

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

Council Chambers
Tom Davies Square

Tuesday, February 6, 2001
Commencement: 7:03 p.m.
Adjournment: 9:37 p.m.

COUNCILLOR DAVE KILGOUR PRESIDING

PRESENT Councillors Bradley, Callaghan, Courtemanche, Craig, Davey, Dupuis, Gainer, Petryna, Portelance

STAFF J. Rule, Chief Administrative Officer; B. Lautenbach, Director of Planning Services; A. Potvin, Senior Planner, Planning Services; D. Belisle, General Manager of Public Works; G. Clausen, Director of Engineering Services; R. Swiddle, City Solicitor/Director of Legal Services; L. Moulaison, Planning Technician; J. Lahti, Legal Services; A. Haché, Deputy City Clerk; S. Hotti, Recording Secretary

MEDIA The Box, MCTV

PUBLIC HEARING

REZONING APPLICATION TO PERMIT THE EXPANSION OF AN EXISTING METAL FABRICATING BUSINESS, 1029 ELISABELLA STREET, SUDBURY - GISELE AND GEORGES BROUILLETTE

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

Report dated February 6, 2001 was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding a rezoning application to permit the expansion of an existing metal fabricating business, 1029 Elisabetha Street, Sudbury - Gisele and Georges Brouillette.

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

Mr. Robert Brouillette, solicitor, representing the applicants and Mr. Georges Brouillette, applicant were present.

Cont'd....

PUBLIC HEARING (Cont'd)

REZONING APPLICATION TO PERMIT THE EXPANSION OF AN EXISTING METAL FABRICATING BUSINESS, 1029 ELISABELLA STREET, SUDBURY - GISELE AND GEORGES BROUILLETTE (Cont'd)

Mr. Robert Brouillette addressed the Committee explaining that the rezoning application is an attempt to clean up the zoning aspects of the subject property. He pointed out that the usage of the property is not changing and the condition to install a sanitary sewer test manhole can be imposed at a later time when a Site Plan Agreement is required for the expansion.

The Director of Planning Services advised that there are limited opportunities to impose the installation of sanitary sewer test manholes. The condition is imposed whenever a rezoning or a redevelopment of a property occurs under Site Plan Control. He explained that the Site Plan By-law only comes into effect for properties that are along arterial roadways. The subject property is 500' from the road so they are exempt from entering into a Site Plan Agreement. He pointed out that this proposed rezoning application would be the only opportunity to request a sanitary test sewer manhole for this particular property.

The Committee also noted that five pilot test manholes have been installed on various properties. The manholes can be installed anywhere on the property, as well as the property line. The costs range from \$100 to \$3,000 depending upon location and conflicts with other existing buried utilities. A report on the pilot sanitary sewer test manholes will be brought to Council for consideration in the near future.

No objectors were present.

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

Cont'd...

PUBLIC HEARING (Cont'd)

REZONING APPLICATION TO PERMIT THE EXPANSION OF AN EXISTING METAL FABRICATING BUSINESS, 1029 ELISABELLA STREET, SUDBURY - GISELE AND GEORGES BROUILLETTE (Cont'd)

The following resolutions were presented:

Bradley-Portelance: That the application by Georges and Gisele Brouillette to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury from "M2", Light Industrial to "M3", Heavy Industrial with respect to those lands described as being Part of Parcels 51586 and 46885 S.E.S. being Parts 5 to 8 inclusive of Plan 53R-15924; and Parts 3 and 4 of Plan 53R-15924 save and except Lot 21 of Plan M-439 in Lot 9, Concession 5, Township of Neelon be recommended for approval subject to the following condition:

1. Prior to the passage of an amending zoning by-law the owner shall undertake to install a sanitary test sewer manhole on the existing sanitary sewer service to the existing building to the satisfaction of the General Manager of Public Works.

The following amendment was presented:

Bradley-Callaghan: That Condition #1 be deleted and replaced with the following: "That the applicant be required to deposit \$3,500 until Council decides on the moratorium regarding sanitary sewer test manholes."

The Committee agreed to withdraw the above-noted motion.

