that they are satisfied with the recommendation with the exception of Condition #4 regarding the Site Plan Control Agreement. He advised the applicant now operates her business from the City Centre Mall and has a very limited clientele. The reason the applicant wishes to operate from the subject property is so that she can also take care of her children.

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

### **APPLICATION FOR REZONING IN ORDER TO PERMIT A RETAIL CRAFT SHOP, 32 MORRISON AVENUE, SUDBURY - MARK & RHONDA MASON (Cont'd)**

He stated that the Site Plan Control Agreement would regulate parking, however, the public will continue to park on the street and in front of the building. As far as landscaping and buffering, he stated there is no room between the two buildings. If Site Plan Control Agreement condition was implemented there would be an up front cost of approximately \$7,500 before she even opens her business which would be too onerous. He requested that Condition #4 be removed.

Dolores Dagenais, 17 Morrison Avenue, Sudbury stated she also operates a business in the City Centre Mall. She confirmed that the applicant's business has limited traffic. She has spoken with several neighbours in the area and they have no objection to a craft shop in the neighbourhood. She has no objection to removing Condition #4 (Site Plan Control Agreement) as there is parking in front of the property and there will never be more than three or four cars. She feels this is a good opportunity for the City of Greater Sudbury to get behind entrepreneurs and small business owners.

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:

McIntaggart-Petryna: That the application by Mark & Rhonda Mason to By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury from "R6", Established Residential to "C1-Special", Special Local Commercial with respect to those lands described as Parcel 6736 S.E.S. being Lot 137, Plan M-76 in Lot 8, Concession 2, Township of McKim be recommended for approval subject to the following conditions:

1. That the only permitted uses shall be a retail craft shop and one dwelling unit.
2. That projecting business identification signs be prohibited.
3. That prior to the passage of an amending zoning by-law the owners shall undertake to obtain a "Change of Use" Permit to the satisfaction of the Director of Building Services/Chief Building Official.

**PUBLIC HEARINGS (Cont'd)**

**APPLICATION FOR REZONING IN ORDER TO PERMIT A RETAIL CRAFT SHOP,  
32 MORRISON AVENUE, SUDBURY - MARK & RHONDA MASON (Cont'd)**

4. That prior to the passage of an amending zoning by-law the owners shall enter into a 'Limited' Site Plan Control Agreement with the City of Greater Sudbury. This agreement shall address only those features which the Director of Planning Services deems essential to assuring the establishment of safe and functional parking areas on site, buffer as required the adjoining southerly residence and conform with the residential character of the adjoining neighbourhood.
5. That the amending zoning by-law recognize variances which may be required to the standard requirements of a "C1" zone as the result of the preparation of the Site Plan Control Agreement described by the preceding Item 4.

The following amendment to the recommendation was presented:

**Recommendation #2003-131**

McIntaggart-Petryna: That we delete Condition #4 and the following words from Condition #5 "as the result of the preparation of the Site Plan Control Agreement described by the preceding Item 4".

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

**CARRIED**

The main recommendation as amended was presented:

**Recommendation #2003-132**

McIntaggart-Petryna: That the application by Mark & Rhonda Mason to By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury from "R6", Established Residential to "C1-Special", Special Local Commercial with respect to those lands described as Parcel 6736 S.E.S. being Lot 137, Plan M-76 in Lot 8, Concession 2, Township of McKim be recommended for approval subject to the following conditions:

1. That the only permitted uses shall be a retail craft shop and one dwelling unit.
2. That projecting business identification signs be prohibited.

**PUBLIC HEARINGS (Cont'd)**

**APPLICATION FOR REZONING IN ORDER TO PERMIT A RETAIL CRAFT SHOP,  
32 MORRISON AVENUE, SUDBURY - MARK & RHONDA MASON (Cont'd)**

**Recommendation #2003-132 (Cont'd)**

3. That prior to the passage of an amending zoning by-law the owners shall undertake to obtain a "Change of Use" Permit to the satisfaction of the Director of Building Services/Chief Building Official.
4. That the amending zoning by-law recognize variances which may be required to the standard requirements of a "C1" zone.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

**CARRIED**

**APPLICATION FOR REZONING TO PERMIT AN ADVERTISING GROUND SIGN ON  
AN UNOPENED PORTION OF THE MALEY DRIVE ROAD ALLOWANCE NORTH OF  
LANSING AVENUE/MALEY DRIVE INTERSECTION, SUDBURY - YENWAY GOLF  
INC. (OWNER: CITY OF GREATER SUDBURY)**

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

Report dated July 31st, 2003 was received from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding an application for rezoning to permit an advertising ground sign on an unopened portion of the Maley Drive Road allowance north of Lansing Avenue/Maley Drive intersection, Sudbury - Yenway Golf Inc. (Owner: City of Greater Sudbury).

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

The applicant, Sam Yawney, 1930 Maley Drive, Sudbury, was present and indicated there was a need for the sign.

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 AN ADVERTISING GROUND SIGN ON AN UNOPENED PORTION OF THE MALEY DRIVE ROAD ALLOWANCE NORTH OF LANSING AVENUE/MALEY DRIVE INTERSECTION, SUDBURY - YENWAY GOLF INC. (OWNER: CITY OF GREATER SUDBURY) (Cont'd)**

The following recommendation was presented:

#### **Recommendation #2003-133**

McIntaggart-Petryna: That the application by Yenway Golf 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 Part 9, Plan 53R-15898 in Lot 11, Concession 1, Garson Township from "OR", Outdoor Recreation to "OR-Special", Outdoor Recreation Special to permit an advertising sign be approved subject to the following:

- a) That the proposed sign shall be a 2-sided ground sign with a maximum height of 6.1 m and a maximum total sign area of 23.4 m<sup>2</sup> (11.7 m<sup>2</sup> per side).

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

**CARRIED**

### **APPLICATION FOR OFFICIAL PLAN AMENDMENT TO ESTABLISH A SPECIAL EXEMPTION FROM THE AGRICULTURAL RESERVE POLICIES OF THE OFFICIAL PLAN FOR THE SUDBURY PLANNING AREA TO PERMIT THE CREATION OF A ONE ACRE LOT, 900 GRAVEL DRIVE, HANMER - KEVIN & NATHALIE BERTAND**

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

Report dated July 31st, 2003 was received from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding an application for Official Plan Amendment to establish a special exemption from the Agricultural Reserve policies of the Official Plan for the Sudbury Planning Area to permit the creation of a one acre lot, 900 Gravel Drive, Hanmer - Kevin & Nathalie Bertand.

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

### **APPLICATION FOR OFFICIAL PLAN AMENDMENT TO ESTABLISH A SPECIAL EXEMPTION FROM THE AGRICULTURAL RESERVE POLICIES OF THE OFFICIAL PLAN FOR THE SUDBURY PLANNING AREA TO PERMIT THE CREATION OF A ONE ACRE LOT, 900 GRAVEL DRIVE, HANMER - KEVIN & NATHALIE BERTAND (Cont'd)**

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The Director of Planning Services outlined the application to the Committee. He pointed out that the Ministry of Municipal Affairs and Housing is recommending that the application be denied as it proposes a use that constitutes scattered rural residential development, which is outside a designated settlement area and in a designated Agricultural Reserve, all without supporting justification as to the need for this additional land for housing. In their view this Official Plan Amendment would not have regard to "Provincial Interests", would not be in conformity with the City's Official Plan, would be inconsistent with the previous City position on future residential land needs and is premature in light of the Official Plan review now underway

The applicant, Kevin Bertrand, 900 Gravel Drive, Hanmer was present. He stated that he purchased the property to develop it into farmland. He cleared and planted 30 acres and erected a barn. He advised that he is making this application to sell part of his property in order to get funds to further develop his property as farming is very expensive. He stated that the portion of land he would like to split is a dead piece of land as he is only farming the back of his property.

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 #2003-134**

Petryna-McIntaggart: That the application by Kevin and Nathalie Bertrand to amend the Official Plan for the Sudbury Planning Area by introducing a site specific exemption to the "Agricultural Reserve" policies that apply to Parcel 2409 S.E.S. in Lot 4, Concession 4, Hanmer Township, City of Greater Sudbury to permit the creation of a one acre residential lot be denied.

NON-CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

**DEFEATED**



**PUBLIC HEARINGS (Cont'd)**

**APPLICATION FOR OFFICIAL PLAN AMENDMENT TO ESTABLISH A SPECIAL EXEMPTION FROM THE AGRICULTURAL RESERVE POLICIES OF THE OFFICIAL PLAN FOR THE SUDBURY PLANNING AREA TO PERMIT THE CREATION OF A ONE ACRE LOT, 900 GRAVEL DRIVE, HANMER - KEVIN & NATHALIE BERTAND (Cont'd)**

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**Recommendation #2003-135**

Petryna-McIntaggart: That the application by Kevin and Nathalie Bertrand to amend the Official Plan for the Sudbury Planning Area by introducing a site specific exemption to the "Agricultural Reserve" policies that apply to Parcel 2409 S.E.S. in Lot 4, Concession 4, Hanmer Township, City of Greater Sudbury to permit the creation of a one acre residential lot be approved.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

**CARRIED**

**APPLICATION FOR REZONING TO RECOGNIZE 9 LOTS CREATED BY SEVERANCE AND 8 LOTS TO BE CREATED THROUGH AN AMENDMENT TO AN EXISTING DRAFT APPROVAL PLAN OF SUBDIVISION, LOUISA DRIVE, EAST OF MURIEL CRESCENT, SUDBURY - HELENA GILLIS/1085903 ONTARIO LTD./CITY OF GREATER SUDBURY**

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

Report dated July 30th, 2003 was received from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding and application for rezoning to recognize 9 lots created by severance and 8 lots to be created through an amendment to an existing Draft Approval Plan of Subdivision, Louise Drive, east of Muriel Crescent, Sudbury - Helena Gillis/1085903 Ontario Ltd./City of Greater Sudbury.

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

Andre Lacroix, 36 Elgin Street, Sudbury, solicitor for the applicant and the applicant, Sam Lolas, 620 Brenda Drive were present.

Jeff Hunter, 411 Kaireen Street, Sudbury, questioned why the cul-de-sac was reduced and if there were any options to deleting the cul-de-sac.

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

### **APPLICATION FOR REZONING TO RECOGNIZE 9 LOTS CREATED BY SEVERANCE AND 8 LOTS TO BE CREATED THROUGH AN AMENDMENT TO AN EXISTING DRAFT APPROVAL PLAN OF SUBDIVISION, LOUISA DRIVE, EAST OF MURIEL CRESCENT, SUDBURY - HELENA GILLIS/1085903 ONTARIO LTD./CITY OF GREATER SUDBURY (Cont'd)**

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The General Manager of Public Works advised the original cul-de-sac was not to City standard (the standard being 34m radius and the original cul-de-sac being 60m). There were no other options to deleting the cul-de-sac as it would be landlocked.

Mr. Hunter ask if Leisure Services walked the proposed parkland area and wondered why the walking trail would be so close to existing residences.

Mr. Lacroix advised that the development of the park is a concept and the developer would listen to recommendations from Leisure Services. Mr. Lolas advised the walking trail was a big issue with the residents.

Kris Straub, 425 Kaireen Street, Sudbury, asked when the parkland would be developed. He is also concerned that the unsupervised walking trails may cause a security issue.

The Director of Planning Services advised that the development of the parkland would be determined by Leisure Services. Mr. Lacroix advised that it would be done concurrently with the development of the property.

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 #2003-136**

Petryna-McIntaggart: That the application by 1085903 Ontario Limited and the City of Greater Sudbury to amend By-law 95-500Z being the Zoning By-law for the former City of Sudbury by changing the zoning classification of Lots 113, 114, 115, Part of Block 'A' and Part of Louisa Drive, Plan M-403, and Part of Parcel 47429 SES in Lots 3 and 4, Concession 6, Township of Broder, City of Greater Sudbury from "FD", Future Development to "R1", Single Residential be approved subject to the following:

**PUBLIC HEARINGS (Cont'd)**

**APPLICATION FOR REZONING TO RECOGNIZE 9 LOTS CREATED BY SEVERANCE AND 8 LOTS TO BE CREATED THROUGH AN AMENDMENT TO AN EXISTING DRAFT APPROVAL PLAN OF SUBDIVISION, LOUISA DRIVE, EAST OF MURIEL CRESCENT, SUDBURY - HELENA GILLIS/1085903 ONTARIO LTD./CITY OF GREATER SUDBURY (Cont'd)**

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**Recommendation #2003-136 (Cont'd)**

- a) That Parts 1, 2, 4 and 5 of registered survey plan 53R-17363 be used to describe the parts of the property to be rezoned.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

**CARRIED**

**Recommendation #2003-137**

McIntaggart-Petryna: That the conditions of draft approval to 1085903 Ontario Limited for the draft plan of subdivision of Part of Parcel 47429 SES in Lot 3, Concession 6, Broder Township, File # 780-6/02006, be amended as follows:

- a) By deleting Condition #1 and replacing it with the following:
- “1. That this draft approval applies to the draft plan of subdivision of Part of Parcel 47429 S.E.S, and Parts 4 and 5, Plan 53R-17363, Lots 3 and 4, Concession 6, Broder Township as shown on a plan of subdivision prepared by A. Bortolussi, O.L.S. dated July 16, 2003.”

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

**CARRIED**

**APPLICATIONS FOR REZONING AND SUBDIVISION APPROVAL TO PERMIT THE CREATION OF 14 LOTS FOR SINGLE RESIDENTIAL USE, EAST OF INTERSECTION OF MACLENNAN DRIVE, BONHOMME ROAD AND MUNICIPAL ROAD # 86, SETTLEMENT OF SKEAD - SKEAD HERITAGE HOMES INC.**

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

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

### **APPLICATIONS FOR REZONING AND SUBDIVISION APPROVAL TO PERMIT THE CREATION OF 14 LOTS FOR SINGLE RESIDENTIAL USE, EAST OF INTERSECTION OF MACLENNAN DRIVE, BONHOMME ROAD AND MUNICIPAL ROAD # 86, SETTLEMENT OF SKEAD - SKEAD HERITAGE HOMES INC. (Cont'd)**

Fax received August 12th, 2003 from J. Riddell, opposing the application, was distributed to Committee Members at the meeting.

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

Mr. Murray Scott, Solicitor and Mr. Terry Del Bosco, Ontario Land Surveyor were present on behalf of the applicant.

Mr. Scott pointed out that currently the subject property is operated as a cooperative housing project and the difficulty is that there is a shared ownership. This shared ownership makes it difficult to obtain mortgages, make improvements and achieve investments should anyone wish to sell. He advised that a public meeting was held and there were no objectors. He submitted 15 letters from residents of the neighbourhood in support of the application. He indicated that the applicants are willing to accept the conditions outlined in the staff report. He further advised that there is an adequate supply of water and there is an existing pumphouse. He believes all of the concerns have been addressed.

Councillor Dave Kilgour, Ward Councillor, advised that he is very impressed with the area residents and the work of Mr. Del Bosco. They have gone to great extremes to make sure all of the residents, including residents in the extended area were notified. No objections were brought forward. He indicated that water supply is not a problem as the property is within 100 feet of Lake Wanapitei. It is an older development and the firehall is located across the street from the subject property. He requested that the Committee approve the application in order that the area residents can get proper insurance and obtain loans on their property.

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)**

**APPLICATIONS FOR REZONING AND SUBDIVISION APPROVAL TO PERMIT THE CREATION OF 14 LOTS FOR SINGLE RESIDENTIAL USE, EAST OF INTERSECTION OF MACLENNAN DRIVE, BONHOMME ROAD AND MUNICIPAL ROAD # 86, SETTLEMENT OF SKEAD - SKEAD HERITAGE HOMES INC. (Cont'd)**

The following recommendations were presented:

**Recommendation #2003-138**

McIntaggart-Petryna: That the application by Skead Heritage Homes Inc. to amend By-law 83-304 being the Comprehensive Zoning By-law for the (former) Town of Nickel Centre from "R1.D7.5", Single Residential to "R1.D7.5-Special", Special Single Residential in order to define lots created following the subdivision of the subject lands as "legal existing lots" with respect to those lands described as being Part of Parcel 50058 S.E.S. being Parts 1, 2, 3 and 12, Plan 53R-14175 in Lot 6, Concession 4, Township of MacLennan be approved subject to the following condition:

1. That the amending zoning by-law be initiated for Council's consideration following the Development Services Division being advised by the Director of Legal Services/City Solicitor of the plan number which has been assigned to the plan of subdivision pertaining to these lands by the Land Registrar (File # 780-3/03005).

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

**CARRIED**

**Recommendation #2003-139**

Petryna-McIntaggart: That the City of Greater Sudbury Council's delegated official be directed to issue the draft plan approval to Skead Heritage Homes Inc. for the subject subdivision not sooner than 14 days following the date of the public meeting in accordance with the requirements of Section 51 (20) of the Planning Act, and subject to the following conditions:

1. That this draft approval applies to the draft plan of subdivision of Part of Parcel 50058 S.E.S. being Parts 1, 2, 3 and 12, Plan 53R-14175 in Lot 6, Concession 4, Township of MacLennan as shown on a plan of subdivision prepared by Terry Del Bosco, O.L.S. dated April 8th, 2003.

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

### **APPLICATIONS FOR REZONING AND SUBDIVISION APPROVAL TO PERMIT THE CREATION OF 14 LOTS FOR SINGLE RESIDENTIAL USE, EAST OF INTERSECTION OF MACLENNAN DRIVE, BONHOMME ROAD AND MUNICIPAL ROAD # 86, SETTLEMENT OF SKEAD - SKEAD HERITAGE HOMES INC. (Cont'd)**

#### **Recommendation #2003-139 (Cont'd)**

2. That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Greater Sudbury.
3. The owner shall, to the satisfaction of the Director of Legal Services/City Solicitor, undertake not to transfer any of the lots to be established within the registered plan until such time as an amending "R1.D7.5-Special", Special Single Residential zoning by-law pertaining to File #751-3/03-4 is in effect with respect to the subject lands.
4. Prior to the signing of the final plan the owner shall undertake to demonstrate to the satisfaction of the General Manager of Public Works that the private water corporation which will supply water to the subdivision is in good standing with the Ministry of the Environment.
5. Prior to the signing of the final plan the owner shall undertake to make full restoration of any damage to the City's road allowance, as a result of maintenance of the private water system which services this subdivision, to the satisfaction of the General Manager of Public Works.
6. Prior to the signing of the final plan the owner shall undertake to insure the private water system which services this subdivision, and to provide documentation of said insurance policy, to the satisfaction of the General Manager of Public Works.
7. Prior to the signing of the final plan the owner shall enter into an agreement with the City of Greater Sudbury which advises owners of the lots to be created in respect to the information and undertakings outlined by Item 4. of the Public Works Department - Technical Services Section comments pertaining to "Required Conditions of Draft Approval", as described in the staff report of July 30th, 2003, to the satisfaction of the General Manager of Public Works and the Director of Legal Services/City Solicitor.

**PUBLIC HEARINGS (Cont'd)**

**APPLICATIONS FOR REZONING AND SUBDIVISION APPROVAL TO PERMIT THE CREATION OF 14 LOTS FOR SINGLE RESIDENTIAL USE, EAST OF INTERSECTION OF MACLENNAN DRIVE, BONHOMME ROAD AND MUNICIPAL ROAD # 86, SETTLEMENT OF SKEAD - SKEAD HERITAGE HOMES INC. (Cont'd)**

**Recommendation #2003-139 (Cont'd)**

8. Prior to the signing of the final plan the Director of Legal Services/City Solicitor shall be advised by Bell Canada that the owner has undertaken to transfer easements in respect to Bell Canada facilities to the satisfaction of the utility.
9. Prior to the signing of the final plan the Director of Legal Services/City Solicitor shall be advised by Hydro One that the owner has undertaken to transfer easements in respect to Hydro One facilities to the satisfaction of the utility.
10. If final approval is not granted within three years of the date of draft approval, the draft approval shall lapse in accordance with Section 51 (32) of The Planning Act, unless an extension is granted

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

**CARRIED**

Recess At 3:30 p.m., the Planning Committee recessed.

Reconvene At 3:35 p.m., the Planning Committee reconvened

**PART I - CONSENT AGENDA**

The following recommendation was presented to adopt Items C-1 to C-10 contained in the Consent Agenda:

**Recommendation #2003-140**

Petryna-McIntaggart: That Items C-1 to C-10 contained in the Consent Agenda, be adopted.

**CARRIED**

## **MINUTES**

Item C-1  
Report #6,  
VETAC Minutes  
June 12th, 2003

### **Recommendation #2003-141**

McIntaggart-Petryna: That Report # 6, Vegetation Enhancement Technical Advisory Committee Minutes of June 12th, 2003, be received.

**CARRIED**

## **ROUTINE MANAGEMENT REPORTS**

Item C-2  
Request to  
Remove an "H",  
Holding  
Designation,  
3080 Highway 69  
North, Val Caron

Report dated July 31st, 2003 was received from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding a request to remove an "H", Holding Designation pertaining to By-law 83-300, 3080 Highway 69 North, Val Caron - Roman Catholic Episcopal Corporation of the Diocese of Sault Ste. Marie (Dalron Construction).

### **Recommendation #2003-142**

That the request by the Roman Catholic Episcopal Corporation of the Diocese of Sault Ste. Marie (Dalron Construction Limited) to remove the "H", Holding Designation pertaining to By-law 83-300 being the Comprehensive Zoning By-law for the (former) City of Valley East in order to permit development of the subject lands described as Parcel 25102 S.E.S. being Parts 1, 2 and 4, Plan 53R-14834 in Lot 6, Concession 6, Township of Blezard be approved.

**CARRIED**

Item C-3  
Extension to  
Draft Approval,  
Draft Plan of  
Subdivision,  
Sandra Street,  
Garson

Report dated July 28th, 2003 was received from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding Extension to Draft Approval, Draft Plan of Subdivision, Sandra Street, Garson - Zulich Development Corporation.

### **Recommendation #2003-143**

That upon payment by Zulich Development Corporation of the processing fee of \$1,373.00 prior to the September 4th, 2003 lapsing date, the conditions of draft approval of the draft plan of subdivision of Parcel 48390 S.E.S. in Lot 6, Concession 1, Township of Garson, File # 780-3/90009, be amended as follows:



Item C-3  
Extension to  
Draft Approval,  
Draft Plan of  
Subdivision,  
Sandra Street,  
Garson (Cont'd)

**Recommendation #2003-143 (Cont'd)**

- a) By deleting Condition # 9. and replacing it with the following:  
  
"9. That 5% of the cash value of the land included in the plan of subdivision be provided to the City of Greater Sudbury for parks purposes in accordance with Section 51.(1) of The Planning Act."
- b) By deleting Condition # 14. and;
- c) By deleting Condition #20. and replacing it with the following:  
  
"20. That this draft approval shall lapse on September 4th, 2006," and;
- d) By adding the following Condition:  
  
"24. 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, watermain, 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."

**CARRIED**

Item C-4  
Subdivision  
Referral Request  
for Consent  
Application  
B0064/2003,  
Mullen Road,  
Whitefish

Report dated July 18th, 2003 was received from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding Subdivision Referral Request for Consent Application B0064/2003, Mullen Road, Whitefish - Angele Nadon and Doris Nadon.

Item C-4  
Subdivision  
Referral Request  
for Consent  
Application  
B0064/2003,  
Mullen Road,  
Whitefish  
(Cont'd)

**Recommendation #2003-144**

That Consent Application B0064/2003 by Estelle Lapointe, Richard Lapointe, Angele Nadon and Doris Nadon with respect to Parcels 11502 and 17282 S.W.S. in Lots 9 and 10, Concession 5, Township of Louise be permitted to proceed by way of the consent process.

**CARRIED**

Item C-5  
Amendment to  
an Existing Site  
Plan Control  
Agreement, 185  
Municipal Road  
#8, Levack

Report dated August 6th, 2003 from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding Amendment to an existing Site Plan Control Agreement, Lot 9, Concession 1, Township of Levack, 185 Municipal Road #8 - Alo Tech Inc.

**Recommendation #2003-145**

That the request by Alo Tech Inc. to amend the Site Plan Control Agreement for property located at 185 Municipal Road #8, in order to maintain an existing entrance directly onto Municipal Road #8 be approved.

**CARRIED**

Item C-6  
Declaration of  
Surplus  
Properties -  
Various  
Locations

Report dated July 28th, 2003 was received from the General Manager of Corporate Services regarding Declaration of Surplus Properties - Various Locations.

**Recommendation #2003-146**

That the following properties be declared surplus to the City's needs and sold in accordance with the procedures governing the disposal of Real Property:

- 1) Lot 15, 16, 17 and 20, Plan M-1063, Donald Street, Azilda;
- 2) Parts 1, 2, 9 and 10, Plan 53R-15101, Ellen Street, Azilda;
- 3) Lot 132, Plan M-678, Fourth Avenue, Coniston.

**CARRIED**

Item C-7  
Declaration of  
Surplus Lands,  
Parcel 29293A &  
Transfer to  
Sudbury Catholic  
District School  
Board

Report dated August 6th, 2003 was received from the General Manager of Corporate Services regarding Declaration of Surplus Lands - Part of Parcel 26293A and transfer to the Sudbury Catholic District School Board.

**Recommendation #2003-147**

That the City of Greater Sudbury declare surplus to its needs approximately 15,000 square feet of the northwest section of Parcel 26293A and sold in accordance with the Municipal Act;

That the City transfers the subject lands to the Sudbury Catholic District School Board for a nominal consideration; and

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

**CARRIED**

Item C-8  
Extension of  
Option to  
Purchase Lands  
in Walden  
Industrial Park

Report dated August 6th, 2003 was received from the General Manager of Corporate Services regarding Extension of Option to Purchase Lands in the Walden Industrial Park - Humble Holdings.

**Recommendation #2003-148**

That the City of Greater Sudbury grant a two-year extension to an Option Agreement dated July 31st, 2000 with Humble Holdings Corp. in accordance with the terms and conditions outlined in the Staff Report dated August 6th, 2003, and

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

**CARRIED**

Item C-9  
Lease  
Agreement -  
Sudbury Yacht  
Club

Report dated August 6th, 2003 was received from the General Manager of Corporate Services regarding Lease Agreement - Sudbury Yacht Club.

**Recommendation #2003-149**

That the City enter into a lease agreement with the Sudbury Yacht Club Limited in accordance with the terms and conditions outlined in the Staff Report dated August 6th, 2003, and

Item C-9  
Lease  
Agreement -  
Sudbury Yacht  
Club (Cont'd)

**Recommendation #2003-149 (Cont'd)**

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

**CARRIED**

Item C-10  
Sale of Land on  
Rideau Avenue,  
Coniston

Report dated August 1st, 2003 was received from the General Manager of Corporate Services regarding the sale of land on Rideau Avenue, Coniston.

**Recommendation #2003-150**

That the City Solicitor be authorized to take any and all necessary procedures to close part of Rideau Avenue, Coniston, being Part of Parcel 434975 S.E.S., described as Parts 2, 4, 6, 8, 10, 12, 14, 16, 18, 20 and 22 on Plan 53R-6938, in the City of Greater Sudbury.

That the City Clerk be authorized to publish notice of the proposed highway closure. in accordance with the Notice By-law, being By-law 2003-2 as amended, of the City of Greater Sudbury.

That after part of Rideau Avenue, Coniston being Part of Parcel 434975 S.E.S., described as Parts 2, 4, 6, 8, 10, 12, 14, 16, 18, 20 and 22 on Plan 53R-6938, in the City of Greater Sudbury has been permanently closed, it be declared surplus and upon request, be offered for sale to the abutting land owners for the nominal consideration.

That the transfers of the said lands shall each be subject to the following conditions:

- (a) the Transferee(s) bearing the costs of advertising the proposed closure of the road and of registering this By-law on title to the closed road;
- (b) the City reserving or granting any necessary easements for public utilities or for municipal purposes, all at the expense of the Transferee(s);
- (c) the lands being consolidated with the abutting lands owned by the Transferee(s);
- (d) the lands being transferred in an "as is" condition;
- (e) the Transferee(s) paying nominal consideration of \$2.00 for the lands transferred to that Transferee;

M 57

Item C-10  
Sale of Land on  
Rideau Avenue,  
Coniston (Cont'd)

**Recommendation #2003-150 (Cont'd)**

- (f) the Transferee paying any applicable Goods and Services tax, or, if a GST registrant, delivering appropriate evidence of registration and an undertaking to indemnify the City;

That The Property Negotiator/Appraiser and Clerk be authorized to execute all required documents to sell the lands to the abutting land owners; and

That the appropriate by-law be passed.

**CARRIED**

**CORRESPONDENCE FOR INFORMATION ONLY**

Item C-11  
Properties for  
Sale

Report dated August 6th, 2003 was received for information from the General Manager of Corporate Services regarding Properties for Sale.

**PART II - REGULAR AGENDA**

**REFERRED AND DEFERRED MATTERS**

Item R-1  
Sale of Beech  
Street - east of  
Durham Street  
and Part of Elm  
Street

Report dated July 28th, 2003 was received from the General Manager of Corporate Services regarding the sale of Beech Street - east of Durham Street and Part of Elm Street being Part of Unit 1, Plan D-132, Sudbury.

**Recommendation #2003-151**

That the City of Greater Sudbury enter into an Agreement of Purchase and Sale with various purchasers of Beech Street East of Durham Street and Part of Elm Street being Part of Unit 1, Plan D-132, Sudbury subject to the terms and conditions outlined in the Staff Report dated July 28th, 2003.

That the Clerk and Property Negotiator / Appraiser be authorized to execute all the documents required to complete the transaction, and

That the proceeds be credited to the Lands Acquisition Reserve.

**CARRIED**

M 58

**Adjournment**

**Recommendation #2003-152**

McIntaggart-Petryna: That we do now adjourn.  
Time: 3:40 p.m.

**CARRIED**

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DEPUTY CITY CLERK

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CHAIR RON BRADLEY PRESIDING

## MINUTES OF THE TENDER OPENING COMMITTEE

Committee Room C-14  
Tom Davies Square  
2003-08-14

Commencement: 2:30 p.m.  
Adjournment: 2:34 p.m.

### **D. MATHÉ, MANAGER OF SUPPLIES & SERVICES, IN THE CHAIR**

#### **Present**

J. Van de Rydt, Co-ordinator of Capital Budget and Risk Management; V. Baudier, Maintenance Compliance Officer; N. Benkovich, Plants Manager; K. Lessard, Law Clerk; S. Cundari, Clerk-Receptionist

#### **Request for Proposal for a Maintenance Development Plan**

Proposals for a Maintenance Development Plan {estimated at a total cost of \$200,000.00} were received from the following bidders:

#### **BIDDER**

Acres International  
GasTOPS Ltd.  
Dennis Consultants, a division of R.V. Anderson Associates Limited

The foregoing proposals were turned over to the Plants Manager for review and recommendation to the General Manager of Public Works who would report to City Council.

#### **Adjournment**

The meeting adjourned at 2:34 p.m.

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Chairman

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Secretary

## MINUTES OF THE TENDER OPENING COMMITTEE

Committee Room C-14  
Tom Davies Square  
2003-09-02

Commencement: 2:30 p.m.  
Adjournment: 2:46 p.m.

### D. MATHÉ, MANAGER OF SUPPLIES & SERVICES, IN THE CHAIR

#### Present

M. Hauta, Accountant; D. Donaldson, Fire Chief; C. Mathieu, Manager of Waste Management; K. Bowschar-Lische, Law Clerk; S. Cundari, Clerk-Receptionist

#### Tender for the Purchase of Three (3) Fire Tankers

Tenders for the Purchase of Three (3) 1500 Imperial Gallon (6800 Litre) Fire Tankers were received from the following bidders:

BIDDER	GRAND TOTAL
Dependable Emergency Vehicles	\$508,094.85
Seagrave Fire Apparatus Co.	\$510,277.65
Option #2	\$493,425.15
Advance Engineered Products Ltd.	\$518,103.63
Option #2	\$530,170.02
FIBA Canning Inc.	\$487,920.00
E. One Canada	\$546,162.24
Darch Fire Incorporated	\$584,534.58
Option #2	\$198,877.69 (Qty. 1)
Northland Truck Sales	\$540,843.27

The foregoing tenders were turned over to the Fire Chief for review and recommendation to the General Manager of Emergency Services who would report to City Council.

#### Contract 2003-44, Tender for Waste Collection Services

Tenders for Contract 2003-44, Waste Collection Services {estimated at a total cost of \$195,000.00} were received from the following bidders:

BIDDER	TOTAL AMOUNT
Canadian Waste	\$247,161.06
NIM Disposals	\$267,620.95
William Day Construction	\$197,441.85

A bid deposit in the form of a certified cheque, letter of credit, bid bond and/or agreement to bond accompanied each tender.

The foregoing tenders were turned over to the Manager of Waste Management for review and recommendation to the General Manager of Public Works who would report to City Council.

#### Adjournment

The meeting adjourned at 2:46 p.m.

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Chairman

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Secretary



**THE THIRD MEETING OF THE PROPERTY  
STANDARDS APPEAL COMMITTEE**

Council Chamber  
Tom Davies Square

Tuesday, August 12, 2003  
Commencement: 12:10 p.m.  
Adjournment: 12:32 p.m.

**CHAIR RON BRADLEY PRESIDING**

**Present**

Councillors Dupuis, McIntaggart, Petryna, Portelance

Councillor Craig

**Staff**

Bryan Gutjahr, Manager of By-law Enforcement Services; Troy Rossignol, By-law Enforcement Officer; Ron Swiddle, Director of Legal Services/City Solicitor; Bill Lautenbach, Director of Planning Services; Art Potvin, Manager of Development Services; Don Belisle, General Manager of Public Works; Angie Haché, Deputy City Clerk; Franca Bortolussi, Planning Committee Secretary

**Declarations of  
Pecuniary Interest**

None declared.

**MANAGERS' REPORT**

Appeal of an Order  
to Remedy  
1682 Paris Street  
Robert Rocheleau

Report dated August 7, 2003 was received from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding an appeal to an Order to Remedy that was issued by a Property Standards Officer under the City of Greater Sudbury Maintenance and Occupancy Standards By-law #2001-200.

Mr. Robert Rocheleau, 1682 Paris Street, advised that construction work (water installation) is currently being done on Paris Street and he has no access to his property. The City's contractor will be there for a while. Blasting is taking place and there is dirt and dust. Paint will not properly adhere to the building because of the construction work. The contractor will be returning in the spring to do repair work - resodding, etc. He would like to discuss his options with the Planning Department with respect to rebuilding, demolishing, etc. His property does not have the depth required, however, does have the width and he may be able to proceed by way of minor variance

Doug Craig, Ward Councillor, advised that over the past 10 years he has received many calls about the condition of the property - to a point where a group offered to purchase paint and assist in painting the building. He indicated that if the order is upheld that does not prevent Mr. Rocheleau from doing what he wants to do with the property in the future. He indicated that the Order to Remedy could be upheld and the applicant given additional time to comply.

The General Manager of Public Works indicated that construction in front of this property should be completed in three to four weeks.

The By-law Enforcement Officer advised that a complaint was received in May 2003 regarding the dwelling at 1682 Paris Street. The complainant stated that the paint was peeling and felt this house was an eyesore. A Property Standards Officer visited the site and an Order to Remedy was received by Mr. Rocheleau on June 23, 2003. The Order requested Mr. Rocheleau to paint the exterior of the house by July 4, 2003 and Mr. Rocheleau appealed the order.

The following recommendation was presented:

2003-01 Portelance-McIntaggart: That the Order to Remedy issued to Mr. Robert Rocheleau of 1682 Paris Street in the City of Greater Sudbury be upheld; and

That the building be painted by September 30, 2003 at the discretion of the Manager of By-law Enforcement.

**CARRIED**

**Adjournment**

2003-02 McIntaggart-Portelance: That we do now adjourn.  
TIME: 12:32 p.m.

**CARRIED**

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DEPUTY CITY CLERK

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CHAIR RON BRADLEY PRESIDING