

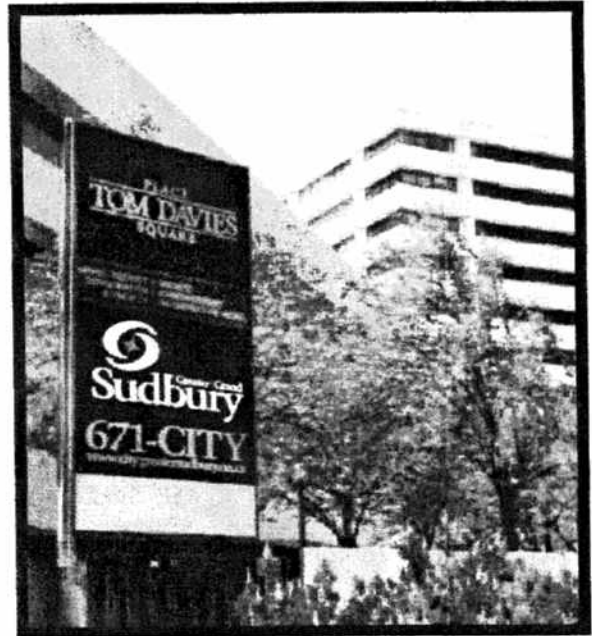
Vision: The City of Greater Sudbury is a growing, world-class community bringing talent, technology and a great northern lifestyle together.

Vision : La Ville du Grand Sudbury est une communauté croissante de calibre international qui rassemble les talents, les technologies et le style de vie exceptionnel du Nord.

Agenda Ordre du jour

**Councillor
Frances Caldarelli
Chair**

**Councillor
André Rivest
Vice-Chair**



For the
Planning
Committee
Meeting to be held

on Tuesday,
January 23rd, 2007

at 5:30 p.m.

**Council Chamber
Tom Davies Square**

Pour la réunion
du Comité de la
Planification
qui aura lieu

le mardi
23 janvier 2007

à 17 h 30

**dans la Salle du Conseil,
Place Tom Davies**

Regular Planning

Agenda

For The Planning Committee Meeting
To Be Held On
Tuesday, January 23rd, 2006
Council Chamber

5:30 p.m.

***Vision:** The City of Greater Sudbury
is a growing, world-class community
bringing talent, technology and a great
northern lifestyle together.*

*For the Regular Meeting of the Planning Committee
to be held on **Tuesday, January 23rd, 2007**
in Council Chamber, Tom Davies Square at 5:30 p.m.*

COUNCILLOR FRANCES CALDARELLI, CHAIR

(PLEASE ENSURE CELL PHONES AND PAGERS ARE TURNED OFF)

The Council Chamber of Tom Davies Square is wheelchair accessible. Please speak to the City Clerk's Office prior to the meeting if you require a hearing amplification device. Persons requiring assistance are requested to contact the City Clerk's Office at least 24 hours in advance of the meeting if special arrangements are required. Please call (705) 671-2489, extension 4209. Telecommunications Device for the Deaf (TTY) (705) 688-3919. Copies of Agendas can be viewed on the City's website at www.planningsudbury.com

DECLARATIONS OF PECUNIARY INTEREST

MATTERS ARISING FROM THE "IN CAMERA" SESSION

{NONE}

PUBLIC HEARINGS

PAGE NO.

1. Report dated January 8th, 2007 from the Director of Planning Services and the General Manager of Growth and Development regarding applications for Official Plan amendment and rezoning in order to permit the development of office space, classroom facilities and on-site training for a transport training school, 2565 Kingsway, Sudbury - Sudbury Shrine Club 1 - 16
(RECOMMENDATION PREPARED)
- Letter of concern dated November 13th, 2006 from Rick Ouellette 17
- Letter of concern dated November 16th, 2006 from Brigette and Morris Thompson 18

PUBLIC HEARINGS

PAGE NO.

- 2. Report dated November 9th, 2006 from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to permit institutional uses and office space, 2750 Bancroft Drive, Sudbury - Grace & Gilles Morin and Pat & Loretta Micelotta (Agent: Rona Ramsey) 14 - 19
(RECOMMENDATION PREPARED)

- 3. Report dated November 14th, 2006 from the Director of Planning Services and the General Manager of Growth and Development regarding an application to rezone part of a rural parcel in order to create two lots for single residential use, 1821 Yorkshire Drive, Val Caron - John and Anne Robert 20 - 29
(RECOMMENDATION PREPARED)

- 4. Report dated November 14th, 2006 from the Director of Planning Services and the General Manager of Growth and Development regarding applications for Official Plan amendment and rezoning in order to permit the development of office space, classroom facilities and on-site training for a transport training school, 2565 Kingsway, Sudbury - Sudbury Shrine Club 30 - 43
(RECOMMENDATION PREPARED)

- Letter of concern dated November 13th, 2006 from Rick Ouellette. 44

PART I CONSENT AGENDA

(RECOMMENDATION PREPARED adopting RECOMMENDATION for Item C-1 contained in the Consent Agenda)

(For the purpose of convenience and for expediting meetings, matters of business of repetitive or routine nature are included in the Consent Agenda, and all such matters of business contained in the Consent Agenda are voted on collectively.

A particular matter of business may be singled out from the Consent Agenda for debate or for a separate vote upon the request of any Councillor. In the case of a separate vote, the excluded matter of business is severed from the Consent Agenda, and only the remaining matters of business contained in the Consent Agenda are voted on collectively.

Each and every matter of business contained in the Consent Agenda is recorded separately in the minutes of the meeting.)

ROUTINE MANAGEMENT REPORTS

- C-1 Report dated November 15th, 2006 from the General Manager of Growth and Development regarding extension of draft approval, Black Lake Road, Lively - Cavdon Developments Limited 45 - 54
(RECOMMENDATION PREPARED)

PART I CONSENT AGENDA (cont'd)

CORRESPONDENCE FOR INFORMATION ONLY

PAGE NO.

- C-2 Report dated November 15th, 2006 from the General Manager of Infrastructure and Emergency Services regarding 2006 Property Sales and Acquisitions 55 - 66
(FOR INFORMATION ONLY)

PART II - REGULAR AGENDA

REFERRED AND DEFERRED MATTERS

{NONE}

MANAGERS' REPORTS

- R-1 Report dated November 15th, 2006 from the General Manager of Growth and Development regarding the proposed Ministry of Municipal Affairs and Housing Modifications to the Official Plan 67 - 94
(RECOMMENDATION PREPARED)

(The Ministry of Municipal Affairs and Housing has reviewed the Official Plan for the City of Greater Sudbury which was adopted in May of this year and submitted to the Ministry for approval. This report discusses the proposed modifications.)

ADDENDUM

{NONE}

10:00 P.M. ADJOURNMENT (RECOMMENDATION PREPARED)

(TWO-THIRDS MAJORITY REQUIRED TO PROCEED PAST 10:00 P.M.)

**Eric Labelle
Clerk Designate**

**Franca Bortolussi
Planning Committee Secretary**

PART II - REGULAR AGENDA

REFERRED AND DEFERRED MATTERS

- R-1 Report dated January 10th, 2007 from the General Manager of Growth and Development regarding proposed Ministry of Municipal Affairs and Housing Modifications to Official Plan 88 - 119
(ELECTRONIC PRESENTATION) (RECOMMENDATION PREPARED)

(On November 29th, 2006, Council deferred Planning Committee Recommendation 2006-264 to the new Council.)

MANAGERS' REPORTS

{NONE}

ADDENDUM

{NONE}

10:00 P.M. ADJOURNMENT (RECOMMENDATION PREPARED)

(TWO-THIRDS MAJORITY REQUIRED TO PROCEED PAST 10:00 P.M.)

**Eric Labelle
Clerk Designate**

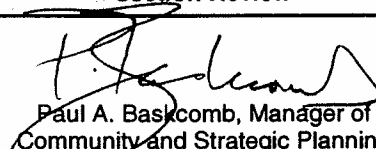
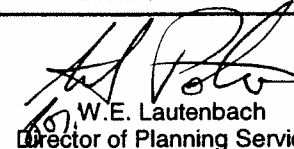
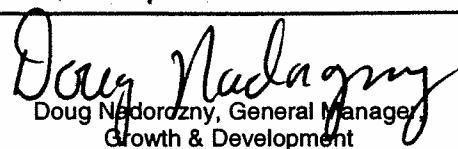
**Franca Bortolussi
Planning Committee Secretary**


Request for Recommendation Planning Committee



Type of Decision									
Meeting Date	January 23, 2007				Report Date	January 10, 2007			
Recommendation Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title
Proposed Ministry of Municipal Affairs and Housing Modifications to Official Plan

Section Review	Division Review	Department Review
 Paul A. Baskcomb, Manager of Community and Strategic Planning	 W.E. Lautenbach Director of Planning Services	 Doug Nadorozny, General Manager Growth & Development

Policy Implication + Budget Impact		Recommendation	
This report has been reviewed by the Finance Division and the funding source has been identified.			
		That the modifications contained in the letter dated November 14, 2006, from the Ministry of Municipal Affairs and Housing be endorsed; And that the additional modification to the Transportation chapter as set out in the staff report be endorsed.	
Background Attached		Recommendation Continued	
Planning Staff Report		Recommended by the C.A.O.	
Report Prepared by:	File #:	Mark Mieto Chief Administrative Officer 	
Paul A. Baskcomb, Manager of Community and Strategic Planning			

Date: January 23, 2007

STAFF REPORT

Background

On 2006-11-29, the Council of the City of Greater Sudbury deferred Planning Committee Recommendation 2006-264 to the new Council. This recommendation emanated from the November 21st Planning Committee meeting and relates to the Ministry's proposed modifications to the Official Plan adopted by City Council in June 2006.

A copy of the staff report from the November 21st Planning Committee meeting is attached and an electronic presentation providing an overview of the report will be provided.

The Recommendation in that staff report is "That the modifications contained in the letter dated November 14, 2006, from the Ministry of Municipal Affairs and Housing be endorsed."

In addition, another modification request to the Ministry is recommended which would result in the addition of a section to the Transportation chapter similar to, or as follows:

"11.2.2.3 Traffic Studies

For proposed developments that may affect the function of any municipal road, the City may require that development applications be accompanied by a traffic study to assess such impacts and to propose mitigating measures."

This is consistent with the past practice of requesting such studies in conjunction with development proposals which may have an impact on the function of a municipal road.

PART II - REGULAR AGENDA

MANAGERS' REPORTS

Item R-1 Report dated November 15th, 2006 was received from the General
Proposed Ministry Manager of Growth and Development regarding the proposed
of Municipal Ministry of Municipal Affairs and Housing Modifications to the
Affairs & Housing Official Plan.
Modifications to
the Official Plan

The Manager of Community and Strategic Planning outlined the modifications to the Committee.

Recommendation #2006-264:

Reynolds-Bradley: THAT the modifications contained in the letter dated November 14th, 2006 from the Ministry of Municipal Affairs and Housing be endorsed.

CARRIED

58th

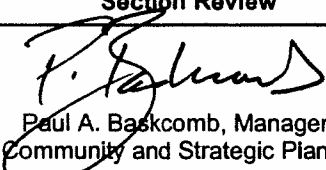

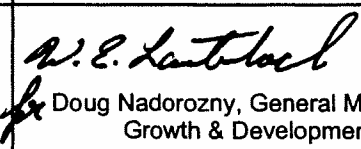
Meeting of Planning Committee held Nov 21/06

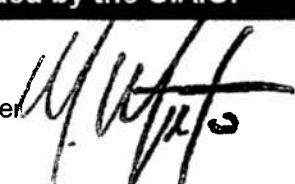
Request for Recommendation Planning Committee



Type of Decision									
Meeting Date	November 21, 2006				Report Date	November 15, 2006			
Recommendation Requested	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed

Report Title
Proposed Ministry of Municipal Affairs and Housing Modifications to Official Plan

Section Review	Division Review	Department Review
 Paul A. Baskcomb, Manager of Community and Strategic Planning	 W. E. Lautenbach Director of Planning Services	 Doug Nadorozny, General Manager, Growth & Development

Policy Implication + Budget Impact		Recommendation	
This report has been reviewed by the Finance Division and the funding source has been identified.		That the modifications contained in the letter dated November 14, 2006, from the Ministry of Municipal Affairs and Housing be endorsed.	
Background Attached			
Planning Staff Report		Recommended by the C.A.O.	
Report Prepared by:	File #:	Mark Mieto Chief Administrative Officer 	
Paul A. Baskcomb, Manager of Community and Strategic Planning			

Background

On June 14, 2006, Council adopted a new Official Plan for the City of Greater Sudbury. Pursuant to the Planning Act of Ontario new Official Plans require the approval of the Minister of Municipal Affairs before coming into effect. The new Official Plan was submitted to the Ministry of Municipal Affairs (MMAH) for review and approval following its adoption.

We are pleased to report that MMAH has now completed its review of the Official Plan and has provided correspondence outlining its intent to approve the plan. As is customary, the Province is proposing a number of modifications to ensure that the plan is consistent with the Provincial Policy Statement (PPS). They have requested that Council endorse the proposed modifications prior to the issuance of the Minister's decision.

Planning staff have met with representatives of the MMAH to discuss the proposed changes and are generally satisfied that the modifications, with one exception, maintain the intent and policies of the Plan as adopted by Council in the spring. A copy of the proposed modifications is attached and a discussion of the proposed modifications is provided below.

It should also be noted that Planning staff have requested that the Ministry include several modifications to incorporate recent Official Plan Amendment approvals by Council and to correct a few mapping and technical inaccuracies which have been detected over the past months.

Proposed Modifications

As noted above, the majority of the proposed modifications are somewhat technical in nature and serve to clarify wording in the Plan related to the Provincial Policy Statement (PPS). These modifications typically involve the addition of phrases to clarify intent or the addition of terminology consistent with definitions in the PPS. These are not discussed individually in this report but can be found in the attached list of Proposed Modifications from the Ministry.

The most significant modification proposed by the Province relates to the Agricultural Reserve and would have the effect of restoring lands to the Agricultural Reserve which were removed by Council at the time of adoption of the plan. During the preparation of the Official Plan, the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) had recommended specific boundaries for the Agricultural Reserve. In response to representations from certain landowners, Council opted to remove lands in the vicinity of Chelmsford located between RR#35 and the railway tracks from the Agricultural Reserve. MMAH is indicating their intention to include these lands in the reserve.

Some of the other modifications include:

- A statement that policies applicable to Provincially Significant Wetlands supercede policies in other land use designations in cases of overlap. (This is consistent with the intent of the Plan.)
- A statement that new Provincial Highways may be planned and constructed without an amendment to the Official Plan. (The Province is not subject to municipal Official Plans.)
- The requirement to screen for archaeological potential in the case of major development applications or Official Plan Amendments. (It is a goal of the PPS to protect archaeological resources. This will result in a requirement for screening reports as a condition of major development or OPA.)

Date: November 15, 2006

- A statement that the supply of lots/units in existing registered and draft approved plans of subdivision/condominium will be taken into consideration in approving new development. (The PPS contains policies to ensure orderly development.)

Requested Modifications

In order to ensure that Council's recent Official Plan Amendment approvals are incorporated into the new Official Plan, Planning staff have requested several additional modifications to the Official Plan. These include wording from Official Plan Amendments #252, 261, 263 and 264. We have also advised them of other amendments in process which may need to be addressed depending on the date of the Ministry's decision.

In addition to these, staff have requested a few corrections to address mapping errors as well as technical revisions to the text. These are set out in the Ministry's letter and draft decision attached.

Conclusion

The modifications proposed by the Ministry of Municipal Affairs and Housing appear to be in keeping with the intent and policies of the Official Plan as adopted in June of this year with the exception of the revision to the Agricultural Reserve. Given the advice provided by the technical staff of the Ontario Ministry of Agricultural, Food and Rural Affairs (OMAFRA), it was the staff recommendation at the time of adoption that the boundaries set by OMAFRA be accepted. On this basis, staff recommends that the modifications contained in the letter dated November 14, 2006, from the Ministry of Municipal Affairs and Housing be endorsed.

Attachments

**Ministry of
Municipal Affairs
and Housing**

**Ministère des
Affaires municipales
et du Logement**



Municipal Services Office
Northeastern
159 Cedar Street, Suite 401
Sudbury ON P3E 6A5
Telephone: 705-564-0120
Toll Free: 1-800-461-1193
Fax: 705-564-6863
Web : www.mah.gov.on.ca/onramp-ne

Bureau des services aux municipalités
Région du Nord-est
159 rue Cedar, Local 401
Sudbury ON P3E 6A5
Telephone: 705-564-0120
Sans Fraik: 1-800-461-1193
Telecopier: 705-564-6863
Site Web: www.mah.gov.on.ca/onramp-ne

November 14, 2006

DELIVERED BY HAND

Mr. Bill Lautenbach
Director of Planning Services
Growth and Development Department
City of Greater Sudbury
200 Brady Street
Sudbury, ON
P3A 5P3

A handwritten signature in cursive script that reads "Bill".

Dear Mr. Lautenbach;

**RE: PROPOSED MODIFICATIONS TO THE OFFICIAL PLAN FOR
THE CITY OF GREATER SUDBURY
(OUR FILE NO. 53-OP-5300)**

The Province of Ontario has completed its review of the Official Plan for the City of Greater Sudbury, as adopted by Council on June 14, 2006 by By-law 2006-200. We are pleased to provide you with this letter, and the enclosed proposed modifications, on the adopted Official Plan. The proposed modifications are based on our review and analysis of the adopted Official Plan; provincial interests in Section 2 of the *Planning Act*; the Provincial Policy Statement that came into effect on March 1, 2005 (the 2005 PPS); the various background reports and studies prepared for the purposes of the Official Plan; discussions with the Ministries of Transportation, Environment, Agriculture, Food and Rural Affairs, Natural Resources, Northern Development and Mines and the Nickel District Conservation Authority.

The proposed modifications are also based on our August 30, October 10, October 30, November 6 and November 10 meetings, as well as our various conversations to date. We have enjoyed working with City Planning Staff over the last four months. These collaborative discussions have enabled the substantial progress made on this file and has certainly fostered a greater mutual understanding for both local and provincial interests in this Official Plan program. We are providing you with these proposed modifications for endorsement by Council, through Resolution, prior to the Ministry making a decision on the adopted Official Plan under Section 17(34) of the *Planning Act*.

PROPOSED PROVINCIAL MODIFICATIONS

The City of Greater Sudbury's adopted Official Plan is largely consistent with the Province's interests in land use planning, as expressed in the 2005 Provincial Policy Statement. The adopted Official Plan will serve to guide Greater Sudbury's growth and development in the coming years. The Province proposes 35 modifications to the adopted Official Plan, which are intended to strengthen its intent with respect to certain aspects of the following provincial interests in land use planning. These modifications are attached to this letter.

1. Managing & Directing Land Use to Achieve Efficient Development & Settlement Patterns
2. Infrastructure and Public Service Facilities
3. Energy and Air Quality
4. Natural Heritage
5. Water
6. Agriculture
7. Mineral Aggregate Resources
8. Cultural Heritage and Archaeology
9. Natural Hazards
10. Human Made Hazards
11. Land Use Compatibility

1 Proposed "Managing and Directing Land Use to Achieve Efficient Development and Settlement Patterns" Modifications

The 2005 PPS contains a comprehensive set of policies that are designed to achieve efficient development and settlement patterns. Amongst other things, these policies speak to setting aside sufficient lands to meet long-term needs; focussing growth in settlement areas; identifying and promoting opportunities for intensification and redevelopment where it can be accommodated; establishing and implementing intensification targets for built up areas; and, establishing phasing policies to ensure that defined intensification and redevelopment targets are achieved prior to or concurrent with growth in designated growth areas, as well as to ensure that such growth progresses in an orderly manner and is met by the timely provision of infrastructure and public service facilities.

As discussed at the May 1st, 2006 meeting in Toronto, the Province recognizes that the land use designations included in the adopted Official Plan exceed the 20-year land supply requirement established in the 2005 PPS, as these designations reflect the amalgamation of all existing land use designations from the approved Official Plans that currently guide growth and development within the restructured City.

As outlined in our May 3, 2006 letter, the Official Plan requires strengthened phasing policies to help direct growth and development in a manner that is consistent with provincial interests in this regard. The same letter also points to the need for a policy to monitor development activity over the next five years to help gain a better understanding of the progress made towards the intensification target in the Official Plan. It is envisioned that this monitoring will culminate in a comprehensive review of the adopted Official Plan in five years from the date of approval to determine the appropriateness of the policies and any need to change the policies to achieve the desired outcomes of intensification and redevelopment.

We appreciate the changes made between the second and third drafts of the Official Plan, specifically the introduction of new phasing policies for the Living Area 1 in Section 3.2.2 and the enhancement of the existing policies regarding the monitoring and review of the Official Plan in Section 20.10. Consequently, we see only three modifications that are designed to build on the new and enhanced policies developed by City Staff and adopted by Council.

- Modification 2 expands the intent of the existing policy to ensure that the available supply of lots and units is also considered when proposals are made to develop on vacant and undeveloped land. This is consistent with Policy 1.1.3.8 of the 2005 PPS.
- Modification 3 clarifies the intent of the existing policy to ensure that monitoring occurs over the five year period (as opposed to the end of the period), and commits the City to reviewing and adjusting its policies and programs, if necessary, to ensure that the stated intensification and redevelopment targets are achieved. This is consistent with Policies 1.1.3.5 and 1.1.3.6 of the 2005 PPS.
- Modification 30 ensures that infrastructure is also considered as part of a comprehensive review. This is consistent with Policy 1.1.3.9 of the 2005 PPS.

2 Proposed “Infrastructure and Public Service Facilities” Modifications

The 2005 PPS also includes a comprehensive set of policies to guide infrastructure and public service facility planning. We see only six areas for modification in order to fully address the 2005 PPS policies and further strengthen the intent of the adopted policies.

- Modification 22 inserts a new policy acknowledging the MTO’s authority to plan, protect, design and construct future transportation corridors. This is consistent with Policy 1.6.6.6 of the 2005 PPS.
- Modification 23 replaces the word “approved” with “reviewed” to be consistent with Policy 1.6.7.2 of the 2005 PPS.
- Modification 24 includes the words “sewer and” to reflect the scope of the policies. This modification also replaces the word “community” with “settlement area” to more appropriately reflect the intent of the Plan. This is consistent with Policy 1.6.1 of the 2005 PPS.
- Modifications 5 and 25 clarify and strengthen aspects of the Plan’s existing servicing policies for new development, consistent with Policy 1.6.4.1 of the 2005 PPS.
- Modification 26 clarifies the policies respecting development on partial services, consistent with Policy 1.6.4.5 of the 2005 PPS.

3 Proposed “Energy and Air Quality” Modification

- Modification 27 inserts a new general policy into Section 12.4 of the adopted Official Plan, consistent with Policy 1.8.3 of the 2005 PPS.

4 Proposed “Natural Heritage” Modifications

The 2005 PPS speaks to the protection of natural heritage features and areas. We see only six areas for modification to fully address the 2005 PPS policies and further strengthen the intent of the adopted policies.

- Modifications 6 and 11 introduce “and areas” after “natural feature” to be consistent with the language in Section 2.1 of the 2005 PPS.
- Modification 7 includes the words “and mitigated” to ensure that mitigation is addressed, when necessary, as part of the approvals process. This modification also corrects a typographical error in the numbering of the policies, as requested by City Staff..
- Modification 12 clarifies the wetland policies to ensure that the provincially significant wetland designation prevails over other land use designations in the adopted Official Plan, to the extent of any overlap and conflict. This is consistent with Policies 2.1.3 and 2.1.6 of the 2005 PPS.
- Modification 13 clarifies the existing policy to ensure that development on lots adjacent to fish habitat first demonstrate that it will not negatively impact the ecological function of the fish habitat. This is consistent with Policy 2.1.6 of the 2005 PPS.
- Modifications 14 replaces the word “may” with “will” to be consistent with Policy 2.1.6 of the 2005 PPS.

5 Proposed “Water” Modification

- Modification 10 expands upon the existing policy to capture the types of development that is of concern on at capacity lakes. This is consistent with Policy 2.2.1 of the 2005 PPS and provincial practices.

6 Proposed “Agriculture” Modifications

- Modification 8 clarifies the intent of the existing policies, consistent with Policy 2.3.3.1 of the 2005 PPS. It also introduces a new policy in the agricultural reserve lot creation policies to permit lot adjustments for legal and technical reasons, consistent with Policy 2.3.4.2 of the 2005 PPS.

Our review of the adopted Official Plan revealed that approximately 1,500 acres of land have been re-designated from Agricultural Reserve to Rural, when compared to the second draft of the Official Plan. This represents approximately 10 percent of the area delineated as prime agricultural lands with input from the Ministry of Agriculture Food and Rural Affairs.

The Province does not have any concerns with the re-designation of the lands in the northeast quadrant of RR 35 and Montee Principale from Agricultural Reserve to Rural.

Concerning the remainder of the lands, situated between the built up areas of Azilda and Chelmsford and south of the railway tracks, a rationale has not been provided to support the proposed re-designation of confirmed prime agricultural lands. In the absence of any such rationale, the Province does not support the re-designation of these lands to Rural. We see one modification necessary.

- Modification 39 amends SCHEDULE 1A and 1C to re-designate those lands lying between the built up areas of Azilda and Chelmsford south of the railway tracks to Agricultural Reserve.

7 Proposed “Mineral Aggregate Resources” Modification

- Modification 4 clarifies that the City will also protect primary and secondary deposits identified in the Northern Ontario Engineering Geology Terrain Study. This is consistent with Policy 2.5.1 of the 2005 PPS.

8 Proposed “Cultural Heritage and Archaeology” Modifications

The 2005 PPS speaks to the protection of cultural heritage and archaeological resources. We see only two areas for modification to fully address the 2005 PPS policies and further strengthen the intent of the adopted policies.

- Modification 28 inserts a new policy to ensure that development applications will be screened for archaeological potential, until such time that the proposed archaeological mapping for the City has been completed. The screening for archaeological potential would primarily apply to decisions for larger development applications such as Official Plan Amendments and Plans of Subdivision. This is consistent with Policy 2.6.2 of the 2005 PPS and the Ministry of Culture’s guidelines.
- Modification 29 inserts a new policy to guide actions in the event that human remains are discovered during land use development.

9 Proposed “Natural Hazards” Modifications

The 2005 PPS provides policy direction with respect to Natural Hazards. We see ten areas for modification to fully address the 2005 PPS policies and further strengthen the intent of the adopted policies.

- Modifications 1, 31 and 32 clarify the language used in the headers for two sections in the Official Plan to avoid any confusion with Special Policy Areas, as defined in the 2005 PPS.
- Modification 15 clarifies that development will not be permitted where there is an unacceptable risk to public and or safety or to property damage, and clarifies what uses are permitted in the flood plain, consistent with Policy 3.1.3.b of the 2005 PPS.
- Modification 16 clarifies the policies regarding existing structures within the flood plain, consistent with Policy 3.1.3.b of the 2005 PPS.
- Modification 17 clarifies that final decisions on matters relating to unstable soils are subject to NDCA approval and that development will not be permitted on unstable soils where there is an unacceptable risk to public and or safety or to property damage. This is consistent with Policies 3.1.1 of the 2005 PPS.
- Modification 18 clarifies tests for development to proceed on lands affecting by unstable soils, consistent with Policy 3.1.6 of the 2005 PPS.
- Modification 33 clarifies the existing policies and ensures that development will not be permitted where there is an unacceptable risk to public and or safety or to property damage. This is consistent with the intents of Section 3.1 of the 2005 PPS.

- Modifications 36 and 37 introduce a new policies to ensure that development is not permitted within the Lake Wanapitei and Lake Panache flood plains. This is consistent with Policy 3.1.2 of the 2005 PPS.

10 Proposed “Human Made Hazards” Modifications

The 2005 PPS contains policy direction related to the protection of public health and safety from mine hazards. We see only two areas for modification to fully address the 2005 PPS policies and further strengthen the intent of the adopted policies.

- Modification 19 expands the definition of mine hazard to reflect the 2005 PPS. This modification also inserts the word “abutting” into Policy 2, to be consistent with Policy 3.2.1 of the 2005 PPS.
- Modification 20 commits the City and MNDM to develop a protocol for consultation prior to decisions on proposals for development on, abutting or adjacent to the potential mine hazards shown on Schedule 4 of the adopted Official Plan.

The Province will also be providing the City with updated data for the 328 Abandoned Mines Information System points in Greater Sudbury as the first step in the development of this protocol.

11 Proposed “Land Use Compatibility” Modification

- Modification 21 clarifies the intent of the adopted Official Plan’s existing noise, vibration and odour policies, consistent with Policy 1.1.1 of the 2005 PPS and MOE’s guidelines.

MODIFICATIONS REQUESTED BY THE CITY

Further to our discussions and as outlined in your November 7, 2006 letter, we understand that City Staff are requesting a number of changes to the Official Plan to correct certain technical oversights and to incorporate some recent Official Plan Amendments approved by Council.

The Province is pleased to facilitate the requested changes, which are captured by Modifications 9, 34, 35, 38 and 40. These additional five modifications bring the total number of proposed modifications to the adopted Official Plan to forty.

We further understand, from your November 7, 2006 letter that there are a number of additional Official Plan Amendments pending, which may come into effect, depending on their timing and the timing of this Ministry’s Decision on the Official Plan. Should these additional Official Plan Amendments come into effect prior to our Decision, we would be pleased to incorporate them into the body of the Official Plan through additional modifications.

CONCLUSION

We thank you for the opportunity to provide you with these proposed modifications, which we understand will be brought to Planning Committee on November 21 and Council on November 29.

We look forward to receiving a positive endorsement of the enclosed modifications from Council. In the meantime, if you have any questions, please do not hesitate call me at 564.6870 or Jason Ferrigan at 564.6855.

Yours truly,

A handwritten signature in black ink, appearing to read "Heather Robertson". The signature is fluid and cursive, with a large initial "H" and "R".

Heather Robertson, MCIP, RPP
Manager, Community Planning and Development

DRAFT DECISION

With respect to the Official Plan for
the City of Greater Sudbury
Subsection 17(34) of the Planning Act

November 14, 2006

I hereby modify and approve, as modified, the Official Plan for the City of Greater Sudbury adopted by the City of Greater Sudbury by By-law No. 206-200 as follows:

1. TABLE OF CONTENTS:
 - a. Part VIII, Line 1 by deleting and replacing "*Special Policy Areas and Schedules*" with "***Site and Area Specific Policies and Schedules***";
 - b. SECTION 21.0, Line 1 by deleting and replacing "*Special Policy Areas*" with "***Area Specific Policies***"; and,
 - c. Schedules, Line 4 by deleting and replacing "*Special Policy Areas*" with "***Site and Area Specific Policies and Schedules***".

2. Page 28, SECTION 3.2.2 LIVING AREA 1 - PHASING POLICIES, Item 2.d by inserting "***, and the available supply of lots/units in existing registered and draft approved plans of subdivision/condominium***" after "*development*".

3. Page 31, SECTION 3.3.1 MONITORING:
 - a. Line 1 by deleting and replacing "*Every*" with "***Over the next***"; and,
 - b. Line 3, by inserting "***Council will review and, if necessary, adjust its policies and programs, including amending this Plan, to ensure that continued progress towards this target is made.***" after "*reached*".

4. Page 48, SECTION 4.6.2 AGGREGATE RESERVE, Paragraph 1, Line 4 by inserting "***prepared by the Ontario Geological Survey or aggregate shown on a Northern Ontario Engineering Geology Terrain Study, where an ARIP has not been prepared***" after "*(ARIP)*".

5. PAGE 54, POLICY 5.2.1, Item 1, Line 3 by inserting "***, including the extension of existing or creation of new partial services***" after "*services*".

6. PAGES 55 and 56, SECTION 5.2.2 RURAL AND WATERFRONT LOT CREATION:
 - a. Item 1.d, Line 1 by inserting “**and areas**” after “*features*”;
 - b. Item 2.a, Line 2 by inserting “**public road**” after “*minimum*”.

7. PAGE 60, SECTION 5.2.6 RESORT AND SHORELINE COMMERCIAL, Item 3.f, Line 2 by inserting “**and mitigated**” after “*considered*” and further by renumbering “5” and “6” to “4” and “5”, respectively.

8. PAGE 64, SECTION 6.2.2 LOT CREATION, Item 3, Line 2 by deleting and replacing “*should*” with “**shall be compatible with and shall**” and further by inserting a new Section 6.2.3 as follows:

“6.2.3 Lot Adjustments

Policies

 1. ***Lot adjustments may be permitted for legal and technical reasons.***

9. PAGE 79, SECTION 8.4.1 SENSITIVE GROUNDWATER FEATURES - MUNICIPAL WELLHEAD PROTECTION AREAS AND SENSITIVE AREAS FOR GROUNDWATER PROTECTION by deleting and replacing “20” with “25” wherever it appears on the page.

10. PAGE 82, SECTION 8.5.1 ENVIRONMENTAL CONSTRAINTS ON DEVELOPMENT, Item 1, Line 1 by inserting “**or land use changes which result in a more intensive use**” after “*lots*”.

11. PAGES 90 and 91, SECTIONS 9.0 NATURAL ENVIRONMENT, 9.1 OBJECTIVES and 9.2 SIGNIFICANT NATURAL FEATURES by inserting “**and areas**” after “*natural features*” wherever they appear.

12. PAGE 94, SECTION 9.2.3 WETLANDS, Item 4, Line 2 by inserting “**Where another land use designation in this Plan overlaps with and into lands within a provincially significant wetland, this policy shall prevail to the extent of the overlap.**” after wetland.

13. PAGE 95, SECTION 9.2.4, FISH HABITAT, ITEM 3:
 - a. Line 1 by deleting and replacing “*abutting sensitive*” with “**adjacent to**”;
 - b. Line 1 by deleting “*spawning*”;
 - c. Line 1 by deleting and replacing “*may*” with “**will**”;
 - d. Line 3 by inserting “**Adjacent lands are considered to be**

within 30 metres of fish habitat. This area can be modified if justified by a study. after “development.”

14. PAGE 96, SECTION 9.2.5 SIGNIFICANT WILDLIFE HABITAT, Items 1 and 2, Lines 3 by deleting and replacing “*may*” with “***will***”.
15. PAGE 103, SECTION 10.2 FLOODING HAZARDS:
 - a. Paragraph 3, Line 6 by deleting and replacing “under existing regulations” with “. ***Development will not be permitted where there is an unacceptable risk to public health or safety or of property damage***”
 - b. Item 1, Lines 4 and 5 by deleting and replacing “are not harmed by flooding or are necessary to service the community” with “***by their nature must locate within the Flood Plain including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows***”;
 - c. Item 2, Line 1 by inserting “***changes in land use***” after “subdivisions,”;
 - d. Item 2, Line 3 by deleting and replacing “and non-habitable buildings and structures needed for” with “***for passive non-structural uses associated with***”; and,
 - e. Item 2 by deleting the final sentence in its entirety.
16. PAGE 104, SECTION 10.2.1 EXISTING STRUCTURES IN THE FLOOD PLAIN, Line 5 by inserting “, ***provided that existing hazards are not aggravated***” after “Zoning By-law”.
17. PAGE 104, SECTION 10.3 UNSTABLE SOILS, Paragraph 1, Line 4 by inserting “***Final decisions on matters relating to unstable soils are subject to Nickel District Conservation Authority approval. Development will not be permitted where there is an unacceptable risk to public health or safety or of property damage.***” after “property.”
18. PAGE 105, SECTION 10.3 UNSTABLE SOILS, Item b, Line 1 by inserting “***create new hazards***” after “effects”.
19. PAGE 105, SECTION 10.4 MINE HAZARDS AND ABANDONED PITS AND QUARRIES:
 - a. Paragraph 1, Line 1 by inserting “***or any related disturbance of the ground that has not been rehabilitated***” after “mine”; and,
 - b. Item 2, Line 1 by inserting “, ***abutting***” after “or”.

20. PAGE 106, SECTION 10.4 MINE HAZARDS AND ABANDONED PITS AND QUARRIES by inserting
- “Program***
- The City will work with the Ministry of Northern Development and Mines to develop a protocol to be followed prior to decisions on proposals for development on, abutting or adjacent to the Potential Mine Hazards shown on Schedule 4 - Hazard Lands.”***
- after Item d.
21. PAGE 108, SECTION 10.7 NOISE VIBRATION AND ODOURS:
- a. Paragraph 1, Line 2 by inserting ***“to ensure compatibility between existing and proposed uses”*** after ***“required”***; and,
- b. Item 2, Line 2 by inserting ***“provincial”*** after ***“with”***.
22. PAGE 112, SECTION 11.2.1 ROAD CATEGORIES, Paragraph 2, Line 3 by inserting ***“and Provincial Highways. New Provincial Highway corridors may be planned, designed and constructed without amendment to this Plan”*** after ***“roads”***.
23. PAGE 122, SECTION 11.5 GREATER SUDBURY AIRPORT AND AIRFIELDS, Item 4, Line 5 by deleting and replacing ***“approved”*** with ***“reviewed”***.
24. PAGE 131, SECTION 12.2.1 PROVISION OF SEWER AND WATER SERVICES:
- a. Item 2, Line 1 by inserting ***“sewer and”*** after ***“of”***; and,
- b. Item 3.d, Line 1 by deleting and replacing ***“community boundaries”*** with ***“a settlement area”***.
25. PAGE 132, SECTION 12.2.2 NEW DEVELOPMENT:
- a. Item 1, Line 1 by inserting ***“and planned”*** after ***“existing”***;
- b. Item 1, Line 2 by deleting and replacing ***“adequate”*** with ***“confirmed”***;
- c. Item 2, Line 5 by deleting and replacing ***“may”*** with ***“will”***.
26. PAGE 133, SECTION 12.2.3 INDIVIDUAL SYSTEMS, Item 4 by deleting and replacing the third and final sentence with the following
- “a. Within settlement areas, new development may be permitted to allow for infilling and rounding out of partial services provided that there is confirmed reserve***

sewage system or reserve water system capacity, whichever is applicable, and that site conditions are suitable for the long-term provision of such services.

- b. In the Rural Area where there are existing partial services, new lots may only be permitted on the basis of: limited infilling of the existing partial services provided that there is confirmed reserve sewage system or reserve water system capacity, whichever is applicable; that site conditions are suitable for the long-term provision of such services; and, that the policies of this Plan regarding rural residential development and rural lot creation are met (see Sections 5.2.1 and 5.2.2).**
- c. In the Agricultural Reserve where there are existing partial services, new lots may only be permitted provided that: there is confirmed reserve sewage system or reserve water system capacity, whichever is applicable; that site conditions are suitable for the long-term provision of such services; and, that the policies of this Plan regarding lot creation in the Agricultural Reserve are met (see Section 6.2.2)."**

27. PAGE 135, SECTION 12.4 ENERGY AND COMMUNICATIONS by inserting a new Item 4 as follows:

"4. Alternative energy systems and renewable energy systems shall be permitted in settlement areas, rural areas and prime agricultural areas in accordance with municipal, provincial and federal requirements."

28. PAGE 145, SECTION 13.3 ARCHEOLOGICAL RESOURCES, Item 1, Line 4 by inserting "**Until such mapping is completed, development applications will be screened for archaeological potential in accordance with provincial standards.**" after "archaeologist."

29. PAGE 146, SECTION 13.3 by inserting "**3. The appropriate authorities will be contacted if an identified human cemetery, marked or unmarked human burial is discovered during land use development.**" after Item 2.

30. PAGE 208, SECTION 20.10.1 PROGRAMS, Item j by inserting "**infrastructure,**" before "community".

31. PAGE 211, PART VIII by deleting and replacing "*Special Policy Areas and Schedules*" with "**Site and Area Specific Policies and Schedules**".

32. PAGE 212, SECTION 21.0 by deleting and replacing "*Special Policy Areas*" with "**Area Specific Policies**".

33. PAGE 237, SECTION 21.7, Paragraph 1 by inserting "***These areas are not "Special Policy Areas", as defined in the Provincial Policy Statement. Development in these areas may only be permitted if approved by the Nickel District Conservation Authority. Development will not be permitted where there is an unacceptable risk to public health or safety or of property damage.***" at the end of the paragraph.
34. PAGE 241, SECTION 21.7.2 THE COMMUNITY OF DOWLING, Item 1b, Paragraph 1, Line 4 by deleting "*in accordance with Section 21.7.2*".
35. PAGE 242, SECTION 21.7.2 THE COMMUNITY OF DOWLING:
- a. Item 1c, Line 2 by deleting "*in accordance with the special provisions as listed under Section 21.7.2*";
 - b. Item 1d, Line 2 by deleting "*subject to the provisions of Section 21.7.2(a)*"; and,
 - c. Item 1.e.ii, Lines 5 and 6 by deleting "*and are in accordance with the appropriate flood protection measures found in Section 21.7.2*".
36. PAGE 245, SECTION 21.7.5 LAKE WANAPITEI, Line 2 by inserting "***Development will not be permitted in the flood plain.***"
37. PAGE 245, SECTION 21.7.6 LAKE PANACHE, Line 2 by inserting "***Development will not be permitted in the flood plain.***" after "*plain.*".
38. PAGE 265, SITE SPECIFIC POLICIES by inserting new Sections 22.36, 22.37, 22.38 and 22.39 as follows:

"22.36 ***Notwithstanding anything to the contrary, the reprocessing and/or recycling of reusable asphalt and concrete shall be permitted as an accessory use within a licenced quarry on Part of Parcels 6270 and 3185 SES, Lots 2 and 3, Concession 4, Neelon Township.***

Former OPA #252"

"22.37 ***Notwithstanding anything to the contrary, one severance may be permitted on those lands described as Parcel 1369, Plan 53R-17468 SES, Lot 2, Concession 6, Township of Blezard. The lot to be created shall have an approximate area of 2.0 ha with a minimum frontage of approximately 90 m.***

Former OPA #261"

"22.38 Notwithstanding anything to the contrary, the only permitted uses on lands described as Parts 1, 2 and 3, Plan 53R-16350, Lot 3, Concession 5, McKim Township, shall be:

- i) offices, business or professional**
- ii) medical or dental clinics and laboratories**
- iii) multiple dwellings and their accessory uses.**

Former OPA #263"

"22.39 Notwithstanding anything to the contrary, an embroidery and silkscreening business together with accessory retail uses shall be permitted on Parcel 18190 SES in Lot 7, Concession 2, Hanmer Township, having a floor area greater than 300 m² and an entrance onto Highway 69 North which is designated as a Primary Arterial Road.

Former OPA #264"

- 39. SCHEDULE 1A LAND USE MAP - OVERVIEW and SCHEDULE 1C LAND USE MAP - COMMUNITY INSETS by re-designating those lands situated along MR-35 between Chelmsford and Azilda, south of the railway tracks, from Rural to Agricultural Reserve, as depicted in Attachment 1, forming part of this Modification 39.
- 40. SCHEDULES 1A, 1B, 1C, 2A, 2B, 2C, 3, 4, 5, 6, 7, 8, 9 are amended as described in Attachment 2, forming part of this Modification 40.

Attachment 1

Official Plan officiel

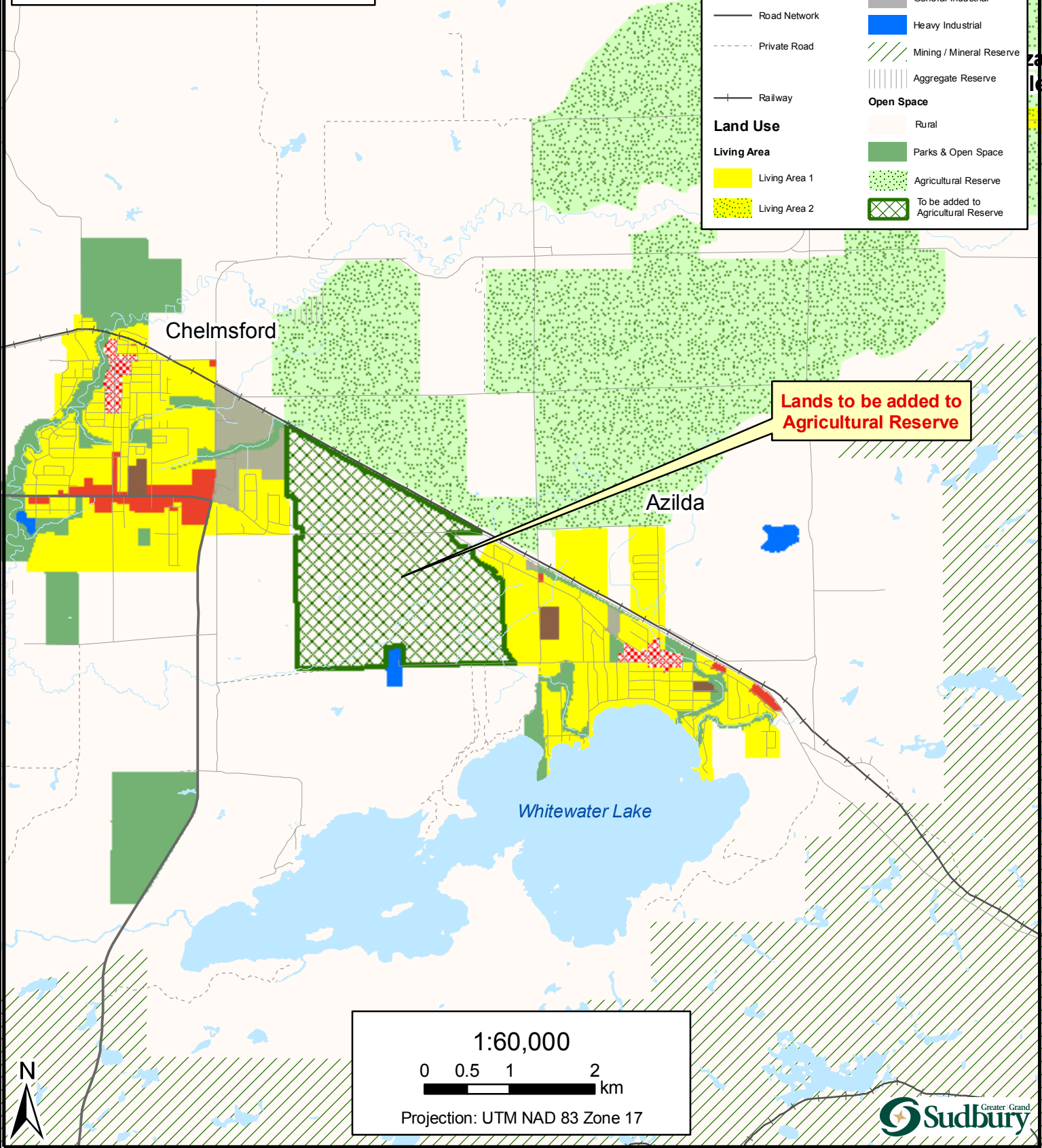
Une collectivité qui s'engage • Un plan précis • La route du progrès

Schedules 1a, 1c, 2c

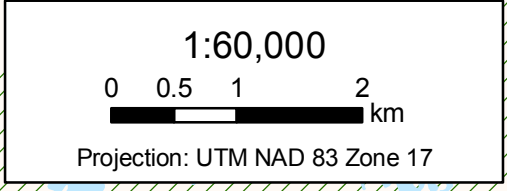
Land Use & Site Specific Policies

Legend

Community Boundary	Town Centre
Lake	Mixed Use Commercial
Road Network	Institutional
Provincial Highway	Industrial
Road Network	General Industrial
Private Road	Heavy Industrial
Railway	Mining / Mineral Reserve
Land Use	Aggregate Reserve
Living Area	Open Space
Living Area 1	Rural
Living Area 2	Parks & Open Space
	Agricultural Reserve
	To be added to Agricultural Reserve



Lands to be added to Agricultural Reserve

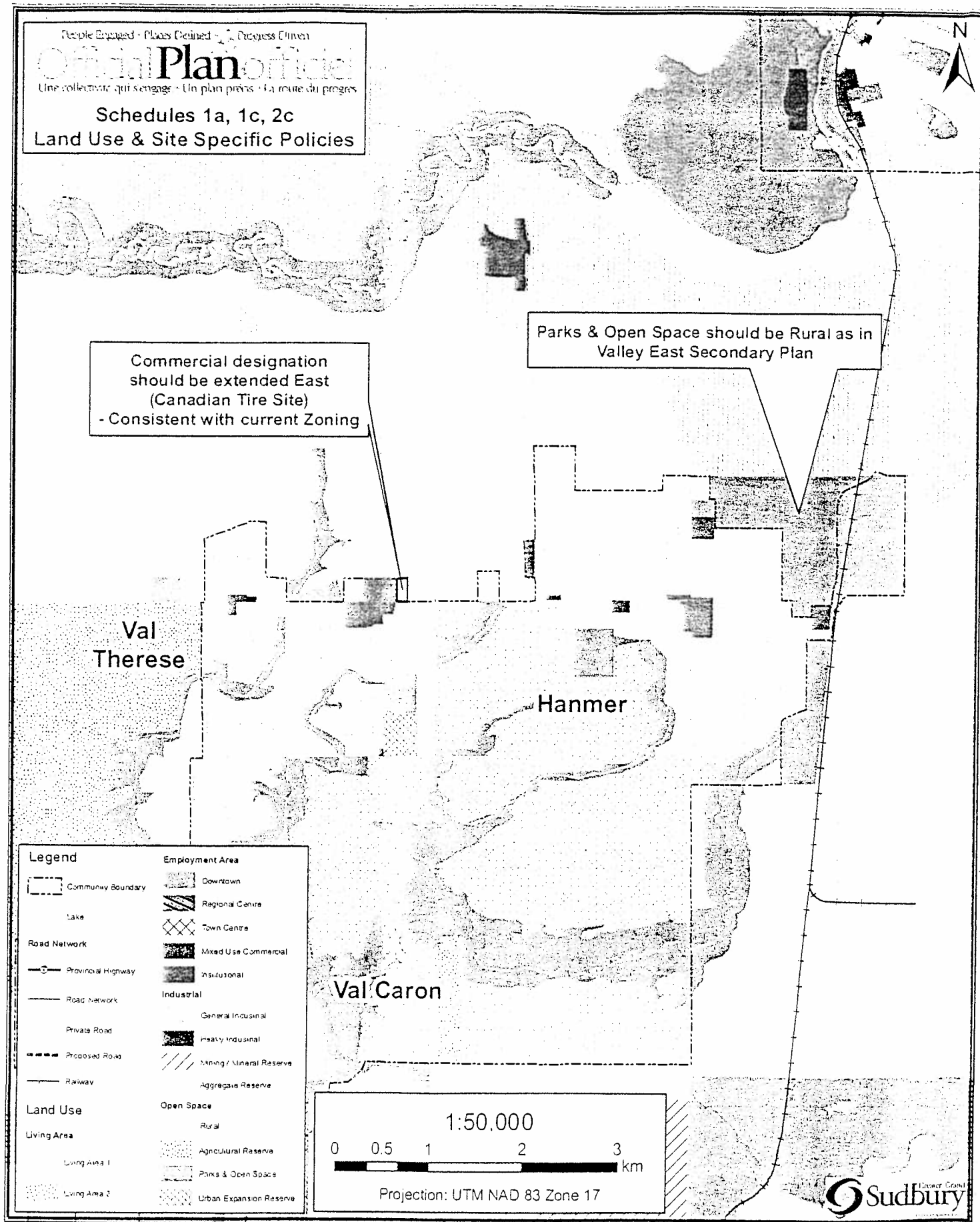


Attachment 2

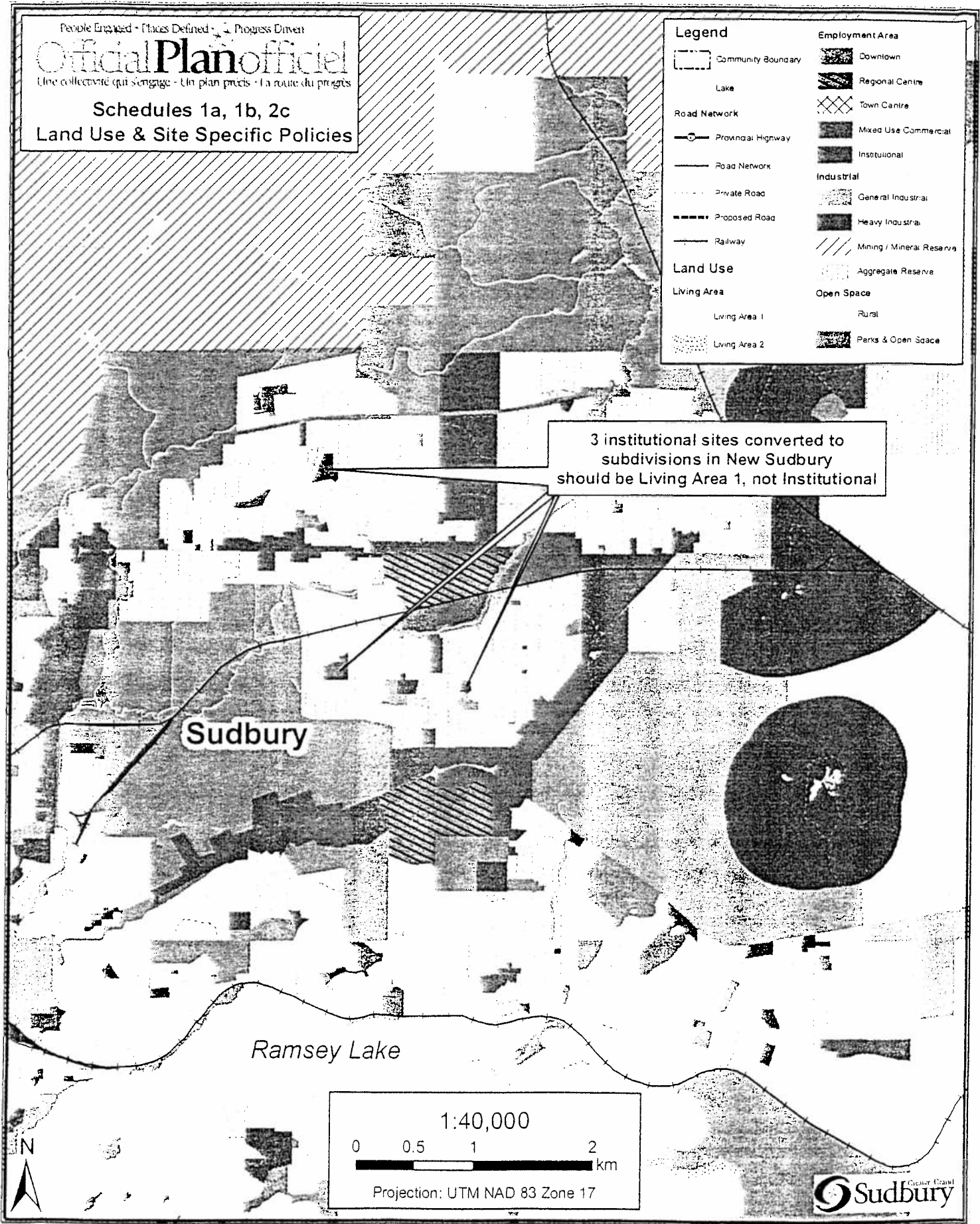
Official Plan Modification Requests - Maps

- A. Schedules 1a, 1c, 2c (Land Use and Site Specific Policies maps)**
Correct the land use designation of certain lands in the Hanmer area from Parks & Open Space to Rural consistent with the current designation in the Valley East Secondary Plan (as shown on Map A).
- B. Schedules 1a, 1c, 2c (Land Use/Site Specific Policies)**
Extend the Mixed Use Commercial boundary to the east as shown on attached Map A in order to be consistent with current zoning.
- C. Schedules 1a, 1b, 2c (Land Use and Site Specific Policies)**
Three former institutional sites in New Sudbury and shown on Map B have been the subject of residential Plans of Subdivision and should be changed to Living Area 1
- D. Schedules 1a, 1b, 2c (Land Use and Site Specific Policies)**
Correct the land use designation of certain lands north of Coniston from Rural to Aggregate Reserve to be consistent with current designation in the Nickel Centre Secondary Plan as shown on Map C.
- E. Schedules 2a, 2b, 2c, 3, 4, 5, 6, 7, 8, 9**
Add the following text as it appears on Schedules 1a, 1b & 2c “This map must be read in conjunction with the Official Plan text. No part of this map may be reproduced in any format without the written consent of the City of Greater Sudbury. For additional information/clarification please contact Planning Services Division, Growth & Development Department, City of Greater Sudbury”
- F. Schedule 2c (Site Specific Policies)**
Add labels as illustrated on Map D to indicate those lands affected by special policies in Sections 22.36, 22.37, 22.38, 22.39, 22.40, and 22.41 of the Official Plan. It should be noted that the OPAs related to labels 22.40 and 22.41 are not yet in effect. If they are not in effect at the time of decision these labels should not be included. Map E shows a policy tag that needs to be removed as it is no longer relevant.
- G. Schedule 6 - Transportation Network**
Correct Schedule 6 to illustrate Centennial Drive & Ramsey View Court as Collector Roads consistent with their existing classification in the City of Sudbury Secondary Plan and as shown on Map F.
- H. Schedule 7 - Road Right of Way Widths**
Revise legend to change the plural “Railways” to the singular “Railway” to be consistent with other Schedules.
- I. Schedule 9 - Sewer and Water Serviced Areas**
Add note to map as follows: “Note: The extent of sewer and water services changes with time. For up-to-date information contact Engineering Services”
- J. Schedule 9 - Sewer and Water Serviced Areas**
Correct Servicing in Chelmsford to show as Sewer and Water instead of Water only as shown on Map G - Ford Drive and Radisson Avenue are serviced with both sewer and water.

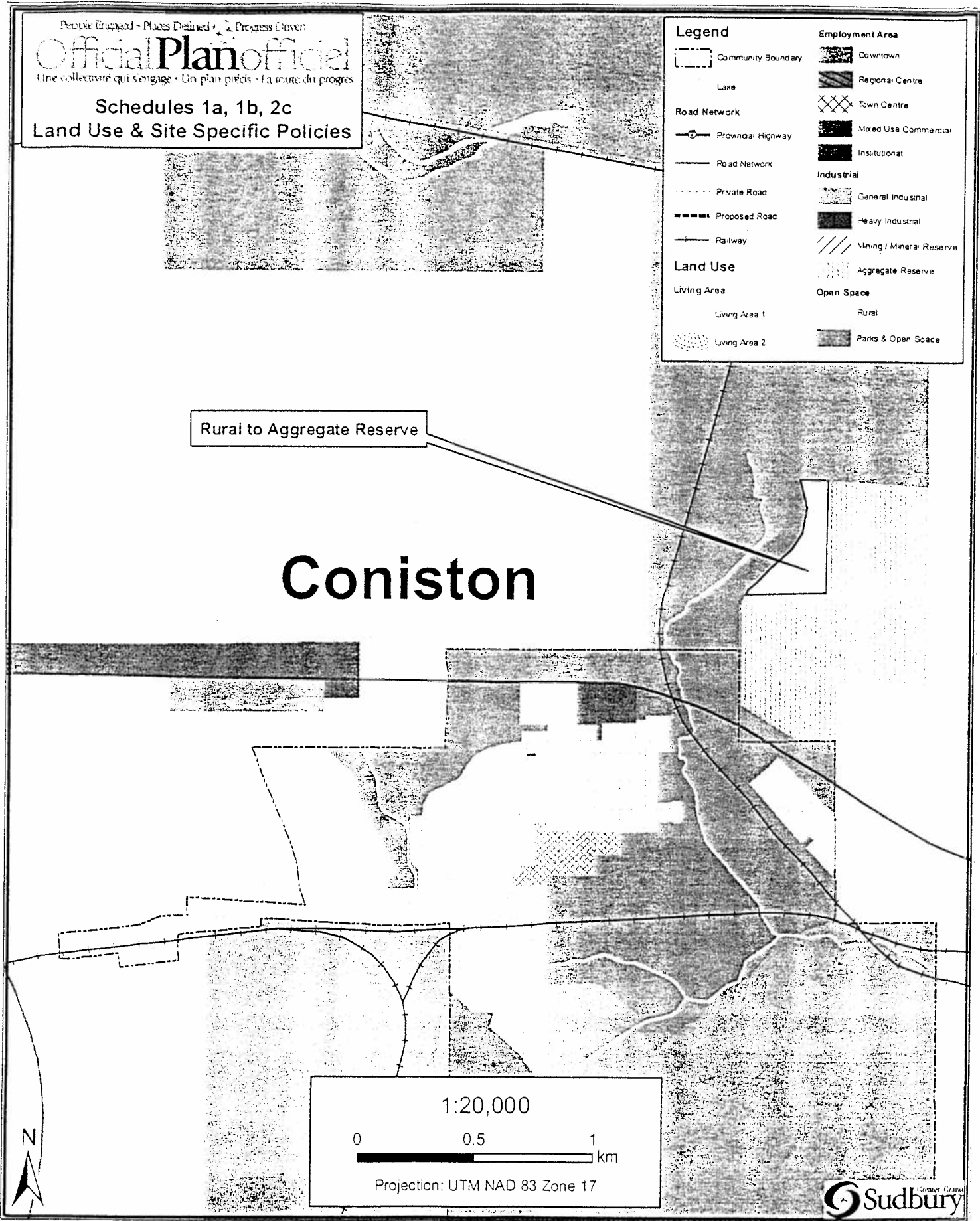
Map A



Map B



Map C



Map D

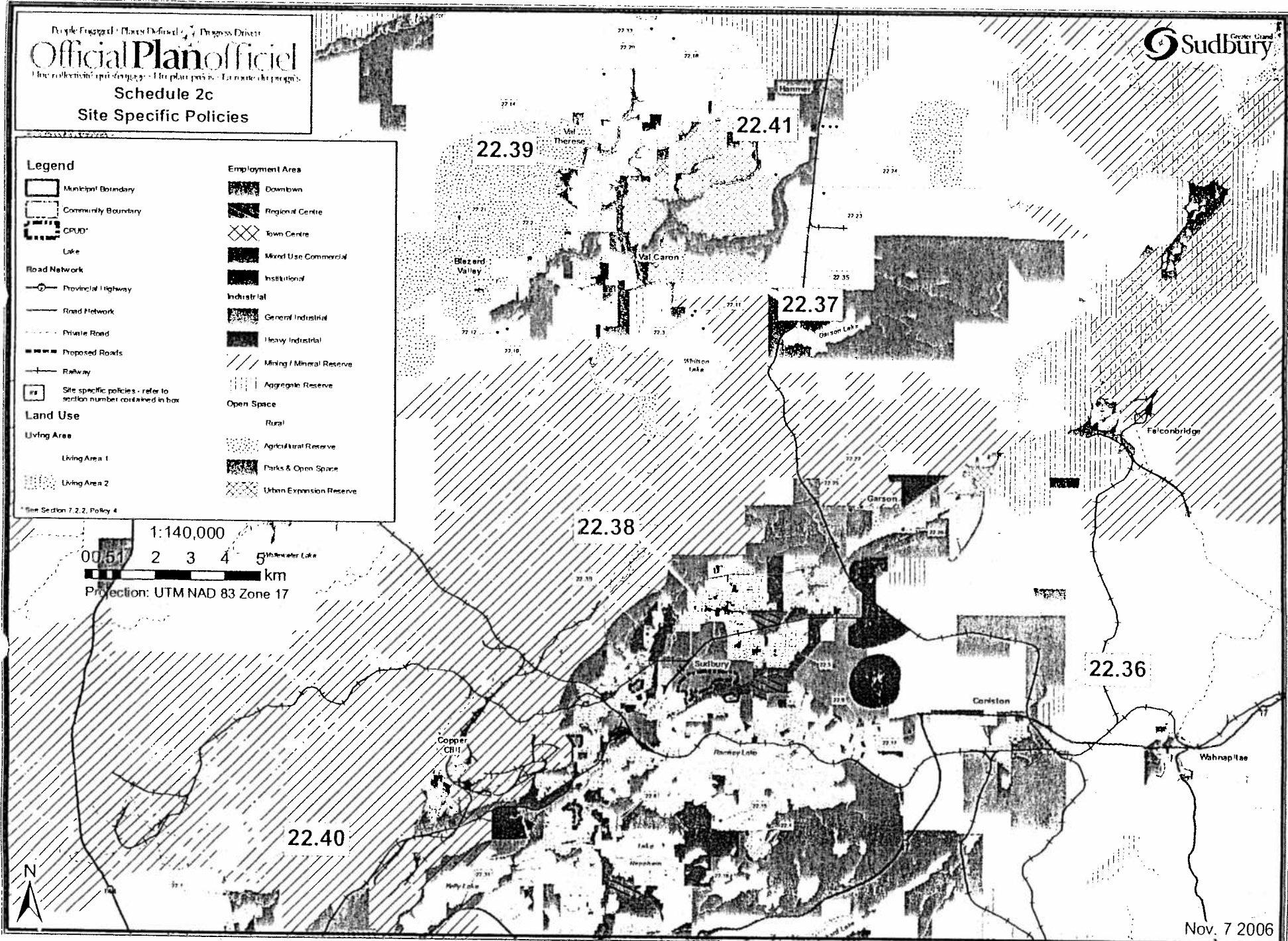
People Engaged - Places Defined - Progress Driven
Official Plan officiel
Une collectivité qui s'engage - Un plan qui s'inscrit - Un avenir qui progresse.
Schedule 2c
Site Specific Policies

Legend

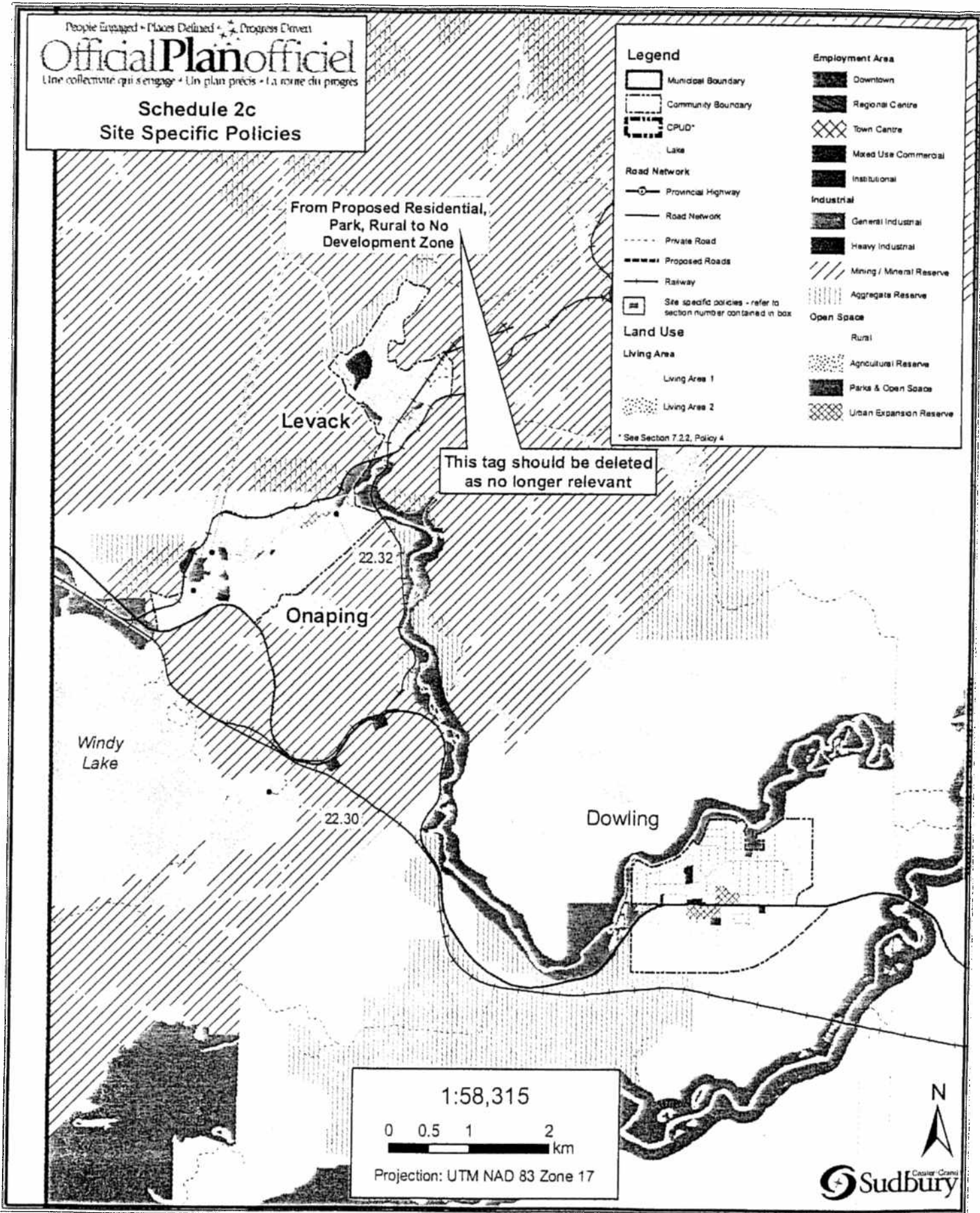
Municipal Boundary	Employment Area Downtown
Community Boundary	Regional Centre
CPUD*	Town Centre
Lake	Mixed Use Commercial
Road Network	Institutional
Provincial Highway	Industrial
Road Network	General Industrial
Private Road	Heavy Industrial
Proposed Roads	Mining / Mineral Reserve
Railway	Aggregate Reserve
Site specific policies - refer to section number contained in box	Open Space
Land Use	Rural
Living Area	Agricultural Reserve
Living Area 1	Parks & Open Space
Living Area 2	Urban Expansion Reserve

*See Section 7.2.2, Policy 4

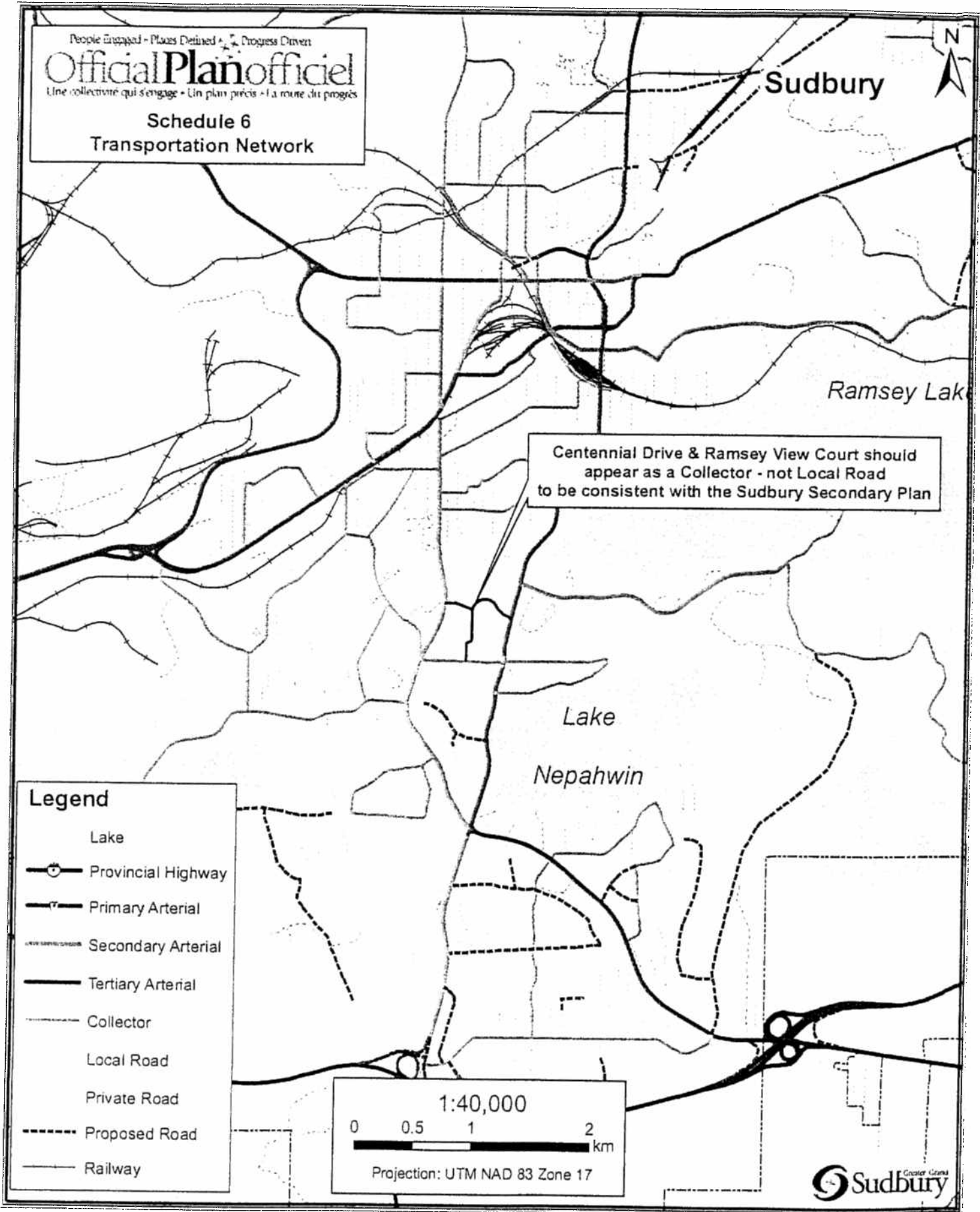
1:140,000
0 1 2 3 4 5
km
Projection: UTM NAD 83 Zone 17



Map E



Map F



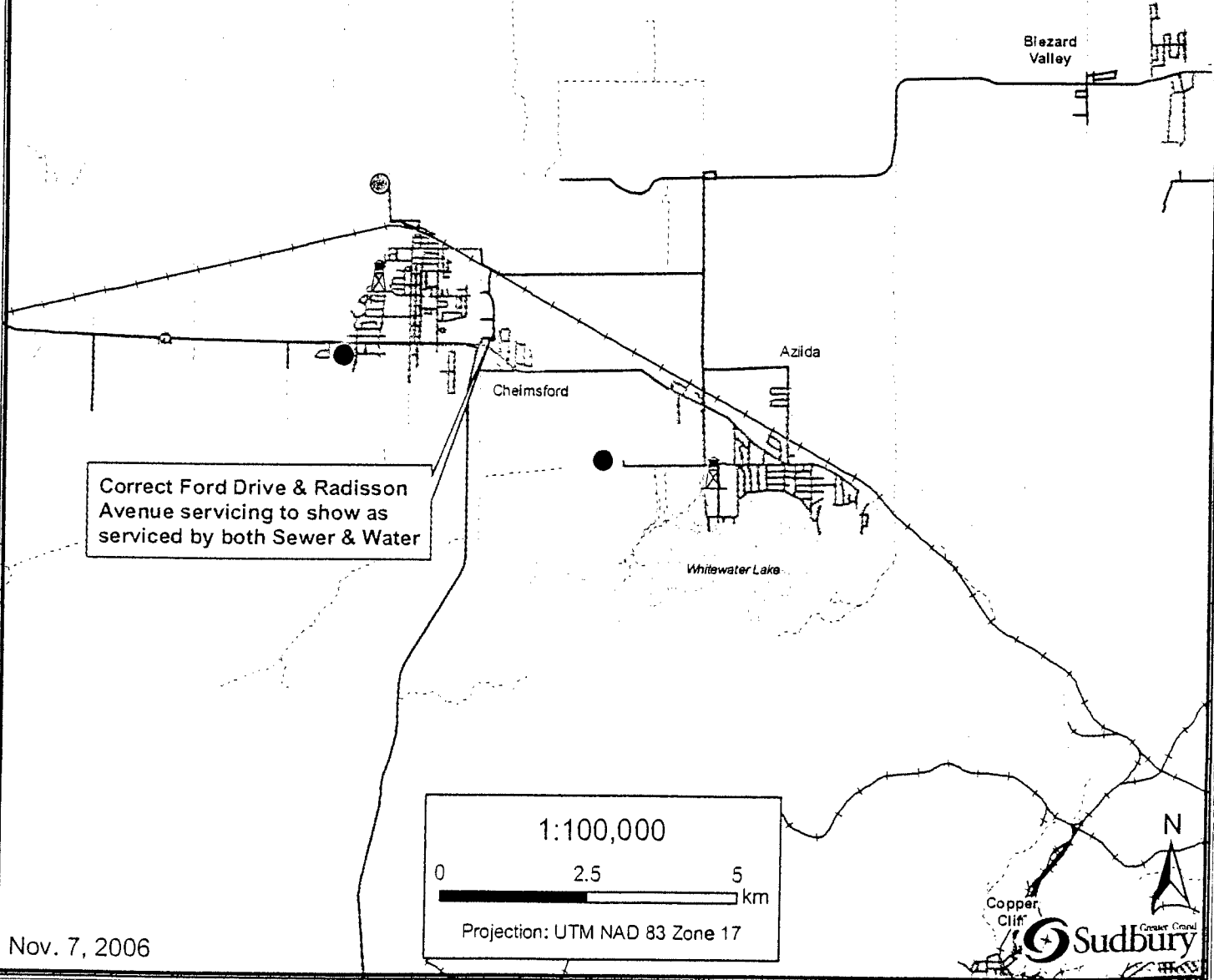
People Engaged • Places Defined • Progress Driven
Official Plan officiel
 Une collectivité qui s'engage • Un plan précis • La route du progrès

**Schedule 9
 Sewer and Water Serviced Areas**

Note: The extent of sewer and water services changes with time. For up-to-date information contact Engineering Services.

Legend

	City of Greater Sudbury Boundary		Sewer Serviced Streets
	Lake		Private Sewer
Transportation Network			Major Pipeline
	Provincial Highway		Sewage Treatment Plant
	Road Network		Lagoon
	Proposed Road		Water Treatment Plant
	Railway		Water Storage
Municipal Services			Municipal Well
	Sewer & Water Serviced Streets		
	Water Serviced Streets		



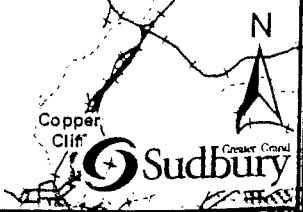
Correct Ford Drive & Radisson Avenue servicing to show as serviced by both Sewer & Water

1:100,000

0 2.5 5 km

Projection: UTM NAD 83 Zone 17

Nov. 7, 2006



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

**Council Chamber
Tom Davies Square**

**Tuesday, January 23rd, 2007
Commencement: 5:30 p.m.
Adjournment: 10:34 p.m.**

COUNCILLOR FRANCES CALDARELLI PRESIDING

Present Councillors Berthiaume, Dutrisac, Dupuis, Rivest

Mayor Rodriguez

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Approvals; P. Baskcomb, Manager of Community & Strategic Planning; R. Webb, Supervisor of Development Engineering; K. Forrester, Real Estate Co-ordinator; M. Manzon, Planner; E. Labelle, Clerk Designate; M. Laalo, Licensing & Assessment Clerk; F. Bortolussi, Planning Committee Secretary

News Media MCTV; Northern Life; Sudbury Star

Declarations of Pecuniary Interest None declared

RULES OF PROCEDURE

The Planning Committee, by a two-thirds majority, agreed to dispense with the Rules of Procedure, to alter the order of the Agenda and deal, firstly, with Item R-1 (Proposed Ministry of Municipal Affairs and Housing Modifications to Official Plan) and, secondly, with Public Hearing #6 (Application for Rezoning to Facilitate the Severance of a Lot with an Existing Dwelling, Sellwood Avenue, Capreol - 1039421 Ontario Inc.).

PART II - REGULAR AGENDA

REFERRED AND DEFERRED MATTERS

Item R-1 Proposed Modifications to Official Plan Report dated January 10th, 2007 was received from the General Manager of Growth and Development regarding proposed Ministry of Municipal Affairs and Housing Modifications to Official Plan.

PART II - REGULAR AGENDA (cont'd)

REFERRED AND DEFERRED MATTERS (cont'd)

Item R-1
Proposed
Modifications
to Official Plan
(cont'd)

The Director of Planning Services provided the background stating that, at the November 29th, 2006 meeting, City Council deferred this matter to the new Council and referred it back to the Planning Committee.

The Manager of Community and Strategic Planning made an electronic presentation regarding the Ministry of Municipal Affairs and Housing Modifications to new Official Plan. He explained that the new Official Plan, was adopted on June 14th, 2006 and sent to the Ministry for approval. The Ministry completed their review and provided proposed modifications. He indicated that the main modifications were of a technical nature and for the purpose of clarifying wording related to the Provincial Policy Statement. He further indicated that the Ministry redesignated certain lands on Municipal Road 35 between Azilda and Chelmsford to Agricultural Reserve.

Councillor Berthiaume indicated that no one is presently farming the subject land as the soil is acidic and clay based requiring lime and fertilizer and therefore not viable for farming use. He further indicated that the top soil has been removed and therefore nothing can grow there for many years. He recommended the Official Plan be sent back to the Ministry accepting all their modification except the one dealing with the redesignation of this property.

Councillor Dutrisac questioned why this property is being designated Agricultural Reserve. She indicated the properties have been stripped. She stated that farming is no longer a viable business, the Ministry of Agriculture has moved to Verner and there are no slaughter houses in the area. She feels the residents between Azilda and Chelmsford are being penalized. She indicated she would like the Official Plan sent back to the province with a rationale for taking this position.

Councillor Dupuis indicated that potato farmers in the area are anxious to find additional property. If this area contained good farming lands, it would be presently used. He feel the Ministry provided no rationale for their decision.

Councillor Rivest stated that, as lands designated Rural can be used for agricultural purposes, the designation should be Rural.

Councillor Caldarelli asked that a brief be sent to the Ministry explaining the Committee's concerns.

PART II - REGULAR AGENDA (cont'd)

REFERRED AND DEFERRED MATTERS (cont'd)

Item R-1
Proposed
Modifications
to Official Plan
(cont'd)

The Director of Planning Services indicated that the Manager of Community and Strategic Planning can forward a letter to the Ministry with the Committee's comments. He indicated, however, the recommendation of Planning staff will remain the same. He further indicated that, although some of the lands in the area in question may not be suitable for farming, the Ministry look at the area as a whole.

The following recommendation was presented:

Recommendation #2007-18:

Berthiaume-Dupuis: THAT the modifications contained in the letter dated November 14th, 2006, from the Ministry of Municipal Affairs and Housing be endorsed, with the exception of Modification 39;

AND THAT the additional modification to the Transportation chapter as set out in the Report dated January 10th, 2007 from the General Manager of Growth and Development be endorsed.

CARRIED

PUBLIC HEARINGS

APPLICATION FOR REZONING TO FACILITATE THE SEVERANCE OF A LOT WITH AN EXISTING DWELLING, SELLWOOD AVENUE, CAPREOL - 1039421 ONTARIO INC.

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

Report dated December 29th, 2006 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to facilitate the severance of a lot with an existing dwelling, Sellwood Avenue, Capreol, 1039421 Ontario Inc.

James Longstreet, 219 Pine Street, Sudbury, Council for the applicant, and Mr. Gervais, the applicant's general manager, were present.

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

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO FACILITATE THE SEVERANCE OF A LOT WITH AN EXISTING DWELLING, SELLWOOD AVENUE, CAPREOL - 1039421 ONTARIO INC. (cont'd)

James Longstreet indicated the consent application has been made and the severance has been approved subject to the usual conditions.

The Chair asked whether there was anyone in the audience who wished to speak in favour or against this application and seeing 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 #2007-19:

Dupuis-Dutrisac: THAT the application by 1039421 Ontario Inc. to amend By-law 83-301 being the Comprehensive Zoning By-law for the (former) Town of Capreol to change the zoning classification of the lands forming Part 1, Plan 53R-15755, in Lot 11, Concession 6, Town of Capreol, from "RU-1", Rural-Special to "R1", Single Residential, be approved, subject to the following:

- a) That prior to the enactment of the amending by-law, the owner shall have provided the City with a registered plan of survey identifying the lot to be severed and zoned "R1", Single Residential.
- b) That the "RU-1", Rural Special Zone provisions be amended to reduce the number of permitted existing single detached dwellings from 17 to 16.

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

CARRIED

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PERMIT THE DEVELOPMENT OF OFFICE SPACE, CLASSROOM FACILITIES AND ON-SITE TRAINING FOR A TRANSPORT TRAINING SCHOOL, 2565 KINGSWAY, SUDBURY - SUDBURY SHRINE CLUB

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

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PERMIT THE DEVELOPMENT OF OFFICE SPACE, CLASSROOM FACILITIES AND ON-SITE TRAINING FOR A TRANSPORT TRAINING SCHOOL, 2565 KINGSWAY, SUDBURY - SUDBURY SHRINE CLUB (cont'd)

Report dated January 8th, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding applications for Official Plan amendment and rezoning in order to permit the development of office space, classroom facilities and on-site training for a transport training school, 2565 Kingsway, Sudbury, Sudbury Shrine Club.

Letter of concern dated November 13th, 2006 was received from Rick Ouellette.

Letter of concern dated November 16th, 2006 was received from Brigette and Morris Thompson.

Letter of objection dated January 22nd, 2007 from J. L. Richards & Associates Limited was distributed to the Committee Members.

John Beaudry, owner of Transport Training Centres of Canada Inc. and agent for the applicant, was present.

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

The Director of Planning Services explained this matter was before the Committee on November 21st, 2006. The Committee recommended approval; however, on November 29th, 2006, City Council referred the recommendations back to the Planning Committee for further review.

The Director of Planning Services indicated that the comments from Development Engineering Services have been revised to indicate the subject property is serviced for water and sewer from Raymond Street. He further indicated there is the potential of services from the Kingsway with the Kingsway upgrading project.

The Director of Planning Services reiterated the reasons Planning Services recommends denial of the applications. The reasons include: concerns related to land use compatibility; commitments made through prior planning processes; the existing supply of industrial lands; and, planning objectives related to the redevelopment of the Kingsway corridor.

John Beaudry indicated there has been much misunderstanding regarding his business. Although he has training centres throughout Ontario, he started in Sudbury and wants to manage all his centres from Sudbury. He requires the building for administration offices. He advised that heavy equipment training is

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PERMIT THE DEVELOPMENT OF OFFICE SPACE, CLASSROOM FACILITIES AND ON-SITE TRAINING FOR A TRANSPORT TRAINING SCHOOL, 2565 KINGSWAY, SUDBURY - SUDBURY SHRINE CLUB (cont'd)

carried out in quarries and pits and will not be carried out at the subject property. He further advised the proposal would be an investment of \$1.5M and it would beautify an arterial road.

Mr. Beaudry made an electronic presentation showing slides of comparable properties on Notre Dame Avenue and the Kingsway and their proximity to residential areas. He explained there is a rock which is a natural berm between the subject property and the Clairmount Street residences.

Mr. Beaudry indicated there are concerns about engine brakes. He advised they do not use engine brakes in their parking lot as the trucks would not have the momentum in the parking lot required to use engine brakes.

With respect to the impact this development would have on the proposed subdivision to the south and west of the subject lands, Mr. Beaudry advised that, since the last hearing, he has had an opportunity to discuss the proposal at great length with the subdivision developer and provide a proposed site plan to satisfy their concerns. A copy of the said proposed site plan was distributed to the Committee members. Mr. Beaudry advised that the back yard parking area, close to the residences, would be for cars only with no truck access to that area. The truck parking area would ensure that all noise would be away from the residential areas.

Mr. Beaudry indicated he distributed flyers to area residents to advise of a meeting to be held on December 14th, 2006 at the Shrine Villa regarding this proposal. He further indicated that flyers were also distributed to area businesses and advertisements were placed in the Sudbury Star and Northern Life. He indicated approximately 35 people attended.

With respect to some concerns, Mr. Beaudry advised it is their intention to pave the parking lot and to fence the property in order to keep children from accessing the yard. He also advised that they do not use 'back-up' beepers on their vehicle nor do they plan to.

Mr. Beaudry advised that other concerns were onsite maintenance, pollution, excessive idling and fuel leaks. He indicated that all maintenance is sub-contracted and their trainers are not permitted under labour laws to carry out any maintenance on the vehicles. He further indicated that all trucks are inspected for emissions yearly and can not be registered for highway use if there is a

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PERMIT THE DEVELOPMENT OF OFFICE SPACE, CLASSROOM FACILITIES AND ON-SITE TRAINING FOR A TRANSPORT TRAINING SCHOOL, 2565 KINGSWAY, SUDBURY - SUDBURY SHRINE CLUB (cont'd)

problem. He also indicated that the trucks have block heaters and oil pan heaters so there is very little idling. He advised there is no greater risk of fuel leaks than anywhere else as they do not have a fuel station and they do not store any fuel.

With respect to concerns regarding future uses, Mr. Beaudry indicated that future uses would have to be approved by City Council.

Gerry Taillefer, area resident, had a petition signed by 59 people who do not want this proposed training school on the subject property. He stated they are concerned with traffic and trucks entering and exiting the property as there have been many accidents in that area. He further stated that trucks create ruts in the road.

Brigette Thompson, area resident, indicated that Raymond Street is a dead end street whose houses back onto the Kingsway. She stated the area residents have seen general change in the noise level. There is more noise and activity now due to the coffee shop. She indicated that transport trucks stop on the road to pick up coffee. This has created a great problem and a transport training school will only add to this problem. She stated more residential lots are required in this area and there is ample room for development on the north side of the Kingsway. She further stated that a transport training school on the proposed site would disturb the flavour of the neighbourhood. She also stated that the rock berm is in her back yard, the trees are thinning and would not be an appropriate buffer.

John Cannard of J. L. Richards & Associates Limited, on behalf of Zulich Enterprises, indicated they are concerned that, if the property is rezoned 'M1", Mixed Light Industrial/Service Commercial, a future owner could use the property for any purpose allowed under that zoning classification. With respect to the proposed site plan, Mr. Cannard indicated they would like to view the final plan fully detailed to include landscaping and elevation. They would also like a noise and vibration study be carried out. He stated that they would like to continue working with the applicant as they want to avoid an appeal to the Ontario Municipal Board.

Rick Ouelette, area resident, indicated he attended the meeting. He stated many issues were addressed but not satisfactorily answered. He further stated there are lands available on the north side of the Kingsway although it would be more costly to develop raw lands.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PERMIT THE DEVELOPMENT OF OFFICE SPACE, CLASSROOM FACILITIES AND ON-SITE TRAINING FOR A TRANSPORT TRAINING SCHOOL, 2565 KINGSWAY, SUDBURY - SUDBURY SHRINE CLUB (cont'd)

Ted Beynon, President of the Sudbury Shrine Club, indicate they support the application. He further indicated they are concerned about the area neighbourhood. He stated 2 vehicles on the property is not a great concern. He further stated this proposal will bring a head office to Sudbury employing 15 to 24 people although Mr. Beaudry does not have to stay in Sudbury. He feels the proposed training school will be more attractive on the Kingsway than the Shrine Villa is now. He asked the Committee to view this as an employment opportunity for Sudbury. Mr. Beynon indicated he attended the meeting where many concerns were discussed such as the fumes from the landfill site and the Leveque Street intersection because of the coffee shop; none of which have anything to do with this application.

When asked, Mr. Beaudry advised that the school would be open Monday to Friday, 8:00 a.m. to 5:00 p.m. They are rarely open on weekend.

Mr. Beynon advised that there have been up to 300 cars on the property at midnight during events. When asked, Mr. Beaudry indicated they would not be opposed to gating the property, if required, to avoid others using their parking lot.

When asked, Mr. Beaudry advised that, at times, there may be five or six trucks on the property when new vehicles are ordered.

In closing, Mr. Beaudry indicated that many of the traffic concerns will be alleviated once the Kingsway upgrading is completed. He stated that, at the meeting, many were venting their frustration over transport trucks parking on the road, blocking driveways and idling; all of which had nothing to do with this proposal. He also indicated that he will work with the neighbouring developer and provide a site plan to address their concerns.

The Chair asked whether there was anyone else in the audience who wished to speak in favour or against this application and seeing none:

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

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PERMIT THE DEVELOPMENT OF OFFICE SPACE, CLASSROOM FACILITIES AND ON-SITE TRAINING FOR A TRANSPORT TRAINING SCHOOL, 2565 KINGSWAY, SUDBURY - SUDBURY SHRINE CLUB (cont'd)

The following recommendations were presented:

Recommendation #2007-20:

Rivest-Berthiaume: THAT the application by Sudbury Shrine Club to amend the Official Plan for the Sudbury Planning Area by redesignating lands described as PIN 73576 - 0054, part of Parcel 45812 S.E.S., Parts 1 to 6 of Plan 53R-9088, less Parts 14 to 16 of Plan 53R-13567, in Lot 10, Concession 4, Township of Neelon, from "Low Density Residential District" to "Linear Mixed Use District" in the Secondary Plan for the City of Sudbury, be denied.

NON-CONCURRING MEMBERS: Councillors Berthiaume, Dutrisac, Dupuis, Rivest, Caldarelli

DEFEATED

Recommendation #2007-21:

Dupuis-Berthiaume: THAT the application by Sudbury Shrine Club to amend the Official Plan for the Sudbury Planning Area by redesignating lands described as PIN 73576 - 0054, part of Parcel 45812 S.E.S., Parts 1 to 6 of Plan 53R-9088, less Parts 14 to 16 of Plan 53R-13567 in Lot 10, Concession 4, Township of Neelon, from "Low Density Residential District" to "Linear Mixed Use District" in the Secondary Plan for the City of Sudbury, be approved.

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

CARRIED

Recommendation:

Rivest-Dupuis: THAT the application by Sudbury Shrine Club to amend By-law 95-500Z being the Zoning By-law for the (former) City of Sudbury by changing the zoning classification of lands described as PIN 73576 - 0054, part of Parcel 45812 S.E.S., Parts 1 to 6, Plan 53R-9088, less Parts 14-16, Plan 53R-13567 in Lot 10, Concession 4, Township of Neelon from "R3-4", Mixed Multiple Residential Special to "C2 - Special", General Commercial Special, be approved subject to the following conditions:

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PERMIT THE DEVELOPMENT OF OFFICE SPACE, CLASSROOM FACILITIES AND ON-SITE TRAINING FOR A TRANSPORT TRAINING SCHOOL, 2565 KINGSWAY, SUDBURY - SUDBURY SHRINE CLUB (cont'd)

Recommendation (cont'd):

- a) That permitted uses be limited to storage for an institutional use and a trade school offering transport training with accessory office uses;
- b) That prior to the adoption of the Official Plan Amendment and the enactment of the amending by-law, the applicant shall undertake a noise impact study to determine the anticipated sound levels at the property boundaries abutting residential zones. Should the sound levels exceed Ministry of the Environment Guidelines, then the applicant shall undertake to provide such mitigation measures as are identified in the noise study; and,
- c) That prior to the adoption of the Official Plan Amendment and the enactment of the amending by-law, the owner shall enter into a Site Plan Control Agreement which addresses, among other matters, access, parking, on-site circulation, and adequate buffering.

The following amendment to the recommendation was presented:

Recommendation #2007-22:

Rivest-Dupuis: THAT Condition b) be deleted.

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

CARRIED

The main recommendation as amended was presented:

Recommendation #2007-23:

Rivest-Dupuis: THAT the application by Sudbury Shrine Club to amend By-law 95-500Z being the Zoning By-law for the (former) City of Sudbury by changing the zoning classification of lands described as PIN 73576 - 0054, part of Parcel 45812 S.E.S., Parts 1 to 6, Plan 53R-9088, less Parts 14-16, Plan 53R-13567 in Lot 10, Concession 4, Township of Neelon from "R3-4", Mixed Multiple Residential Special to "C2 - Special", General Commercial Special, be approved subject to the following conditions:

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PERMIT THE DEVELOPMENT OF OFFICE SPACE, CLASSROOM FACILITIES AND ON-SITE TRAINING FOR A TRANSPORT TRAINING SCHOOL, 2565 KINGSWAY, SUDBURY - SUDBURY SHRINE CLUB (cont'd)

Recommendation #2007-23 (cont'd):

- a) That permitted uses be limited to storage for an institutional use and a trade school offering transport training with accessory office uses; and,
- b) That prior to the adoption of the Official Plan Amendment and the enactment of the amending by-law, the owner shall enter into a Site Plan Control Agreement which addresses, among other matters, access, parking, on-site circulation, and adequate buffering.

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

CARRIED

Recess At 7:45 p.m., the Planning Committee recessed.

Reconvene At 7:51 p.m., the Planning Committee reconvened.

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PROVIDE PARKING FOR AN ABUTTING MEDICAL CLINIC, CROSS AND DOUGLAS STREETS, SUDBURY - 3336263 CANADA LIMITED AND CITY OF GREATER SUDBURY

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

Report dated December 15th, 2006 was received from the Director of Planning Services and the General Manager of Growth and Development regarding applications for Official Plan amendment and rezoning in order to provide parking for an abutting medical clinic, Cross and Douglas Streets, Sudbury, 3336263 Canada Limited and City of Greater Sudbury.

Mac Sinclair, 214 Alder Street, Sudbury, Counsel for the applicant, was present.

The Director of Planning Services explained this was a continuation of the hearing which began at the Planning Committee meeting of January 9th, 2007.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PROVIDE PARKING FOR AN ABUTTING MEDICAL CLINIC, CROSS AND DOUGLAS STREETS, SUDBURY - 3336263 CANADA LIMITED AND CITY OF GREATER SUDBURY (cont'd)

The Real Estate Co-ordinator indicated that the continuation of the meeting was for the purpose of providing an opportunity for the applicant, the neighbours and the Real Estate Co-ordinator to discuss access through the City's property. He advised that, although residents of Douglas Street use the lane to gain access to their back yards, they have driveways on Douglas Street. He had two neighbours to speak with: Saleem Kahn and Sherry Matthews. Ms. Matthews indicated she did not use the back lane as she has a culvert in her back yard which she does not want to traverse.

The Real Estate Co-ordinator indicated he therefore only had to deal with the Kahn property. He met with Saleem Kahn, the owner, Stephan Grenon, the proposed purchaser, and Leo LaSorsa, the real estate agent to discuss a way to remedy the situation. He stated that the buffer is important because of the creek. He advised that a driveway could be located along part of Lot 105. He indicated that Mr. Grenon was willing to enter into a leasing agreement to save harmless the City, pay rent on part of Lot 99 over which he would have exclusive rights, pay a proportionate amount of rent over Lot 105 and pay associated legal costs.

Mac Sinclair stated that the Barr Clinic places great emphasis on confidentiality and privacy for its clients. He further stated the applicant is concerned Mr. Grenon may have tenants and other uses of the property which would affect the privacy and safety in the back parking lot. He advised that he had been instructed to advise that if exclusive use of the property at the back can not be provided, the applicant will surrender all rights to the lease which will also eliminate any contribution to the proposed landscaping features. He also requested that, if the Committee would not grant the applicant exclusive use of the City lands, the applications be amended to delete all reference to the City owned lands.

Stephan Grenon indicated there is enough room at the back for a driveway as well as a parking area.

Leo Grenon, father of Stephan Grenon, stated that when Douglas Street was widened the residences in that area lost their parking areas in the front of the homes. He stated it is very difficult to back into the parking area, which is only big enough for a car and not a larger vehicle, from Douglas Street. He also stated there is usually no one at the property during the week so there would be very little traffic in the back driveway during the clinic's business hours.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PROVIDE PARKING FOR AN ABUTTING MEDICAL CLINIC, CROSS AND DOUGLAS STREETS, SUDBURY - 3336263 CANADA LIMITED AND CITY OF GREATER SUDBURY (cont'd)

The Chair asked whether there was anyone else in the audience who wished to speak in favour or against this application and seeing none:

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

The following recommendations were presented:

Recommendation #2007-24:

Dupuis-Rivest: THAT the application by 3336263 Canada Limited and the City of Greater Sudbury to amend the Official Plan for the Sudbury Planning Area by redesignating lands described as Lots 100, 104, 105 and part of Lot 99, Plan M-95, in Lot 6, Concession 3, Township of McKim from "Light Industrial/Service Commercial", "Old City" and "Conservation" to "Linear Mixed Use District" in the Secondary Plan for the City of Sudbury, be approved.

CONCURRING MEMBERS: Councillors Dupuis, Rivest

NON-CONCURRING MEMBERS: Councillors Berthiaume, Dutrisac, Caldarelli

DEFEATED

Recommendation #2007-25:

Berthiaume-Dutrisac: THAT the application by 3336263 Canada Limited and the City of Greater Sudbury to amend the Official Plan for the Sudbury Planning Area by redesignating lands described as Lot 100 and the north part of Lot 99, Plan M-95, in Lot 6, Concession 3, Township of McKim from "Light Industrial/Service Commercial" and "Old City" to "Linear Mixed Use District" in the Secondary Plan for the City of Sudbury, be approved.

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

CARRIED

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING IN ORDER TO PROVIDE PARKING FOR AN ABUTTING MEDICAL CLINIC, CROSS AND DOUGLAS STREETS, SUDBURY - 3336263 CANADA LIMITED AND CITY OF GREATER SUDBURY (cont'd)

Recommendation #2007-26:

Berthiaume-Dutrisac: THAT the application by 3336263 Canada Limited and the City of Greater Sudbury to amend By-law 95-500Z being the Zoning By-law for the (former) City of Sudbury by changing the zoning classification of lands described as Lot 100 and the north part of Lot 99, Plan M-95, in Lot 6, Concession 3, Township of McKim from "M1", Mixed Light Industrial/ Service Commercial, and "R6", Established Residential "M1-48", Mixed Light Industrial/Service Commercial Special, be approved subject to the following condition:

- a) That the existing site plan control agreement for Lots 101, 102 and 103 of Plan M-95 (205 Douglas Street) be amended to include Lot 100 and the northerly portion of Lot 99.

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

CARRIED

AN APPLICATION FOR REZONING TO PERMIT THE CONVERSION OF THE EXISTING BUILDING TO A SIX UNIT MULTIPLE DWELLING, 351 ELM STREET, SUDBURY - RICHARD LAPORTE

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

Report dated January 5th, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to permit the conversion of the existing building to a six unit multiple dwelling, 351 Elm Street, Sudbury, Richard Laporte.

Richard Laporte, the applicant, and Dave Matthews, agent for the applicant, were present.

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

Dave Matthews stated he is a real estate agent and in the past sold adjacent properties which have six to eight apartments and less parking than proposed for the subject building. He further stated the proposal would conform with the area.

PUBLIC HEARINGS (cont'd)

AN APPLICATION FOR REZONING TO PERMIT THE CONVERSION OF THE EXISTING BUILDING TO A SIX UNIT MULTIPLE DWELLING, 351 ELM STREET, SUDBURY - RICHARD LAPORTE (cont'd)

The Chair asked whether there was anyone in the audience who wished to speak in favour or against this application and seeing 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 #2007-27:

Dupuis-Berthiaume: THAT the application by Richard Laporte to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury to change the zoning classification of the lands forming Lot 6 and part of Lot 5, Plan 8-S, in Lot 7, Concession 3, Township of McKim, City of Greater Sudbury from "C1-29" Local Commercial-Special to "R3-Special" Mixed Multiple Residential - Special, be approved, subject to the following conditions:

1. That prior to the enactment of the by-law amendment, the applicant shall have submitted plans for the conversion of the building to a multi-unit residential dwelling, to the satisfaction of the Chief Building Official, which shall include one by-law standard parking space per dwelling unit.
2. That the maximum number of dwelling units to be included in the amending by-law shall be based on the plan in item 1 above, which shall not exceed six dwelling units.
3. That the amending by-law shall include that a minimum of 1 parking space shall be provided per dwelling unit.

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

CARRIED

APPLICATION FOR REZONING TO PERMIT THE CONSTRUCTION OF A DUPLEX DWELLING, 3240 ERRINGTON AVENUE, CHELMSFORD - LIONEL AND LINDA LAURIN

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

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE CONSTRUCTION OF A DUPLEX DWELLING, 3240 ERRINGTON AVENUE, CHELMSFORD - LIONEL AND LINDA LAURIN

Report dated January 5th, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to permit the construction of a duplex dwelling, 3240 Errington Avenue, Chelmsford, Lionel and Linda Laurin.

Marc Rémillard, agent and counsel for the applicant, and Richard Séguin, proposed purchaser of the property, were present.

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

Marc Rémillard indicated the severance of the land has already been completed and the applicant is satisfied with the recommendation.

The Chair asked whether there was anyone in the audience who wished to speak in favour or against this application and seeing 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 #2007-28:

Berthiaume-Dutrisac: THAT the application by Lionel and Linda Laurin to amend By-law 83-302 being the Comprehensive Zoning By-Law for the (former) Town of Rayside-Balfour as it applies to PIN 73349 - 0370, Parcel 24686 S.W.S., part of Lot 14, M-513, Lot 2, Concession 2, Township of Balfour, City of Greater Sudbury, by changing the zoning classification from "R1", Single Residential to "R2", Double Residential be approved subject to the following:

1. That applicant provide the Development Services Section with a registered survey plan outlining the lands to be rezoned in order to enable the preparation of the amending by-law.

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

CARRIED

PUBLIC HEARINGS (cont'd)

Recess At 8:58 p.m., the Planning Committee recessed.

Reconvene At 9:04 p.m., the Planning Committee reconvened.

APPLICATION FOR REZONING IN ORDER TO PERMIT THE USE OF A FORMER NURSING HOME AS A ROOMING HOUSE, 219 O'NEIL DRIVE, GARSON - MARINA COURTS LIMITED

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

Report dated January 9th, 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 permit the use of a former nursing home as a rooming house, 219 O'Neil Drive, Garson, Marina Courts Limited.

Email of concern dated January 12th, 2007 from Charles Lumbis was distributed to the Committee.

Letter of constituents' concerns dated January 23rd, 2007 from Coucillor Thompson, Ward Councillor, was distributed to the Committee.

Maurice Lamoureux was present on behalf of the applicant.

The Manager of Development Approvals outlined the application and explained the rationale for Planning staff recommendation for denial. He explained By-law 83-304 does not include a rooming house as either a permitted use or a defined use. He stated Planning Services' concern about the parking situation with insufficient parking spaces and parking in the front which poses safety and aesthetic problems. He further stated that no sketches for parking were received with the application as the owner felt there were no parking issues and parking in the front yard was for convenience not necessity. Another concern is the unscreened garbage bin directly adjacent to the sidewalk.

Maurice Lamoureux stated the property, which had been neglected, was purchased three years ago. He indicated they started the operation in 2006, planning a rooming home for adults with disabilities and seniors. He further indicated that housing miners gave them the capability of repairing the building. He stated that the mining company approached them as there are no accommodations for the miners. He feels they are servicing the community's need for housing.

Mr. Lamoureux indicated they have not addressed parking. He further indicated the residents do not want to park in the back because of security problems. He stated they have a shuttle bus to take the miners to and from work. He asked for

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING IN ORDER TO PERMIT THE USE OF A FORMER NURSING HOME AS A ROOMING HOUSE, 219 O'NEIL DRIVE, GARSON - MARINA COURTS LIMITED (cont'd)

time to solve the parking situation as it is an existing situation which they have to deal with. He also stated that he would have liked to retain the "I", Industrial zoning because of its permitted uses.

Paul Zulich, area property owner, indicated he does not oppose to the rezoning application but objects to the parking situation. He is the owner of 50 townhouses and 90 apartment units located behind the subject property and has provided 1.5 parking spaces per unit. Because of the close proximity of the subject property to his properties, he fears the tenants from the subject property will use his parking lots.

Ken Ellis, area resident, indicated he walks past the subject property daily. He stated that often every space in front of the building is taken for parking. He also stated there is mud on the sidewalk due to the ruts caused by the vehicles making it necessary to walk on the street. He further stated that a terrible smell is emanating from the garbage bin which is overflowing. He indicated he reported the situation to the By-law Enforcement Department one year ago.

Dale Heckman, one of the operators of the business, indicated that parking has been an issue. He stated they plan to place lockstone in the front of the building once the weather permits. He indicated that, in the future when the business is profiting, they plan to improve the parking situation.

Mr. Lamoureux indicated that he would be acceptable to a recommendation requiring lockstone and the beautification of the front yard. With respect to the garbage bin, he advised the bin is overflowing because tomorrow is the pick up day. He stated that they provided a large bin to help alleviate the problem. He further stated that, if he were required to screen the garbage bin, it would probably reduce parking by two to three spaces.

The Manager of Development Approvals indicated that, should the Committee approve this application, the recommendation should require that the front yard landscaping be reinstated, the parking be in the rear and the garbage bin be in the rear.

Proceed The following recommendation was presented:

Past

10:00 p.m. **Recommendation #2007-29:**

Dupuis-Dutrisac: THAT we proceed past the hour of 10:00 p.m.

CARRIED

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING IN ORDER TO PERMIT THE USE OF A FORMER NURSING HOME AS A ROOMING HOUSE, 219 O'NEIL DRIVE, GARSON - MARINA COURTS LIMITED (cont'd)

The Committee agreed that the applicant should meet with staff with a plan for parking and for the beautifying the front of the building with lockstone, planter, etc. They further agreed that any parking allowed in the front of the building should only be for overflow.

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

Rivest-Dutrisac: THAT the application by Marina Courts Limited to amend By-law 83-304 being the Comprehensive Zoning By-law for the (former) Town of Nickel Centre by changing the zoning classification of lands described as Parcel 32542 S.E.S., Lots 15 to 18, Plan M-690, in Lot 5, Concession 1, Township of Garson from "I", Institutional to "R3-Special", Medium Density Residential Special be approved subject to the following conditions:

- a) That the only permitted use shall be a rooming house where the maximum number of beds is equivalent to the number of parking spaces provided;
- b) That required parking be provided based on a standard of one (1) parking space per bed; and,
- c) That prior to the enactment of the amending by-law, the owner shall enter into a Site Plan Control Agreement.

The following amendment to the recommendation was presented:

Recommendation #2007-30:

Dupuis-Berthiaume: THAT Condition a) be amended as follows:

- a) That the only permitted use shall be a 40-bed rooming house;

AND THAT Condition b) be deleted and replaced with:

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING IN ORDER TO PERMIT THE USE OF A FORMER NURSING HOME AS A ROOMING HOUSE, 219 O'NEIL DRIVE, GARSON - MARINA COURTS LIMITED (cont'd)

Recommendation #2007-30 (cont'd):

- b) That 25 parking spaces be permitted and that parking be permitted in the front yard.

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

CARRIED

The main recommendation as amended was presented:

Recommendation #2007-31:

Rivest-Dutrisac: THAT the application by Marina Courts Limited to amend By-law 83-304 being the Comprehensive Zoning By-law for the (former) Town of Nickel Centre by changing the zoning classification of lands described as Parcel 32542 S.E.S., Lots 15 to 18, Plan M-690, in Lot 5, Concession 1, Township of Garson from "I", Institutional to "R3-Special", Medium Density Residential Special be approved subject to the following conditions:

- a) That the only permitted use shall be a 40-bed rooming house;
- b) That 25 parking spaces be permitted and that parking be permitted in the front yard; and,
- c) That prior to the enactment of the amending by-law, the owner shall enter into a Site Plan Control Agreement.

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

CARRIED

PART I - CONSENT AGENDA

The following recommendation was presented to adopt Items C-1 to C-2 contained in Part 1 of the Consent Agenda:

Recommendation #2007-32:

Dutrisac-Dupuis: THAT Items C-1 to C-2 contained in Part 1, Consent Agenda, be adopted.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-1
80 Landry St,
Azilda, École
Ste-Agnes

Report dated January 17th, 2007 was received from the Acting General Manager of Infrastructure regarding 80 Landry Street, Azilda, École Ste-Agnes.

Recommendation #2007-33:

Dutrisac-Berthiaume: THAT Le Conseil scolaire catholique du Nouvel-Ontario be advised that the City of Greater Sudbury is not interested in acquiring École Ste-Agnès School, municipally known as 80 Landry Street, Azilda.

CARRIED

Item C-2
Extension of
Draft Approval,
Black Lake Road,
Lively, Riverglen
Developments
Ltd.

Report dated January 8th, 2007 was received from the General Manager of Growth and Development regarding Extension of Draft Approval, Black Lake Road, Lively, Riverglen Developments Ltd.

Recommendation #2007-34:

Dupuis-Rivest: THAT upon payment of the processing fee of \$833.33 prior to the February 20, 2007 lapsing date, the conditions of draft approval for the plan of subdivision of Parcel 1386 S.W.S., Lot 7, Concession 3, Township of Waters, City of Greater Sudbury, be amended as follows:

- a) By revising Condition #12. and replacing it with the following:

"12. Draft approval shall lapse on November 20th, 2007."

PART I - CONSENT AGENDA

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-2
Extension of
Draft Approval,
Black Lake Road,
Lively, Riverglen
Developments
Ltd. (cont'd)

Recommendation #2007-34 (cont'd):

b) By revising Condition #14 to read as follows:

"14. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the General Manager of Infrastructure and Emergency Services, provide an updated geotechnical report prepared, signed, sealed, and dated by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommend construction procedures for storm and sanitary sewers, stormwater management facilities, watermains, roads to a 20 year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services."

c) By inserting condition #15, #16, #17, #18, #19, #20 and #21:

"15. The owner shall be responsible for all aspects of slope stability and erosion protection, including all costs. Where issues of slope stability occur, the owner shall employ the services of a registered Professional Engineer to ensure slopes are designed and constructed in a manner that shall ensure the safety of the occupants of the home and the structure to ensure the long term stability of the constructed slopes. The owner shall ensure that silt mitigation measures satisfactory to the Nickel District Conservation Authority are employed during the construction phase of the home to prevent sediment escaping the site to Junction Creek."

PART I - CONSENT AGENDA

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-2
Extension of
Draft Approval,
Black Lake Road,
Lively, Riverglen
Developments
Ltd. (cont'd)

Recommendation #2007-34 (cont'd):

- "16. Any alteration to the watercourse for the purposes of slope stability and erosion protection will require the approval of the Nickel District Conservation Authority, Ministry of Natural Resources and Department of Fisheries and Oceans."
- "17. The developer will be required to stake out the property lines and the extent of the floodplain when the construction occurs on the lots adjacent to Junction Creek."
- "18. The applicant/owner shall provide to the City, as part of the submission of servicing plans a Siltation Control Plan detailing the location and types of sediment and erosion control measures to be implemented during the construction of each phase of the project. Said plan shall be to the satisfaction of the General Manager of Growth and Development and the Nickel District Conservation Authority. The siltation control shall remain in place until all disturbed areas have been stabilized. All sediment and erosion control measures shall be inspected daily to ensure that they are functioning properly and are maintained and/or updated as required. If the sediment and erosion control measures are not functioning properly, no further work shall occur until the sediment and/or erosion problem is addressed."
- "19. The owner shall provide a detailed lot grading plan prepared, signed, sealed, and dated by a professional civil engineer with a valid certificate of authorization for the proposed lots as part of the submission of servicing plans. This plan must show finished grades around new houses, retaining walls, side yards, swales, slopes and lot corners. The plan must

PART I - CONSENT AGENDA

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-2
Extension of
Draft Approval,
Black Lake Road,
Lively, Riverglen
Developments
Ltd. (cont'd)

Recommendation #2007-34 (cont'd):

- show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties."
- "20. Prior to the submission of servicing plans, the owner shall have a stormwater management report and plan prepared, signed, sealed, and dated by a professional engineer with a valid certificate of authorization. Said report shall establish how the quantity and quality of stormwater will be managed for the subdivision development and assess the impact of stormwater runoff from this developed subdivision on abutting lands, on the downstream storm sewer outlet systems and on Junction Creek, the downstream water course. The report shall deal with the control of both the 1:5 year and Regional Storm events, so as to limit the volume of flow generated on the site to pre-development levels. The Regional Storm flow path is to be set out on the plan(s). The report shall set out any necessary improvements to downstream storm sewers and water courses. The civil engineering consultant shall meet with the Development Approvals Section prior to commencing the stormwater management report."
- "21 The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Hydro services, Bell, Union Gas and Persona. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase."

CARRIED

Adjournment

Recommendation #2007-35:

Dutrisac-Berthiaume: That we do now adjourn.
Time: 10:34 p.m.

CARRIED

CLERK DESIGNATE

COUNCILLOR FRANCES CALDARELLI