

THE FIFTH MEETING OF THE COMMITTEE OF THE WHOLE - PLANNING
OF THE CITY OF GREATER SUDBURY

Council Chambers
Tom Davies Square

Tuesday, April 3, 2001
Commencement: 7:00 p.m.
Adjournment: 9:23 p.m.

CHAIR DAVE KILGOUR PRESIDING

Present Councillors Bradley, Callaghan, Courtemanche, Dupuis, Gainer,
McIntaggart, Petryna, Portelance

Staff J. Rule, Chief Administrative Officer; D. Nadorozny, General Manager
Economic Development and Planning Services; B. Lautenbach, Director
of Planning Services; A. Potvin, Manager of Development Services;
G. Mazza, Chief Building Official; R. Swiddle, Director of Legal Services/
City Solicitor; D. Braney, Property Negotiator/Appraiser; K. Forrester,
Property Administrator; G. Clausen, Director of Engineering Services;
L. Moulaison, Planning Technician; A. Haché, Deputy City Clerk; S. Hotti,
Recording Secretary

Media The Box, MCTV, Sudbury Star

Declarations of
Pecuniary Interest None declared.

PUBLIC HEARINGS

**REZONING APPLICATION TO PERMIT A SECOND DWELLING UNIT ON THE PROPERTY
AS A "GARDEN SUITE" FOR A TEMPORARY PERIOD OF 10 YEARS, 812 GRAVEL DRIVE,
HANMER TOWNSHIP - JULES JOBIDON AND LISA LANGDON**

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

Report dated March 27, 2001 was received from the Director of Planning
Services and the General Manager, Economic Development and
Planning Services regarding a rezoning application to permit a second
dwelling unit on the property as a "garden suite" for a temporary period of
10 years, 812 Gravel Drive, Hanmer Township - Jules Jobidon and Lisa
Langdon.

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

Mr. Jules Jobidon, applicant was present and indicated he was satisfied
with the staff recommendation.

Cont'd...

PUBLIC HEARINGS (Cont'd)

REZONING APPLICATION TO PERMIT A SECOND DWELLING UNIT ON THE PROPERTY AS A "GARDEN SUITE" FOR A TEMPORARY PERIOD OF 10 YEARS, 812 GRAVEL DRIVE, HANMER TOWNSHIP - JULES JOBIDON AND LISA LANGDON (Cont'd)

Mrs. Margaret Weirmeir, 763 Gravel Drive questioned if the granny flat would be a mobile unit or a look like a permanent home. She noted that there is an existing trailer park further down Gravel Drive as well as another granny flat which looks like a permanent home. She also expressed concern with properties being devalued in the area and asked how the granny flats are monitored.

The Manager of Development Services explained that granny flats were introduced a few years ago to allow the applicants' parents to reside with them on the same property in a separate building. There is a restriction of one granny flat per lot. Once the temporary by-law expires the unit has to be removed. Staff follow up every three years to ensure that the unit is still required by the parents of the property owners.

Mr. Jobidon addressed the Committee explaining that his girlfriend's grandparents will be residing in the unit. He assured the Committee that the unit will be attractive and resemble a home.

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.

2001-40 Bradley-Gainer: That the application by Jules Jobidon and Lisa Langdon, the owners of the remainder of Parcel 2337, Part 2, Plan 53R-16779, Lot 4, Concession 4, Township of Hanmer, to permit a second dwelling unit on the property as a "garden suite" for a temporary period of 10 years be approved.

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

CARRIED

REZONING APPLICATION TO PERMIT THE CREATION OF THREE SEASONAL RESIDENTIAL LOTS, ACCOMMODATE THE EXPANSION OF AN EXISTING SEASONAL RESIDENTIAL LOT AND RECOGNIZE THE BALANCE OF THE PROPERTY AS A LEGAL EXISTING WATERFRONT LOT ON LAKE WANAPITEI, PINE CONE ROAD, SKEAD - ESTER SZETO

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

Cont'd...

PUBLIC HEARINGS (Cont'd)

REZONING APPLICATION TO PERMIT THE CREATION OF THREE SEASONAL RESIDENTIAL LOTS, ACCOMMODATE THE EXPANSION OF AN EXISTING SEASONAL RESIDENTIAL LOT AND RECOGNIZE THE BALANCE OF THE PROPERTY AS A LEGAL EXISTING WATERFRONT LOT ON LAKE WANAPITEI, PINE CONE ROAD, SKEAD - ESTER SZETO (Cont'd)

Report dated March 26, 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 creation of three seasonal residential lots, accommodate the expansion of an existing seasonal residential lot and recognize the balance of the property as a legal existing waterfront lot on Lake Wanapitei, Pine Cone Road, Skead - Ester Szeto.

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

Mr. Dave Dorland, agent representing Ester Szeto was present and indicated he was 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.

