

**THE TWENTY-FIFTH MEETING OF THE PLANNING COMMITTEE
OF THE CITY OF GREATER SUDBURY**

**Council Chamber
Tom Davies Square**

**Tuesday, October 21st, 2003
Commencement: 7:00 p.m.
Adjournment: 9:40 p.m.**

COUNCILLOR RON BRADLEY PRESIDING

Present Councillors Dupuis, McIntaggart, Petryna, Portelance (A. 7:26 p.m.)

Councillor Callaghan (A. 7:30 p.m.)

Staff Bill Lautenbach, Director of Planning Services; Art Potvin, Manager of Development Services; Greg Clausen, Director of Engineering Services; Doug Nadorozny, General Manager of Economic Development and Planning Services (A. 7:25 p.m.); Heather Salter, Deputy City Solicitor; Danielle Braney, Property Negotiator/Appraiser; Melissa Burtch, Licencing and Assessment Clerk; Katherine Bowschar-Lische, Planning Committee Secretary

News Media Sudbury Star

Declarations of Pecuniary Interest None declared.

PUBLIC HEARINGS

APPLICATION FOR REZONING TO PERMIT A SECOND DWELLING UNIT (MOBILE HOME DWELLING) FOR A MAXIMUM TEMPORARY PERIOD OF TEN (10) YEARS, 111 DOMINION DRIVE, HANMER - MAURICE & PATRICIA BELZILE

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

Report dated October 7th, 2003, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for rezoning to permit a second dwelling unit (mobile home dwelling) for a maximum temporary period of ten (10) years, south side of Dominion Drive, southwest of the settlement of Hanmer (111 Dominion Drive, Hanmer) - Maurice & Patricia Belzile.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT A SECOND DWELLING UNIT (MOBILE HOME DWELLING) FOR A MAXIMUM TEMPORARY PERIOD OF TEN (10) YEARS, 111 DOMINION DRIVE, HANMER - MAURICE & PATRICIA BELZILE (cont'd)

The applicant, Maurice Belzile, 111 Dominion Drive, Hanmer, was present.

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

Councillor Ron Dupuis, representing the Ward, asked questions regarding records kept of the number of granny flats approved over the years. He congratulated the applicant for giving a family member a sense of independence. He encouraged other Councillors to support this application.

With respect to the number of granny flats approved, the Director of Planning Services indicated that Staff does keep records.

No objectors were present.

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 #2003-183

Dupuis-McIntaggart: That the application by Maurice & Patricia Belzile, the owners of Parcel 15481 S.E.S. in Lot 11, Concession 1, Township of Hanmer, to permit a second dwelling unit on the subject property for a maximum temporary period of ten (10) years, pursuant to Section 39 of the Planning Act be approved.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Bradley

CARRIED

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO CORRECT SPLIT ZONINGS AS A RESULT OF A LAND EXCHANGE APPROVED BY THE CONSENT OFFICIAL UNDER CONSENT APPLICATIONS B56/2003 AND B57/2003, 23 AND 29 MAIN STREET, CHELMSFORD - CAISSE POPULAIRE VERMILION INC./RITA RENAUD

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

Report dated October 7th, 2003, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for rezoning to correct split zonings as a result of a land exchange approved by the Consent Official under Consent Applications B56/2003 and B57/2003, 23 and 29 Main Street, Chelmsford - Caisse Populaire Vermilion Inc./Rita Renaud.

The agent for the applicant, Mr. Dave Dorland, 298 Larch Street, Sudbury, was present.

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

Mr. Dorland indicated that this application was a housekeeping matter in nature. This application was brought forward after Staff made a reasonable decision to allow the land exchange and the parking lot to be constructed.

Councillor Ron Bradley, representing the Ward, indicated that this application is an example of something good that has happened since the amalgamation.

No objectors were present.

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 #2003-184

Petryna-McIntaggart: That the application by Caisse Populaire Vermilion Inc. and Rita Renaud to amend By-law 83-302 being the Zoning By-law for the former Town of Rayside-Balfour by changing the zoning classification of Part of the new 29 Main Street site from "C2-7", General Commercial Special to "C2", General Commercial and Part of the new 23 Main Street site from "C2", General Commercial to "C2-7", General Commercial Special as a result of Consent Applications B56/2003 and B57/2003 be approved subject to the following:

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO CORRECT SPLIT ZONINGS AS A RESULT OF A LAND EXCHANGE APPROVED BY THE CONSENT OFFICIAL UNDER CONSENT APPLICATIONS B56/2003 AND B57/2003, 23 AND 29 MAIN STREET, CHELMSFORD - CAISSE POPULAIRE VERMILION INC./RITA RENAUD (cont'd)

Recommendation #2003-184 (cont'd)

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

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Bradley

CARRIED

APPLICATION FOR REZONING TO PERMIT THE CHANGE OF THE FORMER RETAIL KITCHEN GOODS STORE (KITCHEN BITS) TO A RETAIL CLOTHING BOUTIQUE, 273 ELM STREET, SUDBURY - SCOTT MURRAY

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

Report dated October 7th, 2003, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for rezoning to permit the change of the former retail kitchen goods store (Kitchen Bits) to a retail clothing boutique, easterly corner of the intersection of Elm and Cypress Streets (273 Elm Street, Sudbury) - Scott Murray.

The agent for the applicant, Dave Dorland, 298 Larch Street, Sudbury and Jacqueline Gervais, 273 Elm Street, Sudbury, were present.

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

Councillor Dupuis asked questions regarding the City of Greater Sudbury's handicapped parking Policy.

With respect to handicapped parking, the Manager of Development Services advised that according to the Zoning By-law, no handicapped parking spaces are required for this use.

PUBLIC HEARINGS (cont'd)

**APPLICATION FOR REZONING TO PERMIT THE CHANGE OF THE FORMER
RETAIL KITCHEN GOODS STORE (KITCHEN BITS) TO A RETAIL CLOTHING
BOUTIQUE, 273 ELM STREET, SUDBURY - SCOTT MURRAY (cont'd)**

Councillor Gerry McIntaggart, representing the Ward, asked questions regarding the boundaries for the Metro Centre Transition area.

The Director of Planning Services advised that the Metro Centre Transition District encompasses an area which runs from Ste. Anne's Road and the CPR line to Paris Street, all of the internal area up Cedar and Larch Streets to east of the hill, west on the other side of the tracks and past the Court House to Regent Street. He stated that this boundary is different from the Metro Centre.

Mr. Dorland responded by pointing out that the most easterly parking spot on the property is a handicapped spot. The front of the building is wheelchair accessible. He advised that Ms. Gervais operates a similar clothing store in North Bay. He stated that they are satisfied with Staff's Recommendation and By-law provisions. He advised the Committee that due to the coming winter season, they may not be able to pave the parking spots but will install the parking facility with the exception of asphalt.

No objectors were present.

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 #2003-185

Petryna-McIntaggart: That the application by Scott Murray to amend By-law 95-500Z being the Zoning By-law for the former City of Sudbury by changing the zoning classification of Lot 15 and Part of Lot 16, Plan 31-S, Instrument No. 114066, in Lot 6, Concession 3, McKim Township from "C4-11", Office Commercial Special to a revised "C4-Special", Office Commercial Special be approved subject to the following:

1. That prior to the passing of an amending zoning by-law the applicant provide the 5 required parking spaces in accordance with the existing Site Plan Control Agreement for the site.

PUBLIC HEARINGS (cont'd)

**APPLICATION FOR REZONING TO PERMIT THE CHANGE OF THE FORMER
RETAIL KITCHEN GOODS STORE (KITCHEN BITS) TO A RETAIL CLOTHING
BOUTIQUE, 273 ELM STREET, SUDBURY - SCOTT MURRAY (cont'd)**

Recommendation #2003-185 (cont'd)

2. That the amending by-law contain the following provisions:
 - i) The only permitted uses shall be a retail clothing boutique, one dwelling unit and their related accessory uses.
 - ii) Required parking spaces for a permitted non-residential use shall be provided at a ratio of 50% of the number of parking spaces required under the By-law.
 - iii) A parking area shall be no closer than one (1) metre to the road abutting the south limit of the lot.
 - iv) The extent of a sight triangle adjacent to any road other than an arterial road shall be three (3) metres.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Bradley

CARRIED

**APPLICATION FOR REZONING TO PERMIT THE CONSTRUCTION OF AN
ELEMENTARY SCHOOL, NORTH SIDE OF MAIN STREET AND WEST OF BRUNET
CRESCENT - PLATS DEVELOPMENT LTD.**

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

Report dated October 7th, 2003, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for rezoning to permit the construction of an elementary school, north side of Main Street and west of Brunet Crescent - Plats Developments Ltd.

Mr. Normand Forest of Lacroix, Forest, 36 Elgin Street, Sudbury, representing Le Conseil Scolaire Du District Du Grand-Nord de L'Ontario, the developer of the land, was present.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE CONSTRUCTION OF AN ELEMENTARY SCHOOL, NORTH SIDE OF MAIN STREET AND WEST OF BRUNET CRESCENT - PLATS DEVELOPMENT LTD. (cont'd)

The Director of Planning Services outlined the application to the Committee. The site is a large, flat, undeveloped area covered with grass and scattered brush. He advised that there were concerns expressed regarding stormwater drainage in the area. The ditches have minimum grades and Spring time flooding is frequent. Storm sewers will be required. The City of Greater Sudbury has a stormwater concept plan for stormwater maintenance which requires cost sharing Agreements to be participated in by the owner and all abutting land owners. The NDCA advises that the property is situated in a designated flood plain. The application will be approved assuming the structure is flood proofed. A lot grading and drainage plan are also required. The Committee of Adjustment approved a Variance Application for a minimum 66 foot right-of-way. This application is subject to Site Plan Control at the building permit stage. The application is recommended for approval.

Councillor McIntaggart asked questions regarding the spring time flooding in the ditches in the area. He wondered what would happen if the abutting property owners did not want to cost share. He also expressed his concerns regarding the safety of the Elementary School children in the area.

The Director of Engineering Services advised that the Storm Water Management Study requires that all new developers participate in the cost of improving the system on a cost sharing basis. Based on the area of land within the drainage study, other developers in the area have agreed to cost share. The City of Greater Sudbury will also contribute their share of the study costs and improvements. The elevation design for the area is above the flood plain. Once the situation is improved in this area, it will be safer for the children. He indicated that all stormwater runs to the Creek and then west of MR #80.

Councillor Dupuis, representing the Ward, asked questions regarding the safety of the children and criteria for a sidewalk, both of which are concerns which were raised by the residents. He indicated that water cannot be deflected from one property to another. He wants to ensure the protection of the neighbourhood.

With respect to the sidewalk, the Director of Engineering Services advised that a paved shoulder should not be a substitute for a sidewalk. They can look at which side of the road should be paved.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE CONSTRUCTION OF AN ELEMENTARY SCHOOL, NORTH SIDE OF MAIN STREET AND WEST OF BRUNET CRESCENT - PLATS DEVELOPMENT LTD. (cont'd)

Mr. Forest advised that Step #3 in this process is to have the School built. He said that this School is being built in response to the needs of pupils of this School Board. The severance and Minor Variance Applications have been granted. A Public Meeting was held on Tuesday, October 8th, 2003 at the Library in Val Caron. Approximately 30 - 35 people were in attendance. He stated that the public voiced their concerns regarding safety. The School Board Members addressed all of these concerns. A Site Plan Agreement is required prior to a building permit being issued. At that time, concerns regarding drainage, sanitary sewers, walkway, etc. will be addressed.

Roland Duhamel, 1538 Main Street, Val Caron, was present. He advised that he is not against the School Board having a School but that he is against the building of a new school. There is presently a good school on River Road in the same subdivision which has been scheduled to be closed.

Councillor Portelance, representing the Ward, asked Mr. Forest to respond regarding research and due diligence.

Mr. Forest indicated that Mr. Duhamel attended the October 8th, 2003, Public Meeting at which time he was advised that the existing school was not available for sale.

Jean-Marc Aubin, French Public School Board Trustee, was present. He advised that there are only about a half a dozen French Public Schools in Sudbury at the present time and more are needed. This new school will accommodate the needs of the system.

Mike Labelle, 3051 Brunet Crescent, Val Caron, was present. He resides at the southwest corner of the existing school on River Road. He indicated that the adjacent property owners water in the Spring drains into the field. There is flooding in this area. He stated that the old school should have been purchased, levelled off and rebuilt. He opposes this plan altogether.

The Director of Engineering Services advised the Committee that the Brunet area will be part of the Drainage Study and the need for ditching will be investigated. If the water runs toward the School Board property then with the Site Plan Agreement and the Lot Grading Plans it will be handled by the new system.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE CONSTRUCTION OF AN ELEMENTARY SCHOOL, NORTH SIDE OF MAIN STREET AND WEST OF BRUNET CRESCENT - PLATS DEVELOPMENT LTD. (cont'd)

Mr. Labelle questioned whether a fence would be built around the school.

Mr. Forest advised that the issue of the fence would be addressed at the Site Plan level. At the conclusion of the October 8th, 2003, Public Meeting, the Director of Education advised that during the planning process of the building of the school there will be meetings to address any issues and concerns of the public.

Mireille Knuff, 3057 Brunet Street, Val Caron, was present. She indicated that her property is the lowest on the entire Street. She said that her property presently drains into this site and wondered where her water will go when the school is built. She also asked who would pay for the costs of the site improvements and study. She also indicated that, as a taxpayer, she believes that another existing empty school should be looked at before building a new one.

The Director of Engineering Services indicated that all run-off and drainage has to be conveyed south to Main Street. He said that water from one property cannot flow onto another property. Each resident is responsible for handling their own water flow. If the school is properly developed, any water will be redirected to a positive outlet. He could not guarantee that her problem would be solved. He asked to get her name and number after the meeting and someone from his office would call her tomorrow.

Councillor Portelance, representing the Ward, asked the Director of Engineering Services if there would be a guarantee that Mrs. Knuff would not have any more problems than she already has with this new development. She also questioned whether Mr. Labelle and Mrs. Knuff would be kept informed of the development. She advised that she could not attend the October 8th, 2003, Public Meeting but that she has received no phone calls opposing this application. In her communications with Councillor Dupuis, she was assured that the residents concerns would be addressed.

The Director of Engineering Services indicated that all water running from the new site would be taken to storm sewers on Main Street. There would not be more water when the School Board property is developed. This would most likely be handled through perimeter ditching.

With respect to information to the public, the Manager of Development Services advised that the Site Plan process is for staff only and not the public. The Site Plan will be circulated to the Ward Councillors.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE CONSTRUCTION OF AN ELEMENTARY SCHOOL, NORTH SIDE OF MAIN STREET AND WEST OF BRUNET CRESCENT - PLATS DEVELOPMENT LTD. (cont'd)

Councillor Dupuis, representing the Ward, commended the applicant for holding a Public Meeting.

Councillor Bradley commented that he knows this area is flat and has water problems. He is confident that Staff will ensure that the water gets out. He stated that the School Board Trustees are trying to do the best for the taxpayers money.

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 #2003-186

Dupuis-McIntaggart: That the application by Plats Development Ltd. to amend By-law 83-300 being the Zoning By-law for the former Town of Valley East by changing the zoning classification of an approximate 10 acre Part of Parcel 1023, in Lot 6, Concession 6, Blezard Township from "R1.D18", Single Residential and "HR1.D18", Holding Single Residential, as the case may be, to "I", Institutional be approved subject to the following:

- (a) That the applicant provide the Development Services Section with a copy of a registered survey plan of the land to be rezoned to enable the preparation of an amending zoning by-law.
- (b) That prior to the passing of an amending by-law the applicant agree to undertake the following to the satisfaction of the General Manager of Public Works:
 1. to participate in a storm water drainage improvement plan to ensure a drainage outlet for the retained property and to cost share in the implementation of a storm sewer system on Main Street to an appropriate outlet;
 2. to have a sanitary sewer capacity analysis completed to determine the availability of sanitary sewer service for the proposed development; and,

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE CONSTRUCTION OF AN ELEMENTARY SCHOOL, NORTH SIDE OF MAIN STREET AND WEST OF BRUNET CRESCENT - PLATS DEVELOPMENT LTD. (cont'd)

Recommendation #2003-186 (cont'd)

3. to complete such work as necessary to provide sanitary sewer service for the proposed development.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

CARRIED

Recess _____ At 8:35 p.m., the Planning Committee recessed.

Reconvene _____ At 8:37 p.m., the Planning Committee reconvened.

APPLICATION FOR REZONING TO PERMIT APPROXIMATELY 655 SQUARE FEET OF AN EXISTING DWELLING TO BE USED AS A REAL ESTATE SALES OFFICE AND TO ERECT A BUSINESS IDENTIFICATION ROOF SIGN IN CONJUNCTION WITH THE 'TEMPORARY OFFICE USE' FOR A MAXIMUM TEMPORARY PERIOD OF THREE (3) YEARS, 4804 HIGHWAY 69 NORTH, VAL THERESE - EVA LANCTOT-LANDRY & OME LANDRY

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

Report dated October 7th, 2003, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for rezoning to permit approximately 655 square feet of an existing dwelling to be used as a real estate sales office and to erect a business identification roof sign in conjunction with the 'temporary office use' for a maximum temporary period of three (3) years, (4804 Highway 69 North, ValTherese) - Eva Lanctot-Landry and Ome Landry.

The applicants, Eva Lanctot-Landry and Ome Landry, 4804 Highway 69 North, Val Therese, were present.

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

Councillor Ron Dupuis, Ward Councillor, asked for clarification on why the applicants must appear before the Planning Committee every three years.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT APPROXIMATELY 655 SQUARE FEET OF AN EXISTING DWELLING TO BE USED AS A REAL ESTATE SALES OFFICE AND TO ERECT A BUSINESS IDENTIFICATION ROOF SIGN IN CONJUNCTION WITH THE 'TEMPORARY OFFICE USE' FOR A MAXIMUM TEMPORARY PERIOD OF THREE (3) YEARS, 4804 HIGHWAY 69 NORTH, VAL THERESE - EVA LANCTOT-LANDRY & OME LANDRY (cont'd)

The Director of Planning Services advised that an Official Plan Amendment would be required to pass a permanent use for the subject property since it is not allowed under the present Official Plan. The Planning Act only allows 3 years at a time for temporary uses with the exception of granny flats and garden suites which are 10 years. He suggested that the Committee could recommend a reduction in the fee level.

Councillor Dupuis asked about the cost of an Official Plan Amendment.

The Manager of Development Services advised that an Official Plan Amendment and Rezoning Application costs \$3,200.00. The cost of a Temporary Use By-law Application is \$800.00 according to fees fixed by City Council.

Ms. Eva Lanctot-Landry indicated that she had an elevation survey done of the site and that it is not in a flood plain. She pointed out that the Staff Report noted the location of the property as being west of the St. Therese Street intersection but that it should be east. She said that she could not understand why they had to come back every three years before the Planning Committee unless there were complaints from area residents.

Councillor Petryna asked the applicant if she had provided the City with a copy of the elevation survey and if not, then that was why the NDCA indicated that the property was in a flood plain.

Councillor Dupuis, representing the Ward, indicated that he had received no calls against this application. He stated that this is a wonderful building which adds character to the Highway especially at Christmas time. He advised Staff that when the Official Plan review is completed, other businesses in the outlying areas and the City should be reconsidered. He supports this application.

Councillor Portelance, representing the Ward, agreed with Councillor Dupuis in that the building is very clean and professional.

Councillor McIntaggart commented that he was on the Planning Committee when this application first came forward. He said that this is not your typical real estate office. He supports the application.

No objectors were present.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT APPROXIMATELY 655 SQUARE FEET OF AN EXISTING DWELLING TO BE USED AS A REAL ESTATE SALES OFFICE AND TO ERECT A BUSINESS IDENTIFICATION ROOF SIGN IN CONJUNCTION WITH THE 'TEMPORARY OFFICE USE' FOR A MAXIMUM TEMPORARY PERIOD OF THREE (3) YEARS, 4804 HIGHWAY 69 NORTH, VAL THERESE - EVA LANCTOT-LANDRY & OME LANDRY (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 #2003-187

Dupuis-McIntaggart: That the application for rezoning by Eva Lanctot-Landry and Ome Landry, the owners of Parcel 37385 S.E.S. being Part 1, Plan 53R-4316 and Parts 1, 2 and 3, Plan 53R-5918, Lot 6, Concession 3, Township of Hanmer, to permit a maximum 60.9 m² real estate sales office and one business identification roof sign having a maximum sign area of 2.23 m² on the subject property for a maximum temporary period of three years pursuant to Section 39 of The Planning Act be approved.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

CARRIED

APPLICATIONS TO AMEND THE SECONDARY PLAN FOR THE NICKEL CENTRE SETTLEMENTS AND BY-LAW 83-304 BEING THE COMPREHENSIVE ZONING BY-LAW FOR THE (FORMER) TOWN OF NICKEL CENTRE TO PERMIT A MINI-STORAGE BUSINESS IN CONJUNCTION WITH AN EXISTING SINGLE DETACHED DWELLING, 11 DONNELLY DRIVE, GARSON - MARISA MICHELIZZA

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

Report dated October 7th, 2003, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding applications in order to amend the Secondary Plan for the Nickel Centre Settlements and By-law 83-304 being the Comprehensive Zoning By-law for the (former) Town of Nickel Centre in order to permit a mini-storage business in conjunction with an existing single detached dwelling (11 Donnelly Drive, Garson) - Marisa Michelizza.

PUBLIC HEARINGS (cont'd)

APPLICATIONS TO AMEND THE SECONDARY PLAN FOR THE NICKEL CENTRE SETTLEMENTS AND BY-LAW 83-304 BEING THE COMPREHENSIVE ZONING BY-LAW FOR THE (FORMER) TOWN OF NICKEL CENTRE TO PERMIT A MINI-STORAGE BUSINESS IN CONJUNCTION WITH AN EXISTING SINGLE DETACHED DWELLING, 11 DONNELLY DRIVE, GARSON - MARISA MICHELIZZA (cont'd)

Letter dated October 16th, 2003, was received from Nick Naneff, Albona Investments Inc., in opposition to the above-noted application.

Letter dated October 16th, 2003, was received from Barbara Blanchard, in opposition to the above-noted application.

Letter dated October 16th, 2003, was received from Lloyd Blanchard, in opposition to the above-noted application.

Letter dated October 18th, 2003, received from the owner of 2097 Falconbridge Road expressing concerns in the above-noted application was distributed to Committee Members at the meeting.

Letter dated October 19th, 2003, received from Scott Siren expressing concerns in the above-noted application was distributed to Committee Members at the meeting.

James Kirkland, 2651 Desloges Road, Sudbury, the agent for the applicant, and Marisa Michelizza, 2616 Falconbridge Highway, Garson, the applicant, were present.

The Director of Planning Services outlined the applications to the Committee. He indicated that there are two applications, one to amend the Secondary Plan and the other to change the zoning. The Nickel Centre Secondary Plan specifies that single detached and semi-detached dwellings are permitted. There is an existing single detached dwelling presently on the site and the adjoining lands are all single detached dwellings. The Official Plan for this area does not permit industrial activities such as warehousing and storage such as the proposed application for a mini-storage business and therefore an Official Plan Amendment is required. He stated that uses such as this are not compatible with residential uses. They are usually located in light industrial or commercial areas because of their hours of operation, noise, outdoor storage, litter and danger due to storage of unknown materials. A new single residential subdivision, Naneff Gardens, was approved earlier this year and is presently being developed as an "executive/estate lot" subdivision which is in conformity with the low density residential area being the most appropriate land use.

PUBLIC HEARINGS (cont'd)

APPLICATIONS TO AMEND THE SECONDARY PLAN FOR THE NICKEL CENTRE SETTLEMENTS AND BY-LAW 83-304 BEING THE COMPREHENSIVE ZONING BY-LAW FOR THE (FORMER) TOWN OF NICKEL CENTRE TO PERMIT A MINI-STORAGE BUSINESS IN CONJUNCTION WITH AN EXISTING SINGLE DETACHED DWELLING, 11 DONNELLY DRIVE, GARSON - MARISA MICHELIZZA (cont'd)

The Director of Planning Services said that access is a concern and therefore several conditions such as no access off Falconbridge Highway, dedication of a 5 metre wide strip along Falconbridge Highway for future road widening and a Site Plan Control Agreement are required as part of this approval. The Ministry of Municipal Affairs and Housing was circulated on this application and have responded that uses such as those proposed are not generally considered within residential areas and that they should have regard to the Provincial Policy Statement and land use patterns. The Ministry of the Environment guidelines for activities such as what this application proposes, recommends a minimum separation distance of 20 metres for a Class 1 Industrial Facility. This application is inadequate in lot area to accommodate an industrial land use. The Planning Services Staff is not able to support these applications as permitted uses.

James Kirkland indicated that a Public Meeting was held last Saturday at the suggestion of Councillor Callaghan, at which time there were 10 - 15 people in attendance. At the Public Meeting it was concluded that there was a crime problem in Garson and that there was a traffic problem on Falconbridge Highway, both of which would not be affected by these applications. He said that he has driven up and down this road for many years and the present dwelling looks as if it is the last remaining prime commercial lot in Sudbury. He stated that commercial development is well suited to this area. There are presently four lanes of traffic on Falconbridge Highway and a turning lane onto Donnelly Drive which makes this proposal well suited for the area. He said that various commercial possibilities were looked at for this first Class Commercial Highway Development. A mini-storage business uses no water, sewers and does not affect traffic. There are numerous similar businesses in Southern Ontario which are very convenient for storage. This site is surrounded by trees, is not an eye sore and has proper drainage ditches. There are very few sites in the area with this much room to work with.

Aldine Christanson, 77 Donnelly Drive, Garson, was present. She indicated that she has been a resident of this area for 37 years. She cannot understand why everyone wants to dump on such a nice road. The proposed site will be the first seen when driving around the corner. The owner in this application has allowed garbage to be trucked on her property contrary to warnings from the Ministry of the Environment. She said that the residents have no knowledge of what is stored in her sheds where there has been a recent fire. She indicated that she has a signed Petition by residents of Donnelly Drive, Gleneden Avenue, Laurelwood Avenue and Carr Street opposed to this application.

PUBLIC HEARINGS (cont'd)

APPLICATIONS TO AMEND THE SECONDARY PLAN FOR THE NICKEL CENTRE SETTLEMENTS AND BY-LAW 83-304 BEING THE COMPREHENSIVE ZONING BY-LAW FOR THE (FORMER) TOWN OF NICKEL CENTRE TO PERMIT A MINI-STORAGE BUSINESS IN CONJUNCTION WITH AN EXISTING SINGLE DETACHED DWELLING, 11 DONNELLY DRIVE, GARSON - MARISA MICHELIZZA (cont'd)

Al Kuzenko, 65 Donnelly Drive, Garson, was present. He indicated that the area is comprised of single detached, semi-detached and executive homes. The property in question is currently a dumping ground with no clean-up being done. He wonders what will be stored on the site. He reiterated that the Ministry has strict guidelines against commercial areas such as these where there use to be a repair garage with gas pumps. He is in opposition to this application to amend the Official Plan and hopes that both Staff Recommendations are adopted.

John McDougall, 29 Carr Street, Garson, was present. He is concerned about the garbage contained on the site and the business that is being run out of the location. He stated that when a fire occurred across the Street from this site at the car lot, Falconbridge Road was shut down for 1 ½ hours and traffic had no way of getting around. He wonders what will happen if there is a fire on this site. He said that he is opposed to the application and that the area should remain residential.

Darryl Taylor, 59 Donnelly Drive, Garson, was present. He stated that he was opposed to the application. He moved into the area less than 6 months ago because it was a quiet neighbourhood and safe for his two young children. If this application is approved, there will be larger vehicles travelling on Donnelly Drive which would pose a danger to the children. He stated that the pictures shown tonight do not reflect the piles of garbage and lumber on the site. He said that if mini-storage units are put in then the public will not be able to see what type of garbage is there. He asked Council to reject the application.

Boris Naneff, Albona Investments Inc., was present. He indicated that he is the developer of the Naneff Gardens subdivision. He advised that he is also opposing the application on behalf of the owners of the first new home presently being built in his subdivision. The first draft of his application was for 60 - 64 lots which is typical of a subdivision before the Planning Department but did not fit the Donnelly Drive area. He decided to construct only half the lots which he could have put on the land at a reduced revenue. He stated that it is difficult for the future owners of these new homes in his subdivision to object here today. He advised that he is typically in favour of development which is important to the community.. He concluded by stating this his development meets the theme of the neighbour but the present application does not.

PUBLIC HEARINGS (cont'd)

APPLICATIONS TO AMEND THE SECONDARY PLAN FOR THE NICKEL CENTRE SETTLEMENTS AND BY-LAW 83-304 BEING THE COMPREHENSIVE ZONING BY-LAW FOR THE (FORMER) TOWN OF NICKEL CENTRE TO PERMIT A MINI-STORAGE BUSINESS IN CONJUNCTION WITH AN EXISTING SINGLE DETACHED DWELLING, 11 DONNELLY DRIVE, GARSON - MARISA MICHELIZZA (cont'd)

Councillor Callaghan, representing the Ward, was present in opposition to the application. He indicated that there was a lot of insensitivity shown by the applicant with all of the garbage on the property 3 - 4 weeks prior to attending before the Planning Committee. He said that it is obvious that the owner of the subject property is not going to be responsible. He stated that the objections received tonight are all community driven and that he has received many calls in opposition. He commended the neighbourhood for taking the initiative to get a signed Petition, submit letters in opposition and attend here tonight. He indicated that he would be supporting Staff's Recommendations to deny these applications.

Councillor McIntaggart indicated that he could not support this application for many reasons.

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 #2003-188

Petryna-McIntaggart: That the application by Marisa Michelizza to amend the Secondary Plan for the Nickel Centre Settlements by introducing site specific policies which would establish a "Low Density Residential - Special" designation, in order to permit a mini-storage business in addition to one dwelling unit with respect to those lands described as Parcel 18225 S.E.S. being Parts 1 to 5 inclusive, Plan 53R-14466 in Lot 9, Concession 1, Township of Garson be denied.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance ,Bradley

CARRIED

PUBLIC HEARINGS (cont'd)

APPLICATIONS TO AMEND THE SECONDARY PLAN FOR THE NICKEL CENTRE SETTLEMENTS AND BY-LAW 83-304 BEING THE COMPREHENSIVE ZONING BY-LAW FOR THE (FORMER) TOWN OF NICKEL CENTRE TO PERMIT A MINI-STORAGE BUSINESS IN CONJUNCTION WITH AN EXISTING SINGLE DETACHED DWELLING, 11 DONNELLY DRIVE, GARSON - MARISA MICHELIZZA (cont'd)

Recommendation #2003-189

Petryna-McIntaggart: That the application by Marisa Michelizza to amend By-law 83-304 being the Comprehensive Zoning By-law for the (former) Town of Nickel Centre from "R1.D17", Single Residential to "R1.D17 - Special", Special Single Residential in order to permit a mini-storage business as an additional land use be denied.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

CARRIED

PART I - CONSENT AGENDA

The following recommendation was presented to adopt Items C-1 to C-5 contained in Part 1 of the Consent Agenda:

Recommendation #2003-190

Petryna-McIntaggart: That Items C-1 to C-5 contained in Part 1, Consent Agenda, be adopted.

CARRIED

MINUTES

Item C-1
Report #8,
VETAC Minutes
September 10th,
2003

Recommendation #2003-191

Petryna-McIntaggart : That Report #8, Vegetation Enhancement Technical Advisory Committee Minutes of September 10th, 2003, be received.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-2
Subdivision
Referral Request
for Consent
Application
B114/2003, 1655
South Lane
Road, Sudbury -
957256 Ontario
Limited

Report dated October 9th, 2003 was received from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding Subdivision Referral Request for Consent Application B114/2003 (1655 South Lane Road) - 957256 Ontario Limited.

Recommendation #2003-192

Petryna-McIntaggart: That Consent Application B114/2003 with respect to Parcel 49881 S.E.S. in Lot 1, Concession 4, Broder Township be permitted to proceed by way of the consent process.

CARRIED

Item C-3