The following amendment was presented:

2001-13 Davey-Craig: That the applicant be required to deposit \$3,500 towards the sanitary sewer test manhole and should the cost exceed the deposit the applicant be required to pay the total amount.

CONCURRING MEMBERS: Councillors Bradley, Callaghan, Courtemanche, Craig, Davey, Dupuis, Gainer, Petryna, Portelance, Kilgour

CARRIED

Cont'd...

PUBLIC HEARING (Cont'd)

REZONING APPLICATION TO PERMIT THE EXPANSION OF AN EXISTING METAL FABRICATING BUSINESS, 1029 ELISABELLA STREET, SUDBURY - GISELE AND GEORGES BROUILLETTE (Cont'd)

The main motion as amended was presented:

2001-14 Bradley-Portelance: That the application by Georges and Gisele Brouillette to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury from "M2", Light Industrial to "M3", Heavy Industrial with respect to those lands described as being Part of Parcels 51586 and 46885 S.E.S. being Parts 5 to 8 inclusive of Plan 53R-15924; and Parts 3 and 4 of Plan 53R-15924 save and except Lot 21 of Plan M-439 in Lot 9, Concession 5, Township of Neelon be recommended for approval subject to the following condition:

1. Prior to the passage of an amending zoning by-law the owner shall undertake to install a sanitary test sewer manhole on the existing sanitary sewer service to the existing building to the satisfaction of the General Manager of Public Works; and

That the applicant deposit \$3,500 towards the sanitary sewer test manhole and should the cost exceed the deposit the applicant be required to pay the total amount.

CONCURRING MEMBERS: Councillors Bradley, Callaghan, Courtemanche, Craig, Davey, Dupuis, Gainer, Petryna, Portelance, Kilgour

CARRIED

REZONING APPLICATION TO PERMIT THE USE OF THE EXISTING BUILDING FOR A RETAIL STORE AND RELATED ACCESSORY USES INCLUDING ACCESSORY STORAGE AND ACCESSORY OFFICE USES, 631 AND 635 KATHLEEN STREET, SUDBURY - ROBERT AND MARGARET BEAULNE

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

Report dated January 29, 2001 was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding a rezoning application to permit the use of the existing building for a retail store and related accessory uses including accessory storage and accessory office uses, 631 and 635 Kathleen Street, Sudbury - Robert and Margaret Beaulne.

Cont'd...

PUBLIC HEARING (Cont'd)

REZONING APPLICATION TO PERMIT THE USE OF THE EXISTING BUILDING FOR A RETAIL STORE AND RELATED ACCESSORY USES INCLUDING ACCESSORY STORAGE AND ACCESSORY OFFICE USES, 631 AND 635 KATHLEEN STREET, SUDBURY - ROBERT AND MARGARET BEAULNE (Cont'd)

Facsimile dated January 30, 2001, supporting the above-noted rezoning application was received from Mr. Richard Diotte, Property Manager, Frontier Development, owner of property at 357 - 359 Froot Road, Sudbury.

Letter of concern received February 6, 2001 from an unknwn person regarding the above-noted rezoning application, was circulated to Committee Members at the meeting.

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

Robert and Margaret Beaulne, applicants were present and indicated they were satisfied with the staff recommendation.

No objectors were present.

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

2001-15 Portelance-Bradley: That the application by Robert and Margaret Beaulne to amend By-law 95-500Z being the Zoning By-law for the former City of Sudbury by changing the zoning classification of Part of Lots 1 and 2, Plan 1-S, being P.I.N. 02135-0001 in Lot 6, Concession 4, McKim Township from "R4", Multiple Residential to "C2-Special", General Commercial Special be approved subject to the following:

1. That prior to the passing of an amending by-law the applicants enter into a Site Plan Control Agreement with the City to address such issues as parking lot layout and surfacing, entrance control, landscaping and fencing.
2. That the amending by-law exempt the subject property from landscaping requirements along the east lot line.

Cont'd...

