

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

Council Chambers  
Tom Davies Square

Tuesday, May 1, 2001  
Commencement: 7:03 p.m.  
Adjournment: 11:00 p.m.

**CHAIR DAVE KILGOUR PRESIDING**

**Present** Councillors Bradley, Callaghan, Craig, Dupuis (A.9:15); Davey (A.7:45), Gainer, Lalonde, McIntaggart, Petryna (A.7:20)

**Staff** J. Rule, Chief Administrative Officer; D. Nadorozny, General Manager Economic Development and Planning Services; W. Lautenbach, Director of Planning Services; D. Bélisle, General Manager of Public Works; A. Potvin, Manager of Development Services; D. Braney, Property Negotiator/Appraiser; 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, Northern Life, CBC

**Declarations of Pecuniary Interest** None declared.

**INCOMPLETE BUSINESS**

**APPLICATION FOR REZONING AND REFERRAL OF CONSENT APPLICATIONS  
B0019/2001 TO B0022/2001, WESTERLY END OF HARRY STREET, TOWNSHIP OF  
HANMER - J.Y. JOHN ROBERT**

Report dated April 10, 2001 was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding a rezoning application and referral of consent applications B0019/2001 to B0022/2001, westerly end of Harry Street, Township of Hanmer - J.Y. John Robert.

Letter of objection dated April 17, 2001 was received from Nick Proulx, 1724 Harry Street, Val Caron, regarding the above-noted rezoning application.

Letter of objection dated April 17, 2001 was received from Mr. and Mrs. Cyril F. Southwell, 1723 Harry Street, Val Caron, regarding the above-noted rezoning application.

It was noted that due to time limitations the Committee of the Whole Planning at their meeting of April 17, 2001 did not conclude their deliberations and decision on this application. The Committee noted the public hearing was completed at that meeting and could not be reopened at this time.

Cont'd...

## **INCOMPLETE BUSINESS (Cont'd)**

### **APPLICATION FOR REZONING AND REFERRAL OF CONSENT APPLICATIONS B0019/2001 TO B0022/2001, WESTERLY END OF HARRY STREET, TOWNSHIP OF HANMER - J.Y. JOHN ROBERT (Cont'd)**

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It was also noted that only Committee Members who were present for the entire public hearing held on April 17, 2001 would be able to take part in any recommendation or motion.

The following resolution was presented:

Bradley-Callaghan: 1. That the application by J.Y. John Robert to amend By-law 83-300 with respect to Part of Parcel 1032, Lot 7, Concession 1, Township of Hanmer, by changing the zoning classification from "A", Agricultural Reserve to "R1.D18", Single Residential be approved subject to the following conditions:

- a) That prior to the passing of an amending by-law, the developer be required to implement a new development survey plan to show Parts 1 to 6, inclusive, Plan 53 R-16 878, the four proposed lots, a 36.6 m square block at the end of Parts 3 and 6, Plan 53R-16878 for the purposes of a new gravel turnaround and a 0.3 metre reserve around the non road portion of the turnaround.
- b) That prior to the passing of an amending by-law, the developer be required to enter into a development agreement with the City of Greater Sudbury that will deal with engineering, financial and legal aspects of the development, including the following:
  - i) That the developer be required to have a civil engineering consultant design a municipal servicing plan and a lot grading and drainage plan for the development to the requirements of the General Manager of Public Works.
  - ii) That the developer be required at his cost to construct the extended municipal services to the lot line of the proposed lots, the extended portion of Harry Street fronting the proposed lots, street light requirements, utility services and lot drainage swales.
  - iii) That all land survey and plan registration costs of the new development plan be the responsibility of the developer.
  - iv) That the cost of removing the existing 0.3 metre reserve at the end of the existing turnaround and the registration of the new 0.3 metre reserve around the non road portion of the new turnaround be the responsibility of the developer.
  - v) That the cost of the preparation and registration of project drainage easements and the project development agreement on title be paid by the developer.

Cont'd...

## **INCOMPLETE BUSINESS (Cont'd)**

### **APPLICATION FOR REZONING AND REFERRAL OF CONSENT APPLICATIONS B0019/2001 TO B0022/2001, WESTERLY END OF HARRY STREET, TOWNSHIP OF HANMER - J.Y. JOHN ROBERT (Cont'd)**

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#### Resolution (Cont'd)

- vi) That the City of Greater Sudbury will agree to construct at its expense a temporary gravel turnaround at the end of the extended Harry Street.
- 2. That Consent Applications B0019/2001 to B0022/2001 inclusive be allowed to proceed through the consent process.

The following amendment to the above-noted resolution was presented:

Bradley-Callaghan: That the following words be deleted from Condition 1(b) (vi) "City of Greater Sudbury will agree to" and replace it the "applicant".

The Committee agreed to withdraw the above-noted resolution.

The main motion was once again presented:

2001-54 Bradley-Callaghan: 1. That the application by J.Y. John Robert to amend By-law 83-300 with respect to Part of Parcel 1032, Lot 7, Concession 1, Township of Hanmer, by changing the zoning classification from "A", Agricultural Reserve to "R1.D18", Single Residential be approved subject to the following conditions:

- a) That prior to the passing of an amending by-law, the developer be required to implement a new development survey plan to show Parts 1 to 6, inclusive, Plan 53 R-16 878, the four proposed lots, a 36.6 m square block at the end of Parts 3 and 6, Plan 53R-16878 for the purposes of a new gravel turnaround and a 0.3 metre reserve around the non road portion of the turnaround.
- b) That prior to the passing of an amending by-law, the developer be required to enter into a development agreement with the City of Greater Sudbury that will deal with engineering, financial and legal aspects of the development, including the following:
  - i) That the developer be required to have a civil engineering consultant design a municipal servicing plan and a lot grading and drainage plan for the development to the requirements of the General Manager of Public Works.
  - ii) That the developer be required at his cost to construct the extended municipal services to the lot line of the proposed lots, the extended portion of Harry Street fronting the proposed lots, street light requirements, utility services and lot drainage swales.

Cont'd...

## **INCOMPLETE BUSINESS (Cont'd)**

### **APPLICATION FOR REZONING AND REFERRAL OF CONSENT APPLICATIONS B0019/2001 TO B0022/2001, WESTERLY END OF HARRY STREET, TOWNSHIP OF HANMER - J.Y. JOHN ROBERT (Cont'd)**

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#### Resolution 2001-54 (Cont'd)

- iii) That all land survey and plan registration costs of the new development plan be the responsibility of the developer.
  - iv) That the cost of removing the existing 0.3 metre reserve at the end of the existing turnaround and the registration of the new 0.3 metre reserve around the non road portion of the new turnaround be the responsibility of the developer.
  - v) That the cost of the preparation and registration of project drainage easements and the project development agreement on title be paid by the developer.
  - vi) That the City of Greater Sudbury will agree to construct at its expense a temporary gravel turnaround at the end of the extended Harry Street.
2. That Consent Applications B0019/2001 to B0022/2001 inclusive be allowed to proceed through the consent process.

CONCURRING MEMBERS: Councillors Bradley, Gainer, Lalonde, McIntaggart, Petryna, Kilgour

NON-CONCURRING MEMBER: Councillor Callaghan

CARRIED

Order of Agenda In accordance with the Procedure By-law the Committee agreed by two-thirds to deal with Item R-1 listed under Managers' Reports.

## **PART II REGULAR AGENDA**

### **MANAGERS' REPORTS**

Item R-1 Disposition of Surplus Lands 210 Lloyd Street former Junior Citizens <u>Day Care</u>	Report dated April 24, 2001 was received from the Director of Legal Services/City Solicitor and the General Manager of Corporate Services regarding disposition of surplus lands being 210 Lloyd Street, former Junior Citizens Day Care.  Letter dated April 30, 2001 from Councillor Dave Courtemanche representing Ward 6, City of Greater Sudbury regarding the above-noted matter, was read and circulated to Members of the Committee at the meeting.
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## **PART II REGULAR AGENDA (Cont'd)**

### **MANAGERS' REPORTS (Cont'd)**

Item R-1                    2001-55 Bradley-Callaghan: That a lease Agreement be entered into for the  
Disposition of            property located at 210 Lloyd Street, Sudbury, with The Ukrainian Senior  
Surplus Lands            Citizens' Club of Sudbury Inc. under the terms and conditions of their  
210 Lloyd Street        proposals with the exception of the purchase price to be negotiated based on  
former Junior            an appraisal of the fair market value at the time of the sale.  
Citizens Day  
Care (Cont'd)            That the lease be executed by the parties on the form provided by the City of  
Greater Sudbury.

That all municipal and ministerial approvals required to use the premises as it  
is intended in the proposal be obtained by the tenant, and

That the lease documents be executed by the Mayor and the Clerk.

CARRIED

### **PUBLIC HEARINGS**

#### **REZONING APPLICATION TO PERMIT THE PROCESSING, STORAGE AND RETAIL SALE OF FIREWOOD, 735 RADAR ROAD, HANMER - JEANNETTE AND MAX PLOUFFE**

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

Report dated April 23, 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 processing, storage  
and retail sale of firewood, 735 Radar Road, Hanmer - Jeannette and  
Max Plouffe.

Mr. Max Plouffe, applicant was present and indicated he was satisfied with  
the staff recommendation

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

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 HEARINGS (Cont'd)**

**REZONING APPLICATION TO PERMIT THE PROCESSING, STORAGE AND RETAIL SALE OF FIREWOOD, 735 RADAR ROAD, HANMER - JEANNETTE AND MAX PLOUFFE (Cont'd)**

2001-56 Callaghan-Gainer: That the application by Jeannette & Max Plouffe to amend By-law 83-300 being the Comprehensive Zoning By-law for the (former) City of Valley East from "A", Agricultural Reserve to "A-Special", Special Agricultural Reserve with respect to those lands described as Parcel 3424 S.E.S. in Lot 10, Concession 1, Township of Capreol, City of Greater Sudbury be recommended for approval subject to the following conditions:

1. In addition to all other "A", Agricultural Reserve uses the processing, storage and retail sale of firewood shall be permitted.
2. That the processing, storage and retail sale of firewood be limited to a specific location on the subject lands, generally described as being that area commencing 150 metres south of the most northerly property limit and terminating 300 metres south of the most northerly property limit. Further, the amending by-law shall specify that a 10 meter natural buffer must be maintained around the perimeter of any fire wood processing area.

CONCURRING MEMBERS: Councillors Bradley, Callaghan, Craig, Davey, Gainer, Lalonde, McIntaggart, Petryna, Kilgour

CARRIED

**REZONING APPLICATION TO PERMIT A SINGLE DWELLING, EASTERLY LIMIT OF RED DEER LAKE ROAD SOUTH, WANUP - ANTERO TUHKASAARI**

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

Report dated April 23, 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 single dwelling, easterly limit of Red Lake Road South, Wanup - Antero Tuhkasaari.

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

Mr. Antero Tuhkasaari, applicant and Mr. Carmelo Rocca, agent 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.**

Cont'd...

**PUBLIC HEARINGS (Cont'd)**

**REZONING APPLICATION TO PERMIT A SINGLE DWELLING, EASTERLY LIMIT OF RED DEER LAKE ROAD SOUTH, WANUP - ANTERO TUHKASAARI (Cont'd)**

2001-57 Gainer-Callaghan: That the application by Antero Tuhkasaari to amend By-law 2001-24Z being the Zoning By-law for the Townships of Cleland, Scadding and Parts of the Townships of Dryden and Dill from "Rural - Ont. Reg. 769/92" to "Rural" with respect to those lands described as the Remainder of Parcel 17512 S.E.S. in Lot 2, Concession 4, Township of Cleland, City of Greater Sudbury be recommended for approval.

CONCURRING MEMBERS: Councillors Bradley, Callaghan, Craig, Davey, Gainer, Lalonde, McIntaggart, Petryna, Kilgour

CARRIED

**REZONING APPLICATION TO PERMIT THE DEVELOPMENT OF A TRUCK REFUELLING FACILITY AT 3070 REGENT STREET, SUDBURY - ETHIER SAND & GRAVEL LIMITED (PETRO CANADA)**

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

Report dated April 23, 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 a truck refuelling facility at 3070 Regent Street, Sudbury - Ethier Sand & Gravel Limited (Petro Canada).

Letter of objection dated April 24, 2001 from Henry and Alice Schroeder, 2642 Green Avenue, Sudbury was circulated to Members of the Committee at the meeting.

Letter of objection dated April 24, 2001 from Richard Lebourque and Fran Nault, 3252 Algonquin Road, Sudbury was circulated to Members of the Committee at the meeting.

Letter of concern dated April 30, 2001 from Stephen P. Holmes, P.Eng., 2468 Eda Street, Sudbury was circulated to Members of the Committee at the meeting.

Letter of concern dated April 30, 2001 from Rod LaRocque, 2509 Ida Street, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Malessa and Paul Durigon, 2514 Ida Street, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Tim Williams, 2476 Ida Street, Sudbury was received at the meeting.

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**PUBLIC HEARINGS (Cont'd)**

**REZONING APPLICATION TO PERMIT THE DEVELOPMENT OF A TRUCK REFUELLING FACILITY AT 3070 REGENT STREET, SUDBURY - ETHIER SAND & GRAVEL LIMITED (PETRO CANADA) (Cont'd)**

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Letter of objection dated April 24, 2001 from Mike and Nancy Gouchie, 2701 Green Avenue, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Colleen and John Jakon, 2661 Green Street, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Elaine Yasinouski, 2685 Green Avenue, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Howard and Rita Ireland, 2698 Green Avenue, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from I. Racicot, 3249 Algonquin Road, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Eva Sarre, 2686 Green Avenue, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Roy Anderson, 2712 Green Avenue, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Bob Knight, 2471 Ida Street, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Valio Villgren, 2540 Ida Street Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from G. Fabris, 2330 Louisa Drive, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Mr. and Mrs. Zuliani and family, 2337 Louisa Drive, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Hillary Holmes, 2468 Ida Street, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Jeanne d'Arc Hermikari, 2548 Ida Street, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Claire Sheridan, 2531 Ida Street, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Robert Lafleur, 2553 Ida Street, Sudbury was received at the meeting.

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**PUBLIC HEARINGS (Cont'd)**

**REZONING APPLICATION TO PERMIT THE DEVELOPMENT OF A TRUCK REFUELLING FACILITY AT 3070 REGENT STREET, SUDBURY - ETHIER SAND & GRAVEL LIMITED (PETRO CANADA) (Cont'd)**

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Letter of objection dated April 24, 2001 from Karen and Greg Morrow, 2530 Ida Street, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Steven and Debbie Legault, 2499 Ida Street, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from R. W. Brachman, 2486 Ida Street, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Taina and Fred Beaudry, 2522 Ida Street, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Rod LaRocque, 2509 Ida Street, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Ralph Pileggi, 2649 Green Avenue, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Giuseppina Pileggi, 2635 Green Avenue, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Dennis Frohlick, 2558 Ida Street, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Yvonne Conrad, 2521 Ida Street, Sudbury was received at the meeting.

Letter of objection dated April 24, 2001 from Sylvia Chapman, 2504 Ida Street, Sudbury was received at the meeting.

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

The Committee noted the applicant had requested that condition (c) of the staff recommendation be allowed to proceed through the Site Plan Control Agreement instead of having to be addressed prior to the passing of amending by-law. The staff recommendation was revised as requested by the applicant.

Mr. Dave Dorland, O.L.S., agent and Mr. Wesley Robbins, Manager of Real Estate Development for Petro Canada were present.

Cont'd...

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

### **REZONING APPLICATION TO PERMIT THE DEVELOPMENT OF A TRUCK REFUELLING FACILITY AT 3070 REGENT STREET, SUDBURY - ETHIER SAND & GRAVEL LIMITED (PETRO CANADA) (Cont'd)**

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Mr. Dorland addressed the Committee stating the proposed development is a much needed facility in the community. The location is not out of character given the adjoining land uses of Light Industrial and is appropriate for a refuelling facility. The facility proposed would permit a card lock truck refuelling facility and is not a major truck stop. Petro Canada presently have over 200 similar facilities located across Canada.

Photos of what the proposed development would look like were circulated to Members of the Committee at the meeting.

With respect to sewage capacity he advised the difficulty with the sewage system is weather related and there is adequate capacity to support the development. Petro Canada has carried out the necessary studies and the issue of providing on-site sanitary sewer holding facilities for periods of high sewage flows has been addressed through the design of a facility that will enable them to contain their sewage discharge on the site. The impact on the sewage system will be minimal as the facility will only contain washroom facilities, a few showers, and a convenience store.

The fire flows for this proposal have been discussed with staff and are not an issue.

He also pointed out the boundaries will be shifted easterly to protect the proposed alternate access road to Laurentian University which borders the west side of the subject property.

He stated the area residents are well buffered from any anticipated noise from the proposed development. He pointed out there is more noise from the traffic using the down ramp to the bypass than from the operation of this facility.

With respect to the environmental impact, he outlined the newest technology that Petro Canada proposes to install at this site.

He advised that the Nickel District Conservation Authority do not have any concerns with this proposal.

Mr. Robbins addressed the Committee explaining how the electronic card lock system operates. He noted the store is not opened 24 hours a day to the public. He also pointed out that the fuel facility is not open to the public. It is anticipated that there will be approximately 125 trucks per day at the facility.

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

### **REZONING APPLICATION TO PERMIT THE DEVELOPMENT OF A TRUCK REFUELLING FACILITY AT 3070 REGENT STREET, SUDBURY - ETHIER SAND & GRAVEL LIMITED (PETRO CANADA) (Cont'd)**

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Concerns were expressed by Councillors with respect to the proposed development being approximately 490' from Ida Street. Mr. Robbins was asked if he would agree to construct an aesthetically pleasing berm on the east side of the subject property that would muffle noise from the refuelling station and be less visible to the residents of Ida Street.

With respect to the construction of a berm, Mr. Robbins indicated that he would consult with engineering staff at Petro Canada as to what can be constructed on the east side of the property to alleviate noise.

The Committee also noted that no community meeting had been held between the area residents and the applicant.

When questioned on how the residents could be involved in the Site Plan process the Director of Planning Services explained the proposed Site Plan Agreement is circulated to the Ward Councillors. If the Councillors deem it appropriate, a meeting can be arranged with the area residents to discuss the proposed site plan.

Mr. Rod LaRocque, 2509 Ida Street, representing the area residents addressed the Committee opposed to the application. He questioned the notification process followed for this particular application. He advised they had received the first notification for this proposed development in February 2001. The correspondence was delivered to a limited number of residents with no mention of what was proposed. The second notice was received six days ago making it very difficult to prepare a presentation, whereas the applicant had ample time to prepare. He submitted 30 signed letters from area residents opposing the proposal. He pointed out there is not one person in the area that supports the proposed development.

He also noted the City of Sudbury Secondary Plan was adopted in 1986 and is outdated. He questioned how a decision can be made on antiquated information.

Mr. LaRocque stated that no traffic impact study has been conducted. He also expressed great concern with respect to the environmental impact the facility will have on the area residents. He questioned the number of trucks the facility can accommodate. He stressed consideration must be given to the impact on the quality of life for the surrounding residents. He questioned the applicant as to what impact running diesel trucks 24 hours will have on the surrounding residents. He also questioned the on-site sanitary sewer holding facilities and its capacity, as well as the increase of traffic in the area from this proposed development.

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

### **REZONING APPLICATION TO PERMIT THE DEVELOPMENT OF A TRUCK REFUELLING FACILITY AT 3070 REGENT STREET, SUDBURY - ETHIER SAND & GRAVEL LIMITED (PETRO CANADA) (Cont'd)**

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Mr. LaRocque was advised that the first notice sent in February was for an application to sever the property. The second notice was the standard notice for a Public Hearing. This notice was advertised in the Sudbury Star in accordance with the requirements of the Planning Act. In addition the second notice was mailed to residents exceeding the standard 400' required radius.

With respect to Mr. LaRocque's statement on the Secondary Plan it was noted that the City of Sudbury Secondary Plan was amended in 1995 following full public consultation.

Mr. Robbins advised the facility will have parking to accommodate 24 transport trucks.

With respect to the environmental impact, Mr. Dorland advised that the application would have been circulated to the Ministry of Environment and no concerns were expressed with respect to noise or air pollution.

With respect to the on-site sanitary sewer holding facility Mr. Dorland advised that the facility will only be used if a serious flooding situation occurs. The facility will be a holding tank not a sewage lagoon and if required the tank can be pumped out every two days.

Mr. Dorland also pointed out that the applicant must complete a Traffic Impact Study prior to the passing of an amending by-law.

The Committee defeated a resolution by Councillor Callaghan to defer the application for one month to allow the applicant to meet with the area residents.

Mr. Stephen Holmes, 2468 Ida Street questioned whether the entire area of the proposed development will be paved and expressed concern that a large grassed area which absorbs water will be paved. The proposed development will only cause the drainage problem to become worse. A retention pond to store water during storms should be required. He advised there is an existing problem with the sanitary sewer system on Ida Street because of storm water infiltration and the current collection system in the area is inadequate. The lift station on Green Avenue cannot keep up when there is a major storm. He also questioned the type of buffer to be constructed pointing out that a small berm and trees would not reduce any noise. He requested that the landscaped strip along the eastern portion of the subject property be increased significantly.

Cont'd...

**PUBLIC HEARINGS (Cont'd)**

**REZONING APPLICATION TO PERMIT THE DEVELOPMENT OF A TRUCK REFUELLING FACILITY AT 3070 REGENT STREET, SUDBURY - ETHIER SAND & GRAVEL LIMITED (PETRO CANADA) (Cont'd)**

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Mr. Robbins advised that the travelled surfaces and parking lot will be paved. Landscaping will be done on the east side of the property.

The Committee noted that Ida Street is included in the Class Environmental Sewage Capacity Study which is expected to be completed by mid summer of this year.

Mrs. Nancy Gouchie, 2701 Green Avenue, Sudbury addressed the Committee opposed to the application. She advised they recently purchased a home on Ida Street and fears the property values in the area will greatly depreciate because of the proposed development. She stated she has spoken to twelve residents on Green Avenue and not one of them were in favour of the development.

Proceed Past  
10:00 p.m.

2001-58 Bradley-Callaghan: That we proceed past the hour of 10:00 p.m.

CARRIED

Recess

The Committee recessed at 10:01 p.m. and reconvened at 10:08 p.m.

Mr. Richard Hodgins, 2494 Ida Street, Sudbury addressed the Committee opposed to the rezoning application. He asked who presently owns the subject property and if there were plans to expand the business in the future.

He expressed concern with transports carrying dangerous commodities and coming into the facility. He also pointed out that the noise level will increase substantially with trucks entering and exiting the subject property

With respect to sanitary sewers he advised that his insurance company will not insure his property for more than \$5,000 because there is a problem in the area. He also expressed concern that his water supply will become contaminated.

Mr. Dorland advised that the property is approximately 100 acres in size with the proposed development being limited to six acres. The remaining property is zoned "FD", Future Development. He advised that west of the property there are plans for an alternate access road to Laurentian University. Petro Canada has no plans to expand the subject property. He advised that the present owner of the property is Ethier Sand & Gravel Limited. The property will be purchased by Petro Canada subject to all the necessary approvals.

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

### **REZONING APPLICATION TO PERMIT THE DEVELOPMENT OF A TRUCK REFUELLING FACILITY AT 3070 REGENT STREET, SUDBURY - ETHIER SAND & GRAVEL LIMITED (PETRO CANADA) (Cont'd)**

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Mr. Tim Williams, 2476 Ida Street, Sudbury addressed the Committee opposed to the application. He advised that he is a truck driver and has used many facilities similar to the proposed development. He stated, in his opinion the facility will be well used and noise will be generated by diesel trucks 24 hours a day. He also pointed out the bypass is elevated and the area residents do not hear the traffic.

Mr. Bob Knight, 2471 Ida Street, Sudbury addressed the Committee opposed to the application. He questioned what the final distance would be from the eastern boundary of the proposed development to Ida Street. He advised that since the Highway 69S bypass was constructed the noise levels in the area have been reduced significantly. With the proposed development he anticipates the noise problem will return coupled with noise from idling trucks all day and night. He asked if a condition could be introduced that would allow a transport driver to stop only long enough to refuel his vehicle, use the washroom facilities and shower. He expressed concern for the safety of children accessing the convenience store by travelling along a busy highway or crossing the highway. He also asked what improvements would be made to the intersection of Algonquin Road and Regent Street. He pointed out that there are many issues the developer has failed to address.

With respect to the distance to Ida Street, Mr. Dorland advised that the development is being moved approximately 60' to the east to accommodate the proposed access to Laurentian University.

It was also noted that if approved, the area residents through their Ward Councillors would have input into the Site Plan for the proposed development.

With respect to intersection improvements it was noted that the Transportation Study would address that issue.

Mr. S. Bacciaglia, 902 Charlotte Street, Sudbury addressed the Committee expressing concern with the increase in noise level from the proposed development. He explained that his grandchildren reside on Ida Street and is very concern with the peace and quiet of the area residents. He requested the developer to constructed a berm on the east side of the property.

Mrs. Karen Morrow, 2530 Ida Street addressed the Committee expressing concern with the number of transports driving by Ida Street when entering and exiting the facility. She pointed out that there are five schools in the area with several bus stops and expressed concern for the safety of the children.

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

### **REZONING APPLICATION TO PERMIT THE DEVELOPMENT OF A TRUCK REFUELLING FACILITY AT 3070 REGENT STREET, SUDBURY - ETHIER SAND & GRAVEL LIMITED (PETRO CANADA) (Cont'd)**

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Mr. Holmes addressed the Committee once again questioning what input the area residents will have with respect to the design of a berm on the east portion of the property.

The Director of Planning Services advised that when the site plan is received by staff it will be brought to the attention of the Ward Councillors who may ask for input from the public.

Mr. Rod LaRocque addressed the Committee once again requesting that prior to the development being approved that the City of Greater Sudbury review, amend and update of Official Plan adopted in 1986-87, and that an Environmental Study be conducted on the impact of the health and welfare of the residents adjacent to the subject property, and that a traffic impact study be completed.

**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.**

The following resolution was presented:

Bradley-Lalonde: That the application by Petro Canada 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 Parcels 11171, 11480 and 2132, in Lot 3, Concession 6, Broder Township from "FD", Future Development to "M1-Special", Mixed Light Industrial/Service Commercial Special be approved subject to the following:

- a) That the only permitted uses shall be a card lock facility for truck refuelling and related accessory uses including a convenience store, a restaurant and an automotive accessories store.
- b) That the applicant provide the Economic Development and Planning Services Department with a copy of a registered reference plan outlining the lands to be rezoned.
- c) That prior to the passing of an amending by-law the applicant complete a Traffic Impact Study to identify the road and transportation improvements required to accommodate the proposal to the satisfaction of the Director of Planning Services.

Cont'd...

**PUBLIC HEARINGS (Cont'd)**

**REZONING APPLICATION TO PERMIT THE DEVELOPMENT OF A TRUCK REFUELLING FACILITY AT 3070 REGENT STREET, SUDBURY - ETHIER SAND & GRAVEL LIMITED (PETRO CANADA) (Cont'd)**

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Resolution (Cont'd)

- d) That prior to the passing of an amending by-law the owner shall enter into an agreement with the City to the satisfaction of the City Solicitor and the General Manager of Public Works whereby the owner agrees to comply with all requirements, financial and otherwise of the City, concerning road and transportation related improvements and sewer and water improvements as are required by the General Manager of Public Works.
- e) That prior to the issuance of a building permit the owner shall enter into a Site Plan Control Agreement which among other matters shall contain provisions for the following:
  - 1. The installation of a sanitary sewer test manhole to the satisfaction of the General Manager of Public Works.
  - 2. The provision of on-site sanitary sewer holding or treatment facilities for periods of high sewage flows to the satisfaction of the General Manager of Public Works.
  - 3. The construction and maintenance of the entrance over the right-of-way lands along the west side of the subject property.

The following amendment to add a condition to the Site Plan Agreement was presented:

2001-59 McIntaggart-Petryna: That a berm or other structure be constructed which would significantly reduce noise for the residents of Ida Street east of the proposed development.

CONCURRING MEMBERS: Councillors Bradley, Callaghan, Craig, Davey, Gainer, Lalonde, McIntaggart, Petryna, Kilgour

CARRIED

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

### **REZONING APPLICATION TO PERMIT THE DEVELOPMENT OF A TRUCK REFUELLING FACILITY AT 3070 REGENT STREET, SUDBURY - ETHIER SAND & GRAVEL LIMITED (PETRO CANADA) (Cont'd)**

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The main resolution as amended was presented:

2001-60 Bradley-Lalonde: That the application by Petro Canada 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 Parcels 11171, 11480 and 2132, in Lot 3, Concession 6, Broder Township from "FD", Future Development to "M1-Special", Mixed Light Industrial/Service Commercial Special be approved subject to the following:

- a) That the only permitted uses shall be a card lock facility for truck refuelling and related accessory uses including a convenience store, a restaurant and an automotive accessories store.
- b) That the applicant provide the Economic Development and Planning Services Department with a copy of a registered reference plan outlining the lands to be rezoned.
- c) That prior to the passing of an amending by-law the applicant complete a Traffic Impact Study to identify the road and transportation improvements required to accommodate the proposal to the satisfaction of the Director of Planning Services.
- d) That prior to the passing of an amending by-law the owner shall enter into an agreement with the City to the satisfaction of the City Solicitor and the General Manager of Public Works whereby the owner agrees to comply with all requirements, financial and otherwise of the City, concerning road and transportation related improvements and sewer and water improvements as are required by the General Manager of Public Works.
- e) That prior to the issuance of a building permit the owner shall enter into a Site Plan Control Agreement which among other matters shall contain provisions for the following:
  1. The installation of a sanitary sewer test manhole to the satisfaction of the General Manager of Public Works.
  2. The provision of on-site sanitary sewer holding or treatment facilities for periods of high sewage flows to the satisfaction of the General Manager of Public Works.
  3. The construction and maintenance of the entrance over the right-of-way lands along the west side of the subject property.

Cont'd...

**PUBLIC HEARINGS (Cont'd)**

**REZONING APPLICATION TO PERMIT THE DEVELOPMENT OF A TRUCK REFUELLING FACILITY AT 3070 REGENT STREET, SUDBURY - ETHIER SAND & GRAVEL LIMITED (PETRO CANADA) (Cont'd)**

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Resolution 2001-60 (Cont'd)

4. That a berm or other structure be constructed which would significantly reduce noise for the residents of Ida Street east of the proposed development.

CONCURRING MEMBERS: Councillors Craig, Davey, Gainer, Lalonde, McIntaggart, Kilgour

NON-CONCURRING MEMBERS: Councillors Bradley, Callaghan, Petryna

**PART I CONSENT AGENDA**

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

2001-61 Gainer-Callaghan: That Consent Agenda Items C-1 to C-4 contained in the Consent Agenda, be adopted.

CARRIED

**MINUTES**

Item C-1                      2001-62 Bradley-Gainer: That Report #3, Vegetation Enhancement  
V.E.T.A.C.                      Technical Advisory Committee Minutes of March 7, 2001, be received.  
Minutes of  
March 7/01

CARRIED

**ROUTINE MANAGEMENT REPORTS**

Item C-2                      Report dated April 24, 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 - Part of  
Southfield Place                      Parcel 1869, Lot 5, Concession 4, Township of Waters, Southfield Place  
Subdivision                      Subdivision.  
Twp. of Waters

Cont'd...