2001-41 Bradley-Gainer: That the application by Ester Szeto to amend By-law 83-304 being the Comprehensive Zoning By-law for the (former) Town of Nickel Centre from "RU", Rural to "R7.D2.5", Seasonal Residential and "RU-Special", Special Rural, as the case may be, with respect to those lands described as Parcels 49715, 45623 and 5607 S.E.S. in Lot 2, Concession 5, Township of MacLennan, Greater City of Sudbury be recommended for approval subject to the following condition:

- a) That prior to the passage of an amending zoning by-law the owner shall provide a registered plan of survey and/or appropriate legal description which describes the lands to be rezoned to the satisfaction of the Director of Planning Services.

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

CARRIED

PUBLIC HEARINGS (Cont'd)

REZONING APPLICATION TO PERMIT THE DEVELOPMENT OF AN AUTOMOBILE DEALERSHIP, 1774 PIONEER ROAD, SUDBURY - GLORIA PREVOST

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

Report dated March 26, 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 development of an automobile dealership, 1774 Pioneer Road, Sudbury - Gloria Prevost.

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

Mr. Mike Prevost, applicant was present and indicated he was 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.

2001-42 Bradley-Gainer: That the application by Gloria Prevost to amend By-law 95-500Z being the Zoning By-law for the former City of Sudbury by changing the zoning classification of Parcel 23454 in Lot 11, Concession 6, Dill Township from "R1.D7.5", Single Residential to "M1-Special", Mixed Light Industrial/Service Commercial Special be approved subject to the following:

- a) That the only permitted uses shall be an automobile dealership and related accessory uses including but not necessarily restricted to an accessory office and an accessory dwelling unit.
- b) That prior to the passing of an amending by-law the applicant submit a building permit application to address the change of use of the existing building.
- c) That the applicant be advised that as part of the building permit process a renovation permit will be required by the Sudbury and District Health Unit in order to ensure that the existing private sanitary sewer system is adequate to handle the proposed change of use or that an upgraded or new system will be provided if required by the Health Unit.
- d) That prior to the passing of an amending by-law the applicant enter into a Site Plan Control agreement with the City.

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

CARRIED

PART I CONSENT AGENDA

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

2001-43 Bradley-Gainer: That Item C-1 contained in the Consent Agenda, be adopted.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-1
Extension to
Draft Approval
Moonglo
Subdivision,
Phase 2

Report dated March 27, 2001 was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an extension to draft approval - Parcels 43309, 40240, 28530 and Part of Parcel 1446, in Lots 7 and 8, Concession 1, Township of McKim - Moonglo Subdivision, Phase 2.

2001-44 Petryna-Portelance: That the conditions of draft approval for the plan of subdivision of Parcels 43309, 40240, 28530 and Part of Parcel 1446, in Lots 7 & 8, Concession 1, Township of McKim, File #RP780-6/89019 be amended as follows:

1. By deleting condition #23 and replacing it with following:

"23. That this draft approval shall lapse on March 9th, 2002.
2. That as required, the conditions of draft approval be amended to address municipal restructuring and the creation of the City of Greater Sudbury.

CARRIED

PART II REGULAR AGENDA

MANAGERS' REPORTS

Item R-1
Former
CPR/Marathon
Lands

Report dated March 28, 2001 was received from the Director of Legal Services/City Solicitor and the General Manager of Corporate Services regarding Part of Lot 6, Concession 4, Township of McKim, former CPR/Marathon Lands, Part of Parts 37 and 43, Plan 53R-14343.

2001-45 Portelance-Petryna: That Part of Lot 6, Concession 4, Township of McKim, being Part of Parts 37 and 43, Plan 53R-14343, be declared as surplus to the City's needs and sold pursuant to the procedures governing the disposal of Real Property as established under By-law 2001-2.

CARRIED

PART II REGULAR AGENDA (Cont'd)

MANAGERS' REPORTS (Cont'd)

Item R-2
Sale of Land
Valley East
Industrial Park
R. Villeneuve

Report dated March 28, 2001 was received from the Director of Legal Services/City Solicitor and the General Manager of Corporate Services regarding sale of land - Valley East Industrial Park - Richard Villeneuve.

2001-46 Petryna-Portelance: That the City of Greater Sudbury declare surplus Part 64, Plan 53R-9397, Part of Parcel 9953 Sudbury East Section being lands in the Valley East Industrial Park, in accordance with the requirements of the Municipal Act; and

Further that Part 64, Plan 53R-9397, Part of Parcel 9953 Sudbury East Section be sold to Richard Villeneuve, for \$17,964.00; and

That the Mayor and the Clerk be authorized to execute the required documents.

CARRIED

Item R-3
Kingsway,
Part of Parcel
26975 S.E.S.

Report dated March 28, 2001 was received from the Director of Legal Services/City Solicitor and the General Manager of Corporate Services regarding Kingsway, Part of Parcel 26975 S.E.S.

2001-47 Kilgour-Portelance: That Part of Parcel 26975 S.E.S. abutting Part 1, Plan 53R-11420 measuring approximately 7.2 acres in size with the exception of those lands required for road purposes, be declared as surplus to the City's needs and sold pursuant to the procedures governing the disposal of Real Property as established under By-law 2001-2.

CARRIED

Item R-4
Southview,
Block C, Plan
M-1036

Report dated March 28, 2001 was received from the Director of Legal Services/City Solicitor and the General Manager of Corporate Services regarding Southview Drive, Block C, Plan M-1036.

2001-48 Kilgour-Portelance: That Part of Block C, Plan M-1036 not be declared as surplus to the City's needs.

CARRIED

PART II REGULAR AGENDA (Cont'd)

MANAGERS' REPORTS (Cont'd)

Item R-5
Lane West of
Westview Drive Report dated March 28, 2001 was received from the Director of Legal Services/City Solicitor and the General Manager of Corporate Services regarding lane west of Westview Drive from Westview Drive to Sandra Blvd., Plan 69-S.

2001-49 Kilgour-Petryna: That the lane west of Westview Drive from Westview Drive to Sandra Blvd. not be stopped up and closed by By-law.

CARRIED

Rules of
Procedure Committee of the Whole - Planning by two-thirds majority agreed to dispense with the Rules of Procedure and deal with a matter not on the agenda.

Location of
Telecommunications
Tower, Chelmsford Councillor Bradley addressed the Committee stating that a telecommunications tower had recently been erected in a residential area in Chelmsford without any public consultation. A lot of concern was raised by the area residents and a meeting was held with City staff; Industry Canada staff; Mr. Raymond Bonin, MP; Mrs. Karen Lizzi and Mr. Don Liboiron (representing area residents) and Councillors Lalonde and Bradley.

He advised that two residents of the area were present to express their concerns of the location of the tower.

Environment Process, Radiofrequency Fields and Land-Use Consultation, Spectrum Management and Telecommunications Policy from Industry Canada was circulated to Members of the Committee of the Whole - Planning at the meeting.

Mr. Don Liboiron, 308 Lavallee Road, Chelmsford addressed the Committee stating that he represents more than 200 area residents. He explained that the erected tower has a power rating of 3,280 watts. Based on research, a 100 watt tower should be no closer than 1.5 miles from nearby residents. This tower is 33 times that and is located a few hundred metres from nearby homes. He expressed great concern with respect to the effects of long-term exposure to powerful radio frequencies on humans. In addition, they feel there will be a negative impact on their property values as a result of the tower.

Cont'd...

Location of
Telecommunications
Tower, Chelmsford
(Cont'd)

He criticized the Federal Government for the lack of public notice about the construction of the new telecommunications tower. He stated that they have obtained legal advice and are considering action. He stressed that the residents are not opposed to the tower but are opposed to its location.

Mrs. Karen Lizzi, 226 Montee Genereux Street addressed the Committee questioning how a company can install a communications tower in their backyard without notifying the area residents.

She referred to certain sections outlined in the Industry Canada Policy pamphlet. The document points out that certain procedures should be followed to ensure municipalities and other land-use authorities are consulted prior to the building of significant antenna structures. The policy also states: "When Industry Canada becomes aware of a land-use authority objection to a site-specific station, issuance of the licence will be delayed for a period of time sufficient for negotiations between the parties." She advised that during their meeting with Industry Canada the area residents made their objection known by submitting a signed petition.

A copy of the petition, signed by 227 residents, opposed to the construction of a 340 ft. telecommunications tower owned and operated by Rogers AT&T was circulated to Members of the Committee of the Whole - Planning at the meeting.

Mrs. Lizzi advised that they have not spoken to anyone at Rogers AT&T despite numerous attempts. She stressed that area residents have a right to be informed of such construction and urged the Committee to investigate the matter.

She circulated information on the safety aspects of radiofrequency radiation and microwave transmitter towers to Members of the Committee of the Whole - Planning at the meeting.

The Committee was advised that Industry Canada is largely responsible for the approval of tower locations and it is not the responsibility of municipal government. Industry Canada require environmental and municipal land use information and that the proponent provides the proper site information. Municipal government is required to issue a building permit for a portion of the structure. There is no standard with respect to consultation and Industry Canada does not require municipal approval. The Committee was advised that staff from Building Services had received a phone call from Rogers AT&T inquiring whether the tower was permitted in an agricultural zone and what information was required for a building permit application.

Cont'd..

Location of
Telecommunications
Tower, Chelmsford
(Cont'd)

Concern was also expressed on other telecommunication tower locations in the Sudbury area. It was noted that the tower in Chelmsford is already licensed.

Following a lengthy discussion the Committee directed the City Solicitor to prepare an appropriately worded resolution for Council's consideration for the April 10th, 2001 meeting, requesting Industry Canada to include as part of the approval process obtaining recommendations from the municipality or hold public consultations on the location of telecommunication towers, and that the resolution be forwarded to FCM, AMO, local MP's and MPP's

Adjournment

2001-50 McIntaggart-Petryna: That we do now adjourn.
TIME: 9:23 p.m.

CARRIED

DEPUTY CITY CLERK

CHAIR DAVE KILGOUR