PUBLIC HEARING (Cont'd)

REZONING APPLICATION TO PERMIT THE USE OF THE EXISTING BUILDING FOR A RETAIL STORE AND RELATED ACCESSORY USES INCLUDING ACCESSORY STORAGE AND ACCESSORY OFFICE USES, 631 AND 635 KATHLEEN STREET, SUDBURY - ROBERT AND MARGARET BEAULNE (Cont'd)

Resolution 2001-15 (Cont'd)

3. That the amending by-law incorporate a Holding designation under Section 36 of the Planning Act, whereby, until such time as the Holding is removed, the only permitted uses shall be retail stores and related accessory uses.
4. That upon removal of the Holding designation, any C2 use would be permitted.
5. That the Holding designation may only be removed by Council when the owner has provided for the installation of a sanitary sewer test manhole on the subject property to the satisfaction of the Public Works Department.

CONCURRING MEMBERS: Councillors Bradley, Callaghan, Courtemanche, Craig, Davey, Dupuis, Gainer, Petryna, Portelance, Kilgour

CARRIED

REZONING APPLICATION TO PERMIT SEASONAL DWELLINGS OR CAMPING SITES INTERCHANGEABLE UP TO A COMBINED TOTAL OF TEN (10), 1586 FAIRBANK EAST ROAD, FAIRBANK TOWNSHIP (FAIRBANK LAKE RESORT) - TONY WOODWARD

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

Report dated January 30, 2001 was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding a rezoning application to permit seasonal dwellings or camping sites interchangeable up to a combined total of ten (10), 1586 Fairbank East Road, Fairbank Township (Fairbank Lake Resort) - Tony Woodward.

Cont'd...

PUBLIC HEARING (Cont'd)

REZONING APPLICATION TO PERMIT SEASONAL DWELLINGS OR CAMPING SITES INTERCHANGEABLE UP TO A COMBINED TOTAL OF TEN (10), 1586 FAIRBANK EAST ROAD, FAIRBANK TOWNSHIP (FAIRBANK LAKE RESORT) - TONY WOODWARD (Cont'd)

Letter of concern dated February 4, 2001 from Derrick Brydges, 35 Foyston Park Circle, Minesing, Ontario regarding the above-noted rezoning application, was circulated to Committee Members at the meeting.

Letter of support dated January 28, 2001 from G. Trezise, 1644 Fairbank East Road, Whitefish regarding the above-noted rezoning application, was circulated to Committee Members at the meeting.

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

Mr. Tony Woodward, applicant, was present and indicated he was satisfied with the staff recommendation. He explained that the property will remain unchanged and the application is more of a technical nature. Currently there are four existing seasonal dwellings on the property and he proposes to place trailers on the remaining six camping sites. He stated that in his opinion, trailers will have less of an impact on the lake than seasonal cabins.

Mr. Terry Monaghan, 99 Waldenwood Road, representing the Fairbank Lake Campers' Association, addressed the Committee giving a brief history of the subject property. He explained the property was originally a large piece of land occupied by ten housekeeping cottages and a resort. Since 1973 five cottages have been sold leaving the commercial resort and five cottages. He stated the Committee should take into consideration that the property has been downsized and only allow the resort and five cottages.

He expressed great concern with respect to the environmental impact the trailers would have on the quality of water in the lake. He stressed that restrictions should be placed on this particular application. He suggested the applicant be required to enter into a Site Plan Agreement to ensure protection of the lake water quality. This application fails to address visual and environmental concerns.

Cont'd...

PUBLIC HEARING (Cont'd)

REZONING APPLICATION TO PERMIT SEASONAL DWELLINGS OR CAMPING SITES INTERCHANGEABLE UP TO A COMBINED TOTAL OF TEN (10), 1586 FAIRBANK EAST ROAD, FAIRBANK TOWNSHIP (FAIRBANK LAKE RESORT) - TONY WOODWARD (Cont'd)

He pointed out that on Fairbank Lake there are 160 campsites available to the public with hydro available on 40 sites. These sites are available by the night, month or year. Trailers remaining in the park for the winter are moved to a different part of the site to allow the park to rejuvenate itself.

Mr. Monaghan also read Mr. Brydges' letter of concern which was circulated to Members of the Committee.

Mr. Vic Bene, 1867 Torbay Road, Sudbury, addressed the Committee stating that any decision made should reflect the objectives of the Fairbank Lake Secondary Plan. He noted that the subject property is not much larger than a standard cottage lot and would permit a commercial resort, garage and ten seasonal dwellings or camping sites. He pointed out that camping sites are not listed in the Zoning By-Law for Walden. He questioned the number of tents/trailers allowed on one site and the size of a camping site. He also expressed great concern with respect to the environmental impact the trailers, tents, etc., will have on the quality of water in the lake.

The senior planner stated that the amending by-law can specify that not more than one trailer per camping site be allowed.

The Committee noted that the applicant had not met with the Fairbank Lake Campers' Association Members prior to the meeting to explain the proposed rezoning application.

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

Cont'd...

PUBLIC HEARING (Cont'd)

REZONING APPLICATION TO PERMIT SEASONAL DWELLINGS OR CAMPING SITES INTERCHANGEABLE UP TO A COMBINED TOTAL OF TEN (10), 1586 FAIRBANK EAST ROAD, FAIRBANK TOWNSHIP (FAIRBANK LAKE RESORT) - TONY WOODWARD (Cont'd)

The following resolution was presented:

Portelance-Craig: That the application by Tony Woodward to amend By-law 83-303 being the Zoning By-law for the former Town of Walden by changing the zoning classification of Parcel 29285, being Part 1, Plan 53R-12267, in Lot 10, Concession 1, Fairbank Township from "C7-1", Resort Commercial Special to a revised "C7-Special", Resort Commercial Special to permit "ten seasonal dwellings or ten camping sites interchangeably in any combination provided that the combined total of seasonal dwellings plus camping sites does not exceed ten", be approved.

The Committee approved a motion by Councillor Davey to defer the application for two weeks. He directed staff to prepare a report on the field bed inspection process in particular the monitoring of existing field beds on a regular basis, especially commercial establishments; agencies responsible for inspections; number of inspections completed in the last twelve months; resources available; statistics on enforcement actions taken over the past twelve months; the role of City of Greater Sudbury in this process; and legislative options.

The Committee also requested the applicant and Fairbank Lake Campers' Association Members meet during this two week period to try to resolve the issues.

It was noted that the Public Hearing for this rezoning application had been held this evening and that Councillor Gainer would attend the meeting with the applicant and Fairbank Lake Campers' Association Members and report back to the Committee.

CONSENT AGENDA

The following resolution was presented to adopt Item C-1 contained in the Consent Agenda:

2001-16 Gainer-Craig: That Item C-1 contained in the Consent Agenda, be adopted.

CARRIED

Cont'd...

CONSENT AGENDA (Cont'd)

ROUTINE MANAGEMENT REPORTS

Item C-1 Report dated January 26, 2001 was received from the Director of
Extension to Planning Services and the General Manager, Economic Development
Draft Approval and Planning Services regarding an extension to draft approval -
B.P.H. Financial Blocks F and G, Plan 53M-1113 and Block K, Plan 53M-1114 in Lot 5,
Inc. (G. Hope) Concession 2, Township of Hanmer, Val Therese, City of Greater
Sudbury - B.P.H. Financial Inc. (G. Hope).

2001-17 Craig-Gainer: That upon the payment of the processing fee of \$2,016.50 prior to the March 6th, 2001 lapsing date, the conditions of draft approval of the plan of subdivision of Blocks F and G, Plan 53M-1113 and Block K, Plan 53M-1114 in Lot 5, Concession 2, Township of Hanmer, Val Therese, City of Greater Sudbury, File 780-7/90014, be amended as follows:

- a) By deleting Conditions # 10., # 11. and # 17. in their entirety;
- b) By deleting Condition # 15. and replacing it with the following:

"15. That this draft approval shall lapse on December 6th, 2003.";
- c) That, as required, the conditions of draft approval be amended to address municipal restructuring and the creation of the City of Greater Sudbury.

CARRIED

Adjournment 2001-18 Craig-Gainer: That we do now adjourn.
TIME: 9:37 p.m.

CARRIED

DEPUTY CITY CLERK

CHAIR DAVE KILGOUR