

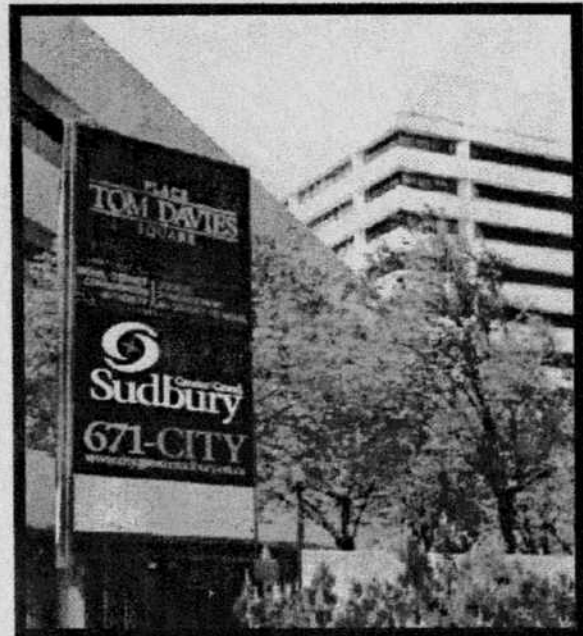
Vision: The City of Greater Sudbury is a growing, world-class community bringing talent, technology and a great northern lifestyle together.

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
Ron Dupuis
Chair**

**Councillor
Russ Thompson
Vice-Chair**



For the
Planning
Committee
Meeting to be held

on Tuesday,
November 21st, 2006

at 5:30 p.m.

**Council Chamber
Tom Davies Square**

Pour la réunion
du Comité de la
Planification
qui aura lieu

le mardi
21 novembre 2006

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, November 21st, 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.*

(58th)

*For the Regular Meeting of the Planning Committee
to be held on **Tuesday, November 21st, 2006**
in Council Chamber, Tom Davies Square at 5:30 p.m.*

COUNCILLOR RON DUPUIS, 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 November 2nd, 2006 from the General Manager of Growth and Development regarding Downtown Sudbury Community Improvement Plan - Financial Incentives 1 - 13
(RECOMMENDATION PREPARED)

(This report and attachment describes a Community Improvement Plan for downtown Sudbury. The Plan contains financial incentives to assist with downtown revitalization.)

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**

Request for Recommendation Planning Committee

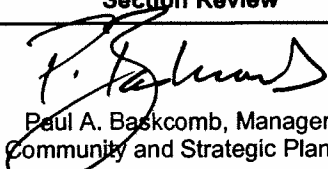
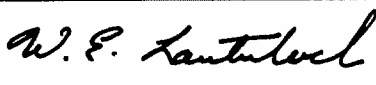
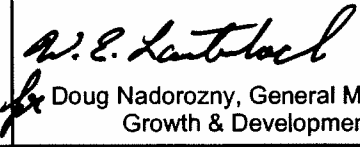


Type of Decision

Meeting Date	November 21, 2006			Report Date	November 15, 2006				
Recommendation Requested	<input checked="" type="checkbox"/>	Yes	<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

This report has been reviewed by the Finance Division and the funding source has been identified.

Recommendation

That the modifications contained in the letter dated November 14, 2006, from the Ministry of Municipal Affairs and Housing be endorsed.

Background Attached

Recommendation Continued

Planning Staff Report

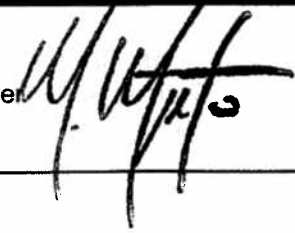
Report Prepared by:

File #:

Paul A. Baskcomb, Manager of
 Community and Strategic Planning

Recommended by the C.A.O.

Mark Mieto
 Chief Administrative Officer



Date: November 15, 2006

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

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



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

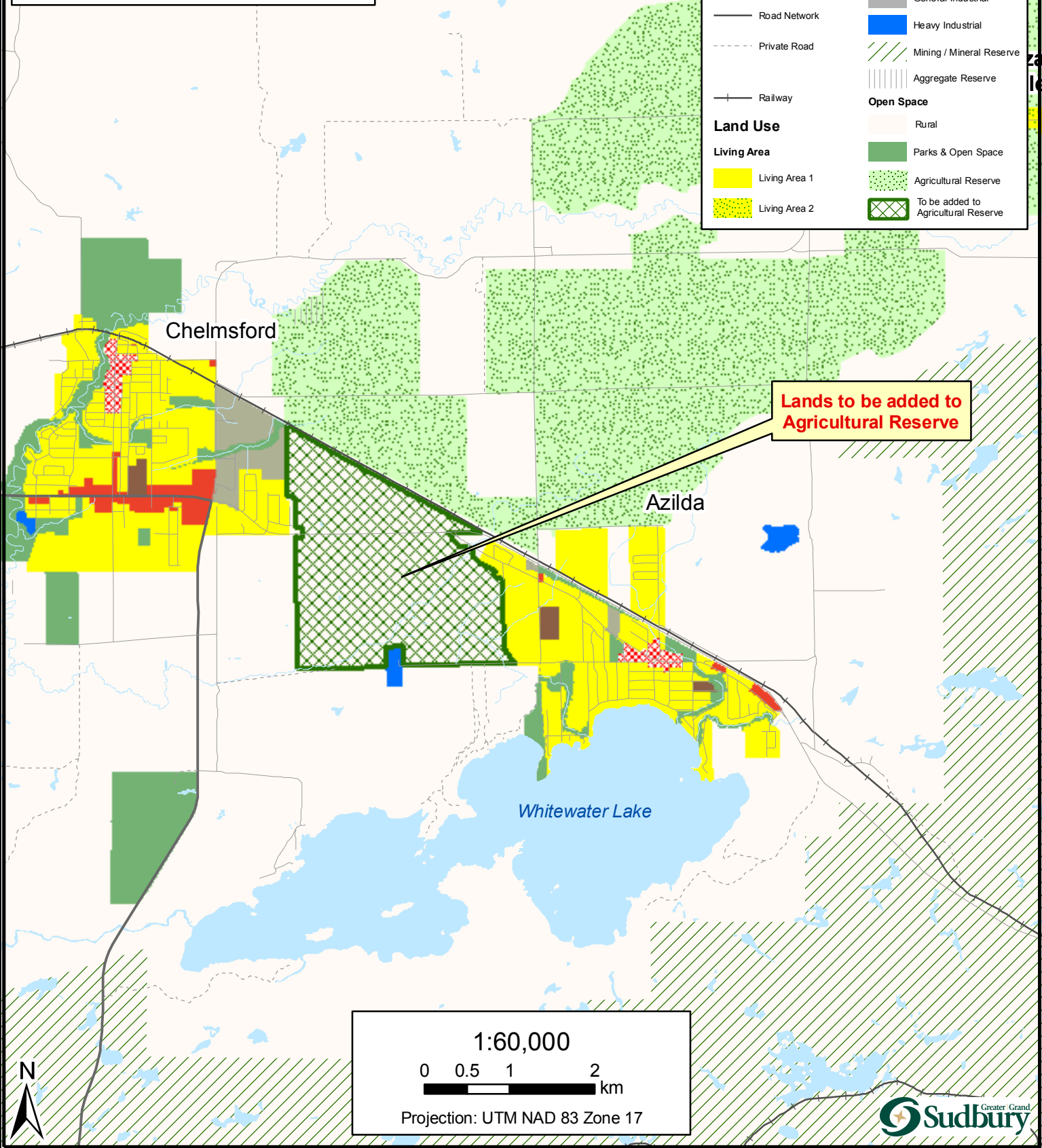
Une collectivité qui s'engage • Un plan précis • La route du progrès

Schedules 1a, 1c, 2c

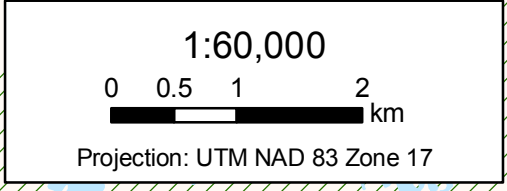
Land Use & Site Specific Policies

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

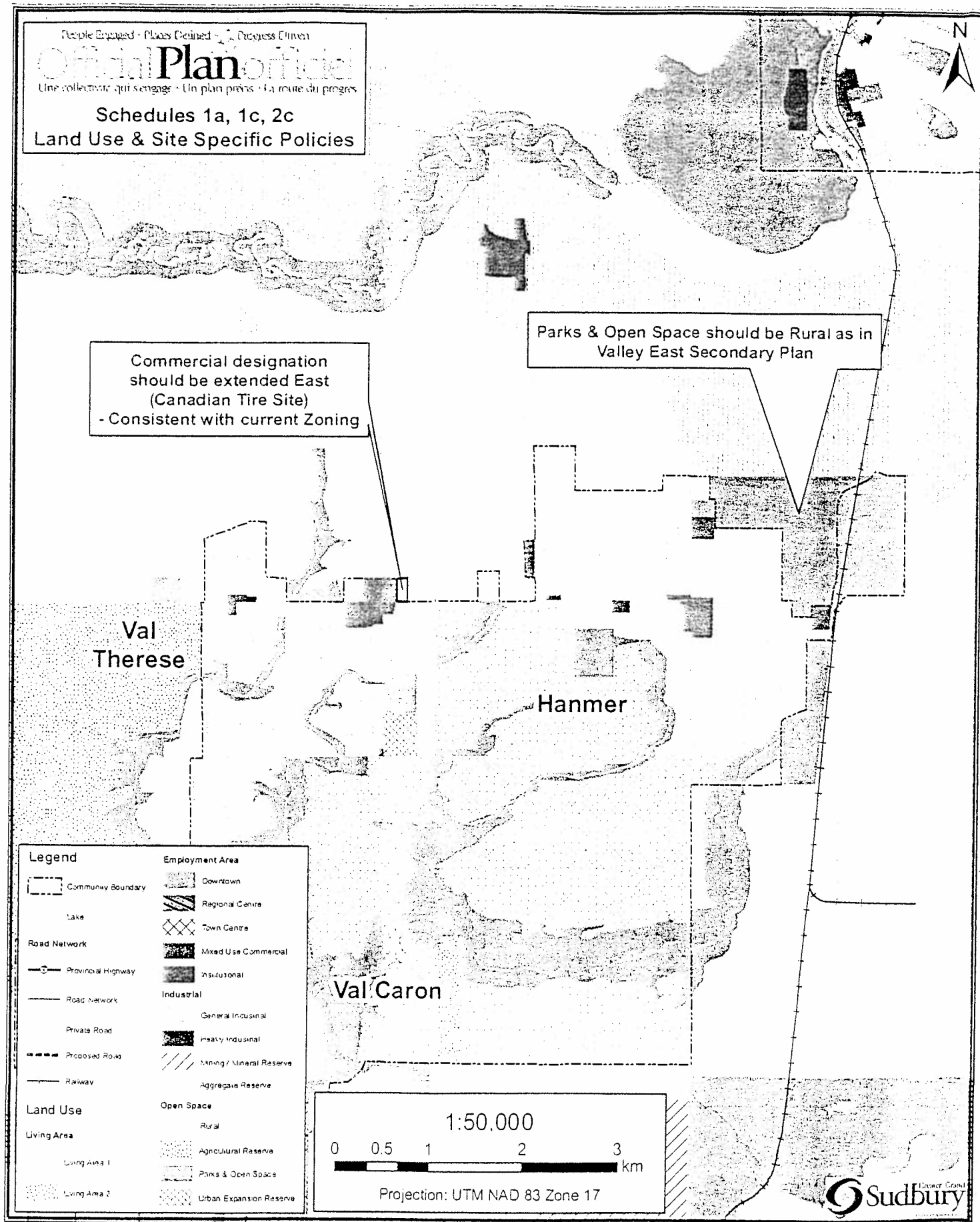


Attachment 2

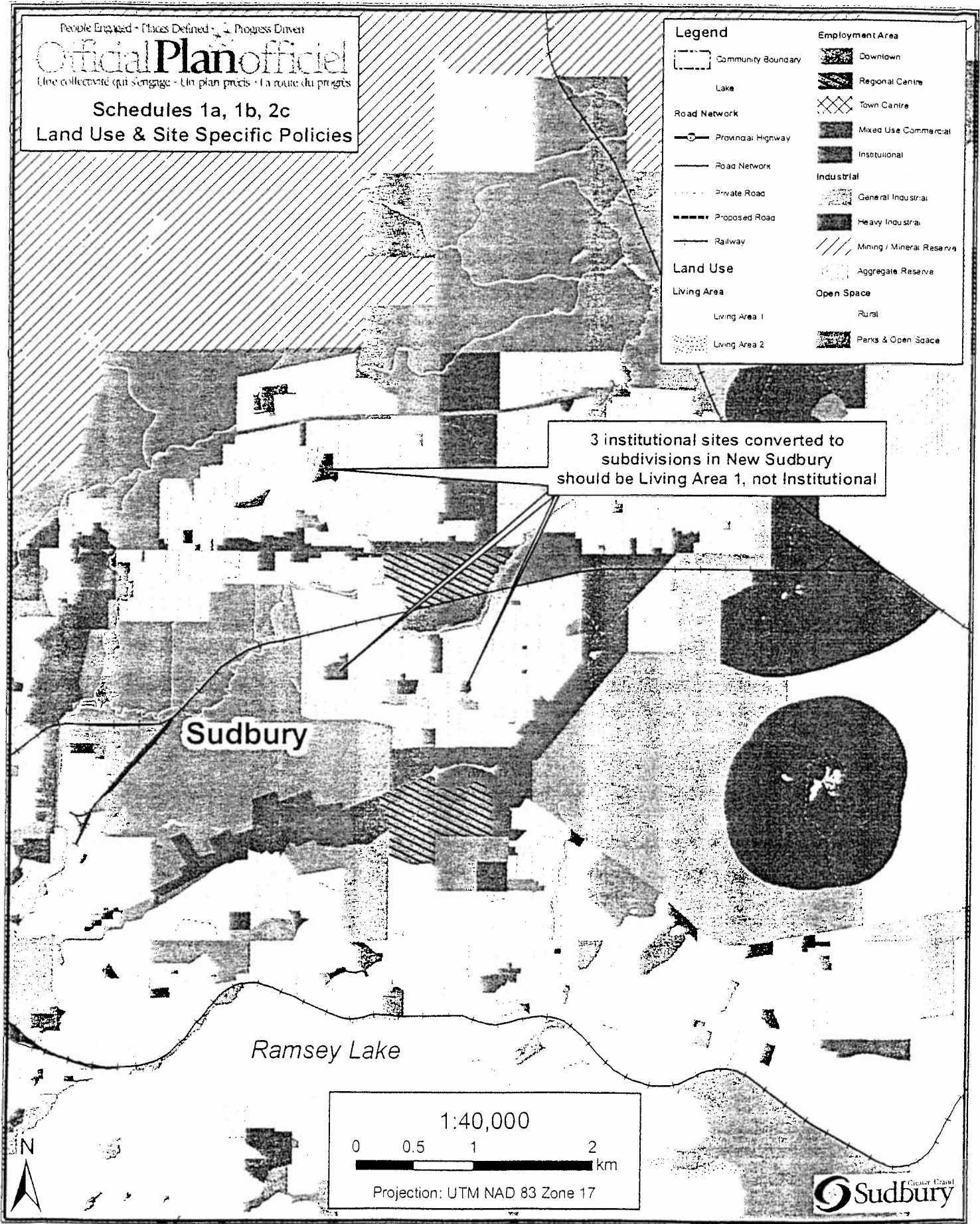
Official Plan Modification Requests - Maps

- 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.

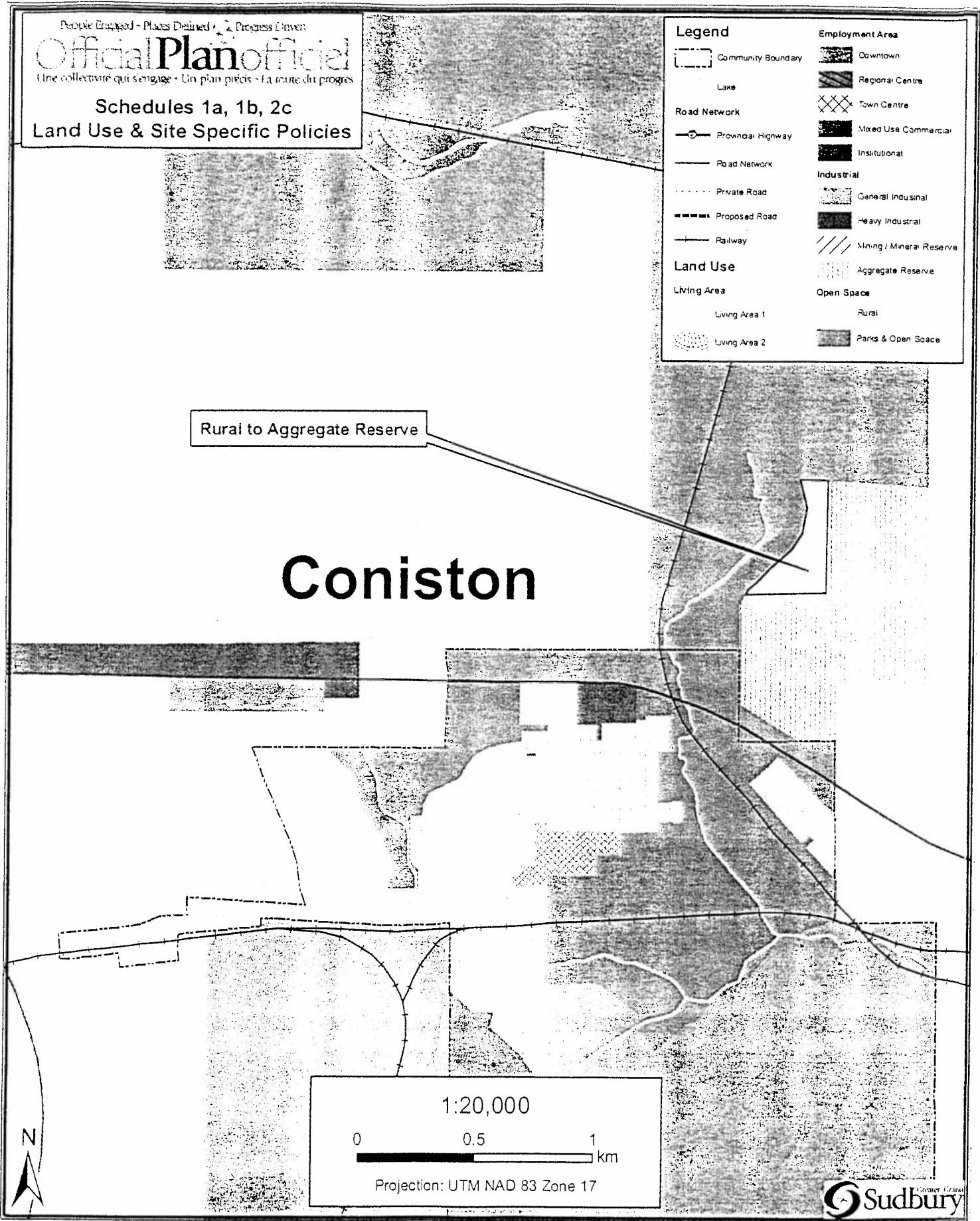
Map A



Map B



Map C



Map D

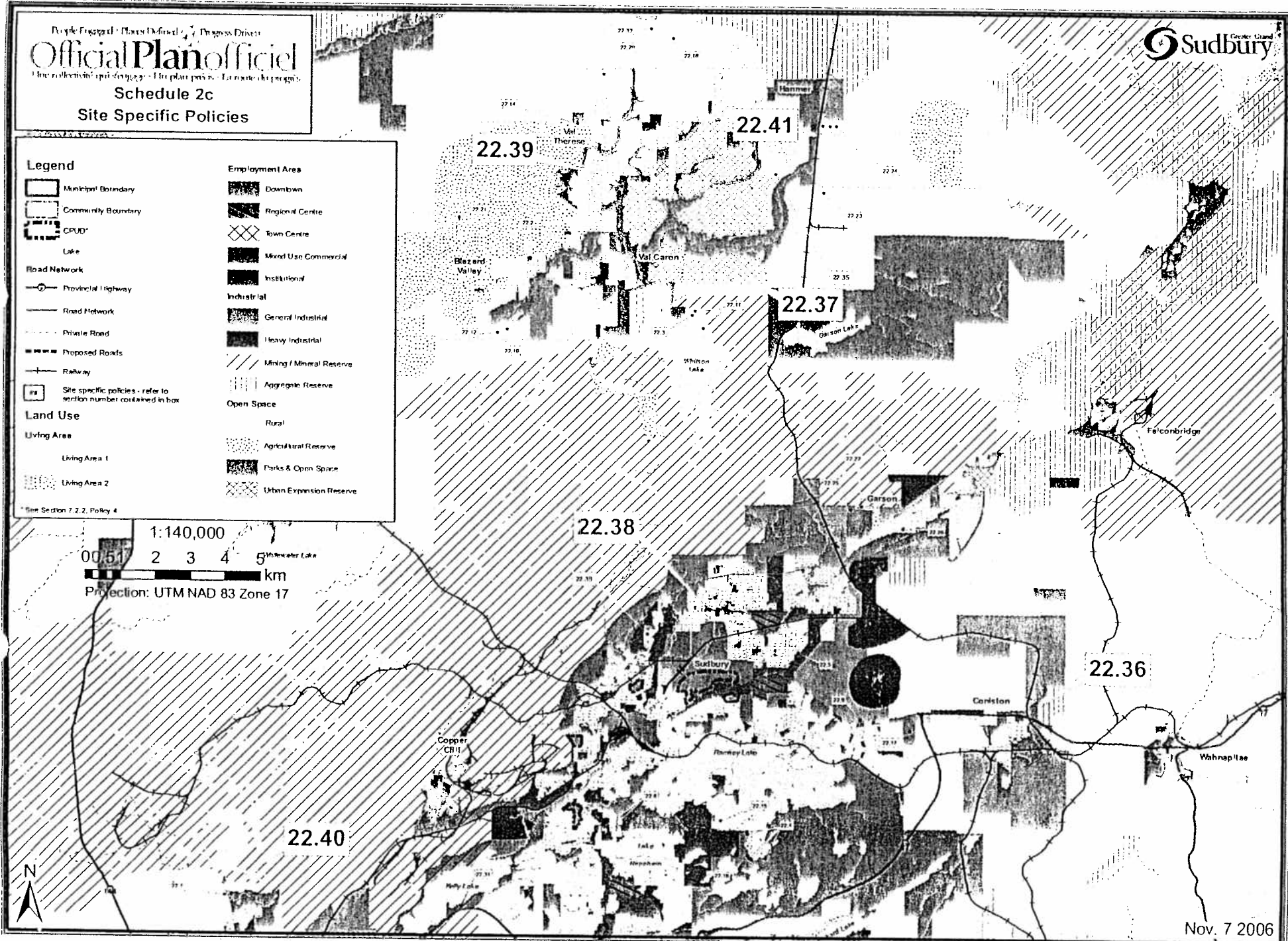
People Engaged • Places Defined • Progress Driven
Official Plan officiel
 Une collectivité qui s'engage • Un plan qui s'inscrit • Un avenir qui progresse.
Schedule 2c
Site Specific Policies

Legend

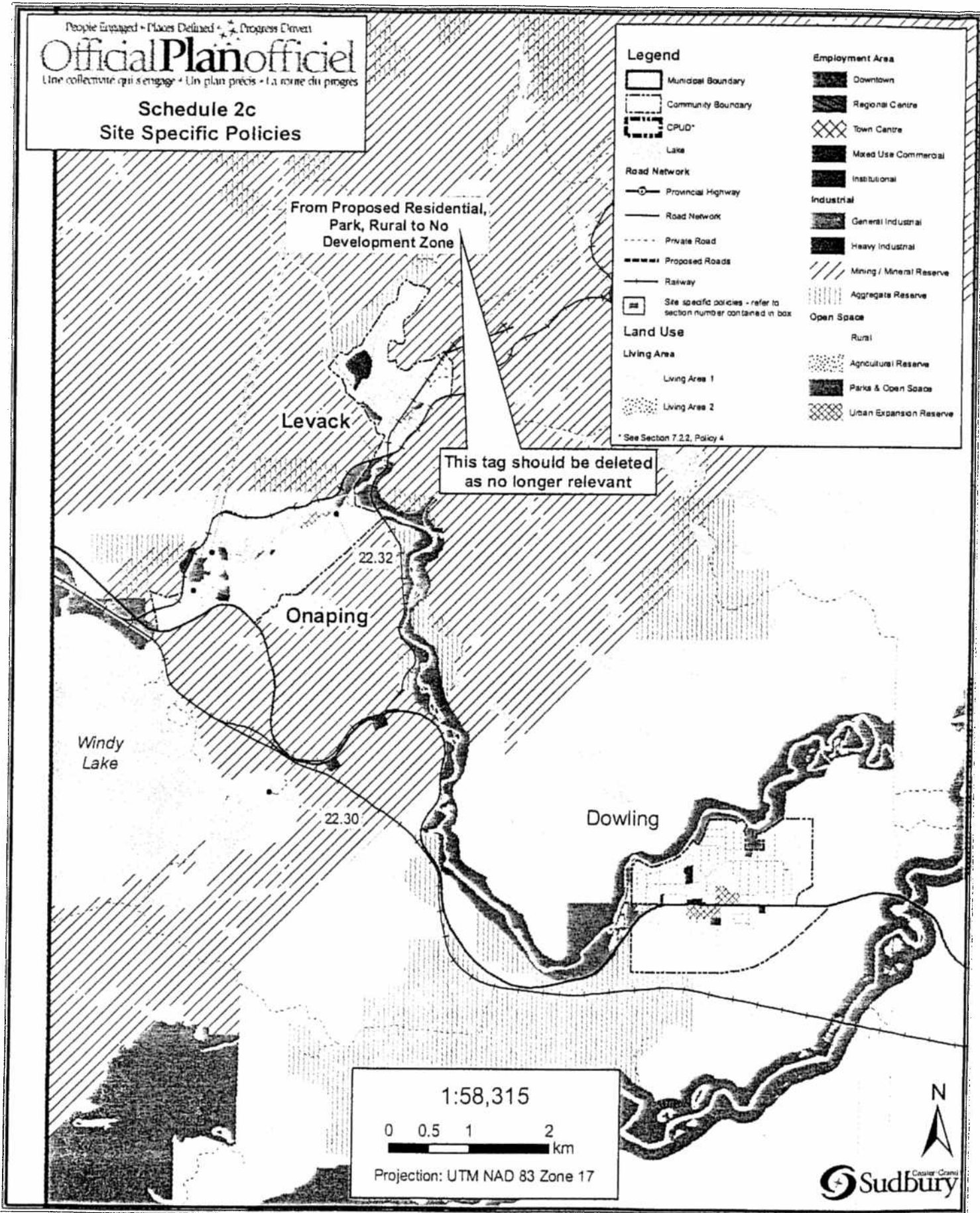
	Municipal Boundary		Downtown
	Community Boundary		Regional Centre
	CPUD*		Town Centre
	Lake		Mixed Use Commercial
Road Network			Institutional
	Provincial Highway		Industrial
	Road Network		General Industrial
	Private Road		Heavy Industrial
	Proposed Roads		Mining / Mineral Reserve
	Railway		Aggregate 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

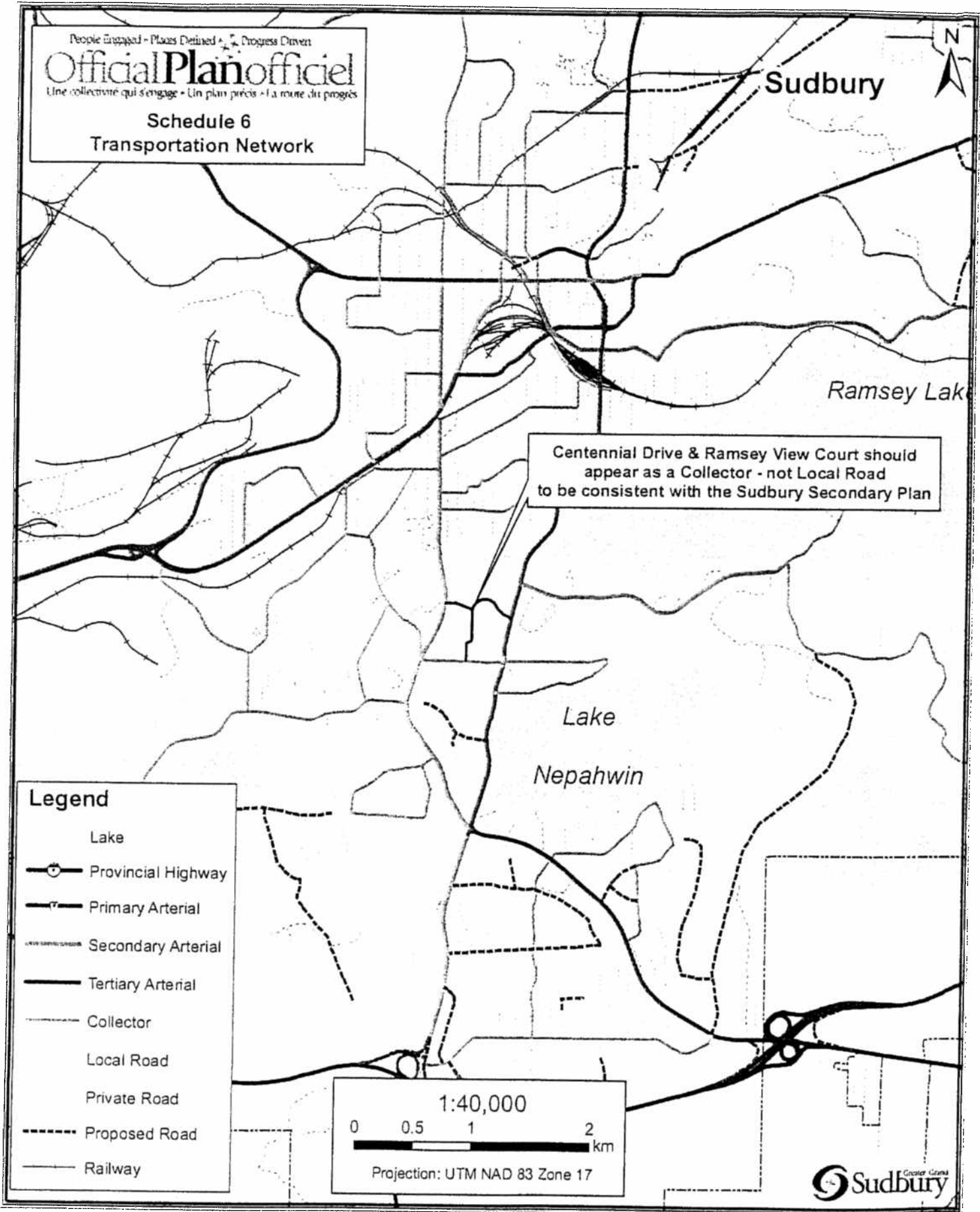


Map E



Nov. 7, 2006

Map F



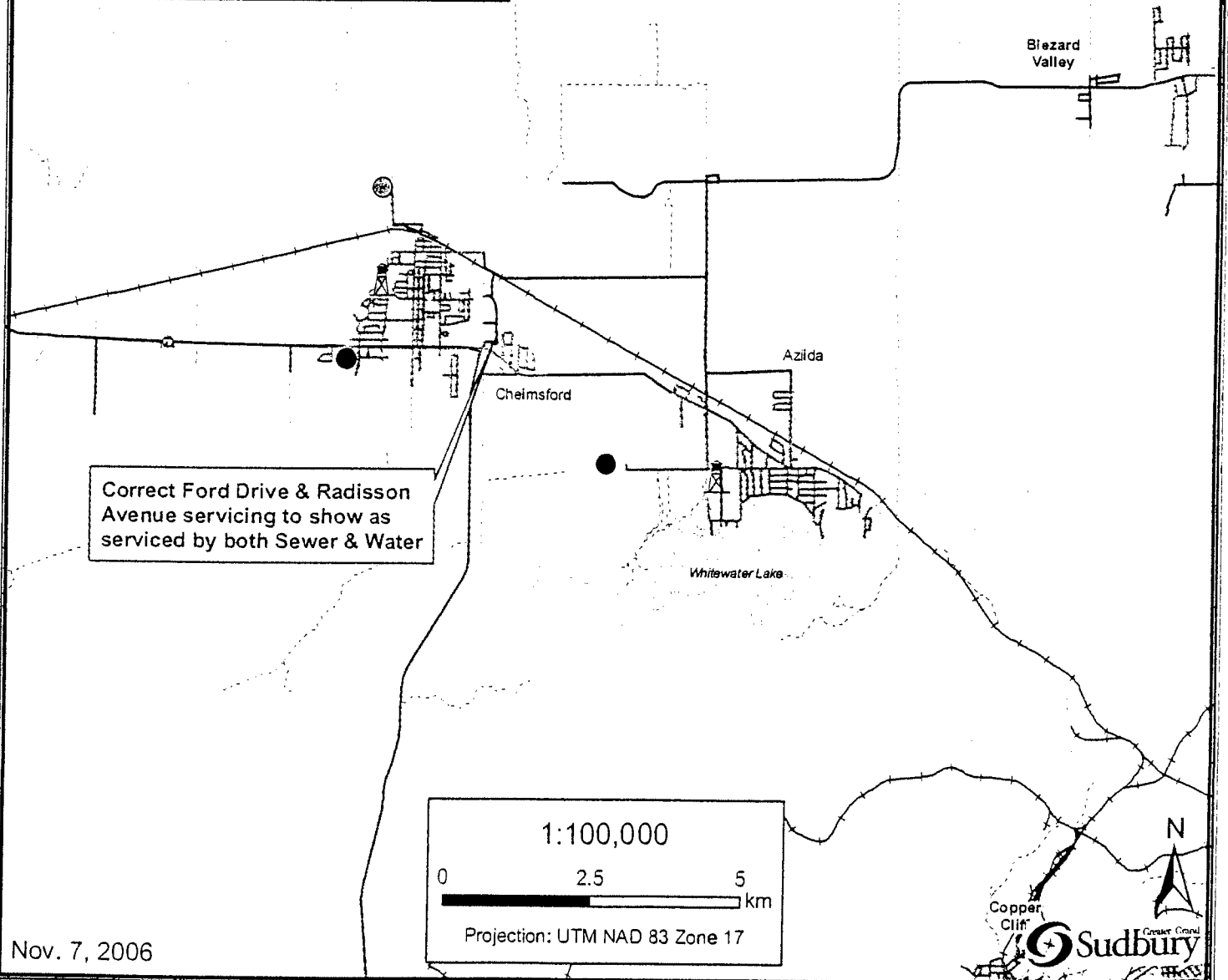
People Engaged • Places Defined • Progress Driven
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**Schedule 9
 Sewer and Water Serviced Areas**

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		



**THE FIFTY-EIGHTH MEETING OF THE PLANNING COMMITTEE
OF THE CITY OF GREATER SUDBURY**

**Council Chamber
Tom Davies Square**

**Tuesday, November 21st, 2006
Commencement: 5:30 p.m.
Adjournment: 8:15 p.m.**

COUNCILLOR RON DUPUIS PRESIDING

Present Councillors Bradley, Caldarelli, Reynolds, Thompson (A6:45pm)

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Approvals; P. Baskcomb, Manager of Community and Strategic Planning; M. Simeoni, Senior Planner; D. Nadorozny, General Manager of Growth and Development; E. Labelle, Clerk Designate; M. Laalo, Licensing & Assessment Clerk; F. Bortolussi, Planning Committee Secretary

Others Councillor Elect Cimino

News Media MCTV; Northern Life; Sudbury Star

Declarations of Pecuniary Interest None declared

PUBLIC HEARINGS

DOWNTOWN SUDBURY COMMUNITY IMPROVEMENT PLAN - FINANCIAL INCENTIVES

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

Report dated November 2nd, 2006 was received from the General Manager of Growth and Development regarding Downtown Sudbury Community Improvement Plan - Financial Incentives.

Mark Simeoni, Senior Planner, made an electronic presentation regarding Downtown Sudbury Community Improvement Plan - Financial Incentives. He indicated this plan is a new tool for the downtown 'tool box' with a goal of downtown revitalization. He provided a background including Council's approval of the elimination of development charges, amendments to parking standards and tax increment financing. He indicated that until amendments to the Planning Act were made in 2003, the Community Improvement Plan could only focus on public lands. It can now focus on private lands which has opened up new

PUBLIC HEARINGS (cont'd)

DOWNTOWN SUDBURY COMMUNITY IMPROVEMENT PLAN - FINANCIAL INCENTIVES (cont'd)

possibilities. He outlined the New Community Improvement Plan's financial incentives as follows: planning and building fees rebates; project development study/report grants; fascade improvement grants and building improvement loans. He explained to the Committee the two zone approach with the secondary area having access to one-half of the amount of any incentive available to the primary area.

Tom Corbett, area property owner, indicated he is a partner in 1662397 Ontario Inc., owner of lands known as St. Aloysius and St. Louis de Gonzague Schools property which abut the secondary area in the plan. He asked that their property be included in the secondary area.

Troy Rainville of Quality Inn indicated they would also like to be included in this Community Improvement Plan and was advised the Quality Inn property is in the secondary area.

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

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

The following recommendation was presented:

Bradley-Reynolds: THAT the Planning Committee recommends to Council:

1. That a By-law designating the lands identified on Schedule "A" of the report dated November 2nd, 2006 from the General Manager of Growth and Development as a Community Improvement Project Area under the provisions of Section 28(2) of the Planning Act be adopted.
2. That the Downtown Sudbury Community Improvement Plan - Financial Incentives be adopted.
3. That staff forward the Plan to the Minister of Municipal Affairs and Housing for approval.

PUBLIC HEARINGS (cont'd)

DOWNTOWN SUDBURY COMMUNITY IMPROVEMENT PLAN - FINANCIAL INCENTIVES (cont'd)

The following amendment to the recommendation was presented:

Recommendation #2006-256:

Bradley-Reynolds: That the Community Improvement Areas identified on Schedule "1B" be revised to include lands identified on Schedule "B" Revised November 21, 2006.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson, Dupuis

CARRIED

The main recommendation as amended was presented:

Recommendation #2006-257:

Bradley-Reynolds:: THAT the Planning Committee recommends to Council:

1. That a By-law designating the lands identified on Schedule "A" of the report dated November 2nd, 2006 from the General Manager of Growth and Development, as revised by Schedule "B" Revised November 21, 2006, as a Community Improvement Project Area under the provisions of Section 28(2) of the Planning Act be adopted.
2. That the Downtown Sudbury Community Improvement Plan - Financial Incentives be adopted.
3. That staff forward the Plan to the Minister of Municipal Affairs and Housing for approval.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson, Dupuis

CARRIED

APPLICATION FOR REZONING TO PERMIT INSTITUTIONAL USES AND OFFICE SPACE, 2750 BANCROFT DRIVE, SUDBURY - GRACE & GILLES MORIN AND PAT & LORETTA MICELOTTA (AGENT: RONA RAMSEY)

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 INSTITUTIONAL USES AND OFFICE SPACE, 2750 BANCROFT DRIVE, SUDBURY - GRACE & GILLES MORIN AND PAT & LORETTA MICELOTTA (AGENT: RONA RAMSEY) (cont'd)

Report dated November 9th, 2006 was received 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).

Laurel Ireland was present on behalf of the applicant.

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

Laurel Ireland advised that the MS Society of Canada is interested in purchasing the subject property with funds raised through the Dragon Boat Races. She indicated the Sudbury area is a 'hot spot' for multiple sclerosis. Their plan is for the 'Sudbury MS Centre of Hope' which will be a resource centre and a place to store items required by clients such as wheelchairs. She further indicated future plans are to use the site to lobby for a clinic for Northern Ontario. She stated they plan to rent part of the premises as they do not need the whole area. They wish to be self-sustaining and the rent will defray overhead expenses.

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 #2006-258:

Caldarelli-Bradley: THAT the application by Gilles & Grace Morin and Pat & Loretta Micoletta to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury as it applies to Parcel 6669 S.E.S., Lots 9 and 10, Concession 3, Township of Neelon, City of Greater Sudbury, by changing the zoning classification from "R3", Mixed Multiple Residential zone to "I-S" Institutional Special zone be approved subject to the following:

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

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT INSTITUTIONAL USES AND OFFICE SPACE, 2750 BANCROFT DRIVE, SUDBURY - GRACE & GILLES MORIN AND PAT & LORETTA MICELOTTA (AGENT: RONA RAMSEY) (cont'd)

Recommendation #2006-258 (cont'd):

- b) That exceptions be provided in the by-law to:
 - i) reduce the rear yard setback from 10m to 5m.
 - ii) reduce the west side yard setback from 10m to 1.8m
 - iii) non-institutional offices shall not exceed 1000 square feet of the net leasable area of the building
- c) Prior to the amending by-law being passed the applicants shall install an opaque fence along the westerly lot line.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson, Dupuis

CARRIED

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

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

Report dated November 14th, 2006 was received 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.

John and Anne Robert, the applicants, were present.

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

Councillor Bradley questioned the fact that the fire flow is below the City's standard and was advised the policy as adopted by City Council is that fire flow standards would not be imposed on proposals of three lots or less.

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

PUBLIC HEARINGS (cont'd)

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 (cont'd)

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 #2006-259:

Bradley-Caldarelli: THAT the application by John and Anne Robert to amend By-law 83-300 being the Comprehensive Zoning By-law for the (former) Towns of Valley East and Onaping Falls by changing the zoning classification of lands described as part of Parcel 221 S.E.S. in Lot 7, Concession 6, in the Township of Blezard from "RU", Rural to "R1.D1-Special", Single Residential Special be approved subject to the following conditions:

1. That the applicants provide the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to enable the preparation of an amending zoning by-law;
2. That the minimum road frontage required for the proposed east lot be established at 38 metres (125 feet); and,
3. That the minimum road frontage required for the proposed west lot be established at 18.3 metres (60 feet).

CONCURRING MEMBERS: Councillors Caldarelli, Reynolds, Thompson, Dupuis

NON-CONCURRING MEMBERS: Councillors Bradley

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.

Report dated November 14th, 2006 was received from the Director of Planning Services and the General Manager of Growth and Development regarding

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)

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,

John Beaudry of Transport Training Centres of Canada Inc, agent for the applicant, and André Lacroix of Lacroix Forest LLP, Counsel, were present.

The Director of Planning Services outlined the applications to the Committee. He indicated that the report stated the subject property is not serviced with water or sanitary sewer; however, these services are present from Raymond Street at the back of the property. He advised that the recommendation of the Planning Services Division to deny the applications is based on several issues: 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.

André Lacroix stated his opinion that the use contemplated does not fall within the light industrial classification. He stated the proposal is for a typical licensed training school with class rooms and offices. He further stated that there will be only two transport trucks used for the training. The trucks will not be carrying or receiving any loads, there will be no dispatching services provided and there will be no repairs done to the vehicles on site. He feels such uses do not fall under the light industrial classification.

Mr. Lacroix provided some history on the land uses of properties along the Kingsway corridor indicated that many non-residential uses have been developed along this corridor. He advised that the abutting proposed subdivision was planned 15 years ago and the owner may not have the same plans at the present time. He feels the Kingsway is not suitable for residential use. He also stated that the proposed uses will be less intrusive to the neighbourhood than the present use of a banquet hall. He asked that the Committee consider the fact that this is a pre-existing development which should not be denied in order to accommodate a more recent proposal.

John Beaudry made an electronic presentation to the Committee. He indicated there appeared to be some misconceptions regarding truck drivers' training. He indicated they are not a for-hire carrier, they do not dispatch or lease out vehicles and therefore would be better classified as a private carrier. They should not be in the light industrial category. He indicated the training courses are one week in the classroom and four weeks on the road. He asked the Committee to consider the amount of investment proposed and the City's objective to improve the

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)

Kingsway entrance into the City. He compared the subject property with the Brick and Leon properties on Notre Dame Avenue which are close to residential areas. He indicated that the rocks and trees on the subject property provide a barrier to abutting lands.

When asked, Mr. Beaudry advised that the vehicles have block heaters which are plugged in at night and therefore do not idle longer than necessary. Also, the vehicles are programmed to shut down after 15 minutes of idling.

When asked if repairs to the vehicles were done on the premises, Mr. Beaudry indicated that any repairs must be carried out by licensed mechanics and their instructors are not licensed.

When asked if a public meeting was held with the area property owners, Mr. Beaudry stated that his mother met with them. There were some concerns such as the smell of diesel fuel and idling which were addressed. He indicated that annual emission testing must be carried out on all vehicles and any deficiencies must be corrected. He further indicated that heavy equipment training will not be carried out on the premises; it is carried out at a pit which is the correct environment for heavy equipment training.

Mr. Beaudry advised the hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday and there may be up to three or four trips per day. They do not work in the evenings or on weekends as it would be difficult to retain staff. He did advise they did work for three hours on a Saturday not long ago but that is not normal practice.

Ted Beynon of the Shrine Club indicated that they wish to sell the property as they have a project in mind to bring an orthopedic surgeon to Sudbury.

Tom Zaitz questioned the statement in the Staff Report stating that no sewer and water services were available at the property. The Director of Planning Services again explained the correction to the report.

The Chair asked whether there was anyone else in the audience who wished to speak in favour or against these applications 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 #2006-260:

Bradley-Reynolds: 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, excepting 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 Bradley, Caldarelli, Reynolds, Thompson, Dupuis

CARRIED

Recommendation #2006-261:

Bradley-Thompson: 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 of Plan 53R-9088, excepting Parts 14 to 16 of Plan 53R-13567 in Lot 10, Concession 4, Township of Neelon from "R3-4", Mixed Multiple Residential Special to "M1 - Special", Mixed Light Industrial/Service Commercial Special, be approved subject to the following conditions:

- 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 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 Bradley, Caldarelli, Reynolds, Thompson, Dupuis

CARRIED

Recess At 7:35 p.m., the Planning Committee recessed.

Reconvene At 7:43 p.m., the Planning Committee reconvened.

PART I - CONSENT AGENDA

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

Recommendation #2006-262:

Caldarelli-Bradley: THAT Item C-1 contained in Part 1, Consent Agenda, be adopted.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-1
Extension of Draft
Approval,
Black Lake Road,
Lively, Cavdon
Developments
Limited

Report dated November 15th, 2006 was received from the General Manager of Growth and Development regarding extension of draft approval, Black Lake Road, Lively, Cavdon Developments Limited.

Recommendation #2006-263:

Bradley-Caldarelli: THAT upon payment of the processing fee of \$2,500.00 prior to the December 31st, 2006 lapsing date, the conditions of draft approval of the plan of subdivision of part of Parcels 1880 & 416 S.W.S. in Lot 6, Concession 4, Township of Waters, City of Greater Sudbury, be amended as follows:

- a) By revising Condition # 21 and replacing it with the following:
"21. Draft approval shall lapse on December 31, 2009."
- b) By revising Condition #15 to read as follows:
"15. That the owner prepare a lot grading/storm water management plan addressing stormwater runoff from this developed subdivision on Junction Creek to the satisfaction of the Nickel District Conservation Authority, and that any alterations to the creek that result in lots being created along the former creek bed will require an engineering study, to determine their feasibility for development".

PART I - CONSENT AGENDA (cont'd)

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-1
Extension of Draft
Approval,
Black Lake Road,
Lively, Cavdon
Developments
Limited (cont'd)

Recommendation #2006-263 (cont'd):

c) By revising Condition #16 to read as follows:

"16. That prior to the signing of the final plan, a detailed soils report shall be prepared by a qualified engineer, to the satisfaction of the Chief Building Official and the Nickel District Conservation Authority, with respect to those lands generally described as being Lots 13 and 14, 55 to 63 inclusive, and 76, 77 and 78 on the draft plan, and the area where the creek was located, outlining how any problems associated with poor soil conditions can be overcome, and construction techniques which will be required for the construction of homes on the subject lands."

d) by revising Condition # 25 to read as follows:

"25. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the Director of Planning 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."

e) By adding the following conditions #26, #27, #28:

"26. 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

PART I - CONSENT AGENDA (cont'd)

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-1
Extension of Draft
Approval,
Black Lake Road,
Lively, Cavdon
Developments
Limited (cont'd)

Recommendation #2006-263 (cont'd):

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."

- "27. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner."
- "28. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Greater Sudbury Hydro Plus or Hydro One, 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

CORRESPONDENCE FOR INFORMATION ONLY

Item C-2
2006 Property
Sales &
Acquisitions

Report dated November 15th, 2006 was received from the General Manager of Infrastructure and Emergency Services regarding 2006 Property Sales and Acquisitions.

PART II - REGULAR AGENDA

MANAGERS' REPORTS

Item R-1
Proposed Ministry
of Municipal
Affairs & Housing
Modifications to
the Official Plan

Report dated November 15th, 2006 was received from the General Manager of Growth and Development regarding the proposed Ministry of Municipal Affairs and Housing 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

Other Matters

The Director of Planning Services thanked the Planning Committee for their commitment over the past three years. He indicated that this Committee participated in 51 regular meetings and 4 special meetings with the most important item being the adoption of the new Official Plan. He further indicated there were 203 rezoning hearings, 36 Official Plan amendment hearings and 26 subdivision and condominium hearings.

Adjournment

Recommendation #2006-265:

Bradley-Reynolds: That we do now adjourn.
Time: 8:15 p.m.

CARRIED

CLERK DESIGNATE

COUNCILLOR RON DUPUIS