

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

Committee Room C-11
Tom Davies Square

Tuesday, September 4th, 2007
Commencement: 4:19 p.m.
Adjournment: 7:58 p.m.

COUNCILLOR ANDRÉ RIVEST PRESIDING

Present Councillors Cimino (4:22), Berthiaume, Dutrisac (4:22), Caldarelli

Staff A. Potvin, Manager of Development Approvals; R. Swiddle, City Solicitor; K. Forrester, Real Estate Co-ordinator; T. Lamarche, Deputy Clerk

Declarations of Pecuniary Interest None declared.

Closed Session **Recommendation #2007-214:**

Rivest-Caldarelli: That we meet in "Closed Session" to deal with five acquisition/disposition of land matters in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2006-100 and the Municipal Act, 2001, s.239(2).

CARRIED

Recess At 4:38 p.m., the Planning Committee recessed.

Reconvene At 5:35 p.m., the Planning Committee reconvened in the **Council Chamber** for the regular meeting.

COUNCILLOR FRANCES CALDARELLI PRESIDING

Present Councillors Cimino, Berthiaume, Dutrisac, Rivest

Staff A. Potvin, Manager of Development Approvals; M. Manzon, Planner; T. Lamarche, Deputy Clerk; M. Laalo, Licensing & Assessment Clerk; F. Bortolussi, Council Secretary; Marie Vezina, Planning Committee Secretary

News Media MCTV

Declarations of Pecuniary Interest None declared

MATTERS ARISING FROM THE CLOSED SESSION

Rise and Report

Councillor Rivest reported the Committee met in closed session to deal with five acquisition/disposition of land matters and the following recommendations emanated therefrom:

Purchase of Vacant Land, 566 Kingsway, Sudbury

Recommendation #2007-215:

Rivest-Caldarelli: THAT Council of the City of Greater Sudbury authorize the purchase of 566 Kingsway, Sudbury, legally described as PIN 02132-0181(LT), Lot 41, Plan M-42, City of Greater Sudbury;

THAT a By-law be passed authorizing the execution of the documents required to complete the real estate transaction;

AND THAT the acquisition be funded from Capital Financing Reserve Fund - Roads.

CARRIED

Purchase of Vacant Land, 574 Kingsway, Sudbury

Recommendation #2007-216:

Rivest-Caldarelli: THAT Council of the City of Greater Sudbury authorize the purchase of 574 Kingsway, Sudbury, legally described as PIN 02132-0182(LT), Lot 42, Plan M-42, City of Greater Sudbury;

THAT a By-law be passed authorizing the execution of the documents required to complete the real estate transaction;

AND THAT the acquisition be funded from Capital Financing Reserve Fund - Roads.

CARRIED

Sale of Vacant Land, Kiandra Court, Sudbury

Recommendation #2007-217:

Rivest-Caldarelli: THAT Council of the City of Greater Sudbury authorize the sale of the vacant land on Kiandra Court, Sudbury, legally described as PIN 02118-0203(LT), being Lot 8 on Plan 53M-1296, City of Greater Sudbury;

THAT a by-law be passed authorizing the execution of the documents required to complete the real estate transaction;

AND THAT the net proceeds of the sale be credited to the Parks Reserve Fund.

CARRIED

MATTERS ARISING FROM THE CLOSED SESSION (cont'd)

Sale of Vacant
Land, Christina
Drive, Sudbury

Recommendation #2007-218:

Rivest-Caldarelli: THAT Council of the City of Greater Sudbury authorize the sale of the vacant land on Christina Drive, Sudbury, legally described as part of PIN 73565-0799(LT), being part of Block 49 on Plan 53M-1164, City of Greater Sudbury;

THAT by-laws be passed authorizing the execution of the documents required to complete the real estate transactions;

AND THAT the net proceeds of the sale be credited to the Land Acquisition Reserve Fund.

CARRIED

Sale of Vacant
Land, Fourth
Avenue, Sudbury

Recommendation #2007-219:

Rivest-Caldarelli: THAT Council of the City of Greater Sudbury authorize the sale of the vacant land on Fourth Avenue, Sudbury, legally described as PIN 73577-0245(LT), Part 4 on Plan SR-2622, and PIN 73577-0537(LT), Part 5 on Plan SR-2622, City of Greater Sudbury;

THAT a by-law be passed authorizing the execution of the documents required to complete the real estate transactions;

AND THAT the tax sale administration fees are recovered and the remaining proceeds are credited to the Land Acquisition Reserve Fund.

CARRIED

PUBLIC HEARINGS

APPLICATION FOR REZONING IN ORDER TO ADD A SEWING AND UPHOLSTERY BUSINESS AS A SITE SPECIFIC PERMITTED USE WITHIN AN EXISTING MULTIPLE RESIDENTIAL - SPECIAL ZONE, 1032 LASALLE BOULEVARD, SUDBURY - PAUL AND RIITTA CARUSO

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

Report dated August 21st, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning in order to add a sewing and upholstery business as a site specific

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING IN ORDER TO ADD A SEWING AND UPHOLSTERY BUSINESS AS A SITE SPECIFIC PERMITTED USE WITHIN AN EXISTING MULTIPLE RESIDENTIAL - SPECIAL ZONE, 1032 LASALLE BOULEVARD, SUDBURY - PAUL AND RIITTA CARUSO (cont'd)

permitted use within an existing Multiple Residential - Special zone, 1032 Lasalle Boulevard, Sudbury, Paul and Riitta Caruso.

Riitta Caruso, one of the applicants, was present.

The Manager of Development Approvals outlined the application to the Committee.

The Chair asked whether there was anyone in the audience who wished to speak in favour or against this application and hearing 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 #2007-220:

Rivest-Berthiaume: THAT the application by Paul and Riitta Caruso to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury by changing the zoning classification of lands described as PIN 02121-0297, Parcel 24955 S.E.S., Lot 10, Plan M-268 in Lot 2, Concession 6, Township of McKim from "R4-15", Multiple Residential Special to a modified "R4-Special", Multiple Residential Special, be approved subject to the following conditions:

1. That in addition to the uses permitted in an "R4" Zone, a sewing and upholstery business shall also be permitted subject to the following:
 - a) a minimum of 50% of the building is used for residential use; and,
 - b) non-residential uses shall not exceed a total of 100m² of gross floor area; and,
2. That in addition to the signs permitted in an "R4" Zone, one (1) ground sign not exceeding 2.25m² in sign area, not exceeding 1.35m in height and located not closer than 3m from any lot line, accessory to a permitted non-residential use, shall be permitted; and,

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING IN ORDER TO ADD A SEWING AND UPHOLSTERY BUSINESS AS A SITE SPECIFIC PERMITTED USE WITHIN AN EXISTING MULTIPLE RESIDENTIAL - SPECIAL ZONE, 1032 LASALLE BOULEVARD, SUDBURY - PAUL AND RIITTA CARUSO (cont'd)

3. That a minimum of three (3) parking spaces shall be permitted, to include two (2) parking spaces that are located within the required front yard.

CONCURRING MEMBERS: Councillors Cimino, Berthiaume, Dutrisac, Rivest, Caldarelli

CARRIED

APPLICATION FOR REZONING TO ELIMINATE A SPLIT ZONING THAT RESULTS FROM THE TRANSFER OF CITY-OWNED LANDS TO AN ABUTTING LANDOWNER IN ORDER TO PROVIDE A DRIVEWAY, CROSS STREET, SUDBURY - CITY OF GREATER SUDBURY (AGENT: JACK ROCCA)

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

Report dated August 20th, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to eliminate a split zoning that results from the transfer of City-owned lands to an abutting landowner in order to provide a driveway, Cross Street, Sudbury, City of Greater Sudbury (Agent: Jack Rocca)

Jack Rocca, agent for the applicant, was present.

The Manager of Development Approvals outlined the application to the Committee.

Councillor Caldarelli, Ward Councillor, indicated she has received no telephone calls from area residents and has no concerns regarding this application.

The Chair asked whether there was anyone in the audience who wished to speak in favour or against this application and hearing 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:

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO ELIMINATE A SPLIT ZONING THAT RESULTS FROM THE TRANSFER OF CITY-OWNED LANDS TO AN ABUTTING LANDOWNER IN ORDER TO PROVIDE A DRIVEWAY, CROSS STREET, SUDBURY - CITY OF GREATER SUDBURY (AGENT: JACK ROCCA) (cont'd)

Recommendation #2007-221:

Berthiaume-Rivest: THAT the application by the City of Greater Sudbury (Agent: Jack Rocca) to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury by changing the zoning classification of lands described as part of PIN 73585-0086 (LT), being part of Lot 162, Plan M-95 in Lot 6, Concession 3, Township of McKim, City of Greater Sudbury from "CO", Conservation to "R6-Special", Established Residential Special", be approved subject to the following conditions:

1. That the applicant's agent provide the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to enable the preparation of an amending zoning by-law; and,
2. That a minimum of one (1) parking space within the required front yard shall be permitted.

CONCURRING MEMBERS: Councillors Cimino, Berthiaume, Dutrisac, Rivest, Caldarelli

CARRIED

APPLICATION FOR REZONING TO PERMIT 10 EXISTING LOTS TO BE DEVELOPED FOR SINGLE RESIDENTIAL USE AND THE DEVELOPMENT OF A MULTIPLE DWELLING ON THE FORMER SULLIVAN STREET ROAD ALLOWANCE - LORRIE AND ROY BEAUSOLEIL

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

Report dated August 16th, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to permit 10 existing lots to be developed for single residential use and the development of a multiple dwelling on the former Sullivan Street road allowance, Lorrie and Roy Beausoleil.

Alain McCann, agent for the applicant, was present.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT 10 EXISTING LOTS TO BE DEVELOPED FOR SINGLE RESIDENTIAL USE AND THE DEVELOPMENT OF A MULTIPLE DWELLING ON THE FORMER SULLIVAN STREET ROAD ALLOWANCE - LORRIE AND ROY BEAUSOLEIL (cont'd)

The Manager of Development Approvals outlined the application to the Committee.

Alain McCann advised he would comment only on property zoned R3. He stated that since he submitted his application, the property sewer and water systems have been designed. Therefore, there will now be an attached garage instead of a detached garage to accommodate the sewer and water system. In regards to the development of the multiple dwelling, he specified that these were going to be designed as luxury units to increase pride of ownership. A public meeting was held on August 23, 2007 inviting area residents to voice their concerns, and no one attended this meeting.

When asked about the Public Meeting notice to residents, Lorrie Beausoleil, one of the applicants, explained that 74 letters were sent on August 3, 2007 indicating the date, time and location for the public meeting.

Councillor Berthiaume, ward councillor, indicated that he received one telephone call in opposition of the fourplex. He further stated that there is a great need for this type of property due to the shortage of rental units in the City. He is in favour of the application.

The Chair asked whether there was anyone in the audience who wished to speak in favour or against this application and hearing 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 #2007-222:

Rivest-Berthiaume: THAT the application by Roy and Lorrie Beausoleil to amend By-law 83-302 being the Comprehensive Zoning By-law for the former Town of Rayside Balfour as it applies to Parcels 12687, 18010 & 18011 S.W.S., Lots 67, 68, 73, 74, 75, 76, 81, 82, 83, 84, & part of Sullivan Street, Plan M-91, Parts 4, 5, 6, & 7, Plan 53R-16662, Lot 2, Concession 3, Township of Balfour, City of Greater Sudbury, by changing the zoning classification from "I", Institutional Zone to "R1", Single Residential zone and "R3", Multiple Residential zone be approved, subject to the following:

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT 10 EXISTING LOTS TO BE DEVELOPED FOR SINGLE RESIDENTIAL USE AND THE DEVELOPMENT OF A MULTIPLE DWELLING ON THE FORMER SULLIVAN STREET ROAD ALLOWANCE - LORRIE AND ROY BEAUSOLEIL (cont'd)

1. That prior to the passing of the amending by-law the applicant enter into an agreement addressing the installation of the sanitary sewer, lot grading, easements and as built information as outlined in the comments by the Supervisor of Development Engineering all to the satisfaction of the Director of Planning Services.

CONCURRING MEMBERS: Councillors Cimino, Berthiaume, Dutrisac, Rivest, Caldarelli

CARRIED

APPLICATION FOR REZONING TO PERMIT WAREHOUSING IN PERMANENT STRUCTURES AND TO ALLOW FOR AN ADDITIONAL GROUND SIGN ON THE PROPERTY, 35 AZILDA STREET, AZILDA - ROBERT RICHER

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

Report dated August 17th, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to permit warehousing in permanent structures and to allow for an additional ground sign on the property, 35 Azilda Street, Azilda, Robert Richer.

Debbie & Robert Richer, the applicants, were present.

The Manager of Development Approvals outlined the application to the Committee.

Ghislain Bergeron, area resident, distributed photos and provided his written comments to the Committee. He stated that the applicants should have submitted two separate applications since the subject land consists of two separate lots. He questioned staff concerning the definition of the word "Structure" in the by-law, inquiring if the applicants would be able to use a series of storage/shipping containers as a structure.

Mr. Bergeron stated that before this application be approved, that the Committee should impose the same Site Plan Control Agreement requirements that he had

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT WAREHOUSING IN PERMANENT STRUCTURES AND TO ALLOW FOR AN ADDITIONAL GROUND SIGN ON THE PROPERTY, 35 AZILDA STREET, AZILDA - ROBERT RICHER (cont'd)

to respect in his own Site Plan Control Agreement for his mini storage company. He raised concerns about the drainage ditch along the west property line, the property set backs and the percentage of lot coverage.

The Manager of Development Approvals indicated that, once a building permit is granted, the two lots would be consolidated for the purpose of this application. He also stated that the applicants have specified that they will be building permanent structures on the subject property and that no shipping containers would be utilized, sold or leased on the property. He mentioned that the applicants are proposing to store retail manufactured containers, sheds and gazebos as a bulk retail use on the property. He stated that concerns relating to the percentage of lot coverage, set backs, drainage would all be resolved at the Site Plan Control Agreement stage.

In response to concerns relating to drainage, Mrs. Richer indicated that they have a natural drainage grade that allows the drainage to run toward both sides of Azilda Street.

Alban Kenny, area resident, asked for clarification on the type of structures that would be erected on the subject property. He was advised that they will be permanent structures.

The Chair asked whether there was anyone else in the audience who wished to speak in favour or against this application and hearing 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 #2007-223:

Berthiaume-Rivest: THAT the application by Robert Richer to amend By-law 83-302 being the Zoning By-law for the (former) Town of Rayside Balfour with respect to the lands forming Lots 10 and 11, Plan M-542, Lot 7, Concession 2, Township of Rayside, City of Greater Sudbury by changing the zoning classification from "C2", General Commercial to "C2-S", General Commercial - Special, be approved subject to the following:

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT WAREHOUSING IN PERMANENT STRUCTURES AND TO ALLOW FOR AN ADDITIONAL GROUND SIGN ON THE PROPERTY, 35 AZILDA STREET, AZILDA - ROBERT RICHER (cont'd)

1. That the amending By-law include:
 - a) the addition of a warehouse as a permitted use;
 - b) that five parking spaces be provided for warehouse use.

CONCURRING MEMBERS: Councillors Cimino, Berthiaume, Dutrisac, Rivest, Caldarelli

CARRIED

PART I - CONSENT AGENDA

The following recommendation was presented to adopt Items C-1 to C-4 contained in Part 1 of the Consent Agenda:

Recommendation #2007-224:

Rivest-Berthiaume: THAT Items C-1 to C-4 contained in Part 1, Consent Agenda, be adopted.

CARRIED

MINUTES

Item C-1 Report #4 VETAC Minutes of May 22 nd , 2007	<u>Recommendation #2007-225:</u> Berthiaume-Rivest: That Report #4, VETAC Committee Minutes of May 22 nd , 2007, be received.
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CARRIED

PART I - CONSENT AGENDA (cont'd)

ROUTINE MANAGEMENT REPORTS

Item C-2
Consent Referral
Request, Notre
Dame and
Dominion Drive,
Hanmer - Jamie &
Jody O'Daiskey

Report dated August 17th, 2007 was received from the General Manager of Growth and Development regarding consent referral request for Consent Application B148/2007, Notre Dame and Dominion Drive, Hanmer - Jamie and Jody O'Daiskey

Recommendation #2007-226:

Berthiaume-Rivest: THAT Consent Application B148/2007 with respect to Parcel 4165 S.E.S. in Lot 1 Concession 2, Township of Hanmer, City of Greater Sudbury be permitted to proceed by way of the consent process.

CARRIED

Item C-3
Vesting of vacant
land, McKenzie
Rd, Chelmsford

Report dated August 22nd, 2007 was received from the General Manager of Infrastructure Services regarding vesting of vacant land, McKenzie Road, Chelmsford.

Recommendation #2007-227:

Berthiaume-Rivest: THAT the vacant land on McKenzie Road, Chelmsford legally described as PIN 73350-0289 (LT), being part 3 on Plan 53R-10609, Township of Balfour be vested in the name of the City of Greater Sudbury;

AND THAT the total taxes including penalties, owing to the date of vesting be written off as uncollectible, all in accordance with the report from the General manager of Infrastructure Services dated August 22, 2007

CARRIED

Item C-4
Land exchange,
St. Michel Street,
Hanmer

Report dated August 22nd, 2007 was received from the General Manager of Infrastructure Services regarding land exchange, St. Michel Street, Hanmer

Recommendation #2007-228:

Cimino-Berthiaume: THAT a portion of the existing St. Michel Street cul-de-sac legally described as Parts 16 and 27, Plan 53R-17820, be stopped up and closed by by-law;

THAT the property legally described as Part 28 and part of Parts 16 and 17, Plan 53R-17820 and part of Part 7, Plan 53R-12291,

PART I - CONSENT AGENDA (cont'd)

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-4
Land exchange,
St. Michel Street,
Hanmer (Cont'd)

consisting of approximately 0.69 acres being part of Lot 11, Concession 3, Township of Capreol, St. Michel Street, Hanmer, City of Greater Sudbury, be declared surplus to the city's needs and conveyed to Philippe and Louise Landry. In exchange, the property legally described as part of PIN 73508-1266 (LT), being Block 69 consisting of approximately 2.96 acres on a plan of subdivision prepared by James E. Kirkland, O.L.S. dated March 20, 2007, be transferred to the City of Greater Sudbury;

AND THAT the procedures governing the disposal of full marketability property as set out in By-law 2003-294 be dispensed with, all in accordance with the report from the General Manager of Infrastructure Services dated August 22, 2007.

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

{NONE}

PART II - REGULAR AGENDA

REFERRED AND DEFERRED MATTERS

{NONE}

MANAGERS' REPORTS

Item R-1
Proposed
Antenna Support
Structure, 126
Kantola Road,
Lively - Steve
Gorecki

Report dated August 15th, 2007 was received from the General Manager of Growth and Development regarding proposed 19 metre high Antenna Support Structure, 126 Kantola Road, Lively, Steve Gorecki.

Recommendation #2007-229:

Cimino-Berthiaume: THAT the notice and neighbourhood meeting requirements for a significant structure in the City's Policy relating to Telecommunication Facilities be waived for the proposed antenna support structure at Lot 4, Concession 4, Township of Waters (126 Kantola Road);

AND THAT Industry Canada and Mr. Steve Gorecki be advised that the City of Greater Sudbury concurs with the issuance of a licence

PART II - REGULAR AGENDA (cont'd)

MANAGERS' REPORTS (cont'd)

Item R-1
Proposed
Antenna Support
Structure, 126
Kantola Road,
Lively - Steve
Gorecki (cont'd)

for the antenna support structure at Lot 4, Concession 4, Township of Waters, 126 Kantola Road, City of Greater Sudbury by Steve Gorecki.

CARRIED

Item R-2
Extension to
approval of
Official Plan
amendment &
rezoning
applications, 344
Yollie St Sudbury
Lauriat
Chamberland

Report dated August 15th, 2007 was received from the General Manager of Growth and Development regarding extension to approval of Official Plan amendment and rezoning applications, 344 Yollie Street Sudbury - Lauriat Chamberland.

Recommendation #2006-230:

Cimino-Berthiaume: THAT the approval of official plan amendment application file 701-6/06-5 and rezoning application file 751-6/06-14 by Lauriat Chamberland on Parcel 15170 SES, Lot 67, Plan M-231, Lot 9, Concession 3, Neelon Township, be extended for a period of one additional year to May 9, 2008.

CARRIED

Item R-3
Draft Subdivision
Approval
Extension, East of
Intersection of
MacLennan Drive,
Bonhomme Rd
and Municipal
Road 86, Skead
Heritage Homes

Report dated August 15th, 2007 was received from the General Manager of Growth and Development regarding draft subdivision approval extension, east of the intersection of MacLennan Drive, Bonhomme Road and Municipal Road 86, Skead Heritage Homes

Recommendation #2006-231:

Berthiaume-Cimino: That upon the payment of the processing fee of \$423.33 prior to September 27, 2007 lapsing date, the conditions of draft approval for plan of subdivision File 780-3/03005 including 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, Greater City of Sudbury, be amended as follows:

- a) By deleting Condition # 11 and replacing it with the following:
"11. That this draft approval shall lapse on August 27, 2008."

CARRIED

Adjournment

Recommendation #2007-232:

Cimino-Berthiaume: That we do now adjourn.
Time: 7:35 p.m.

CARRIED

DEPUTY CLERK

COUNCILLOR FRANCES CALDARELLI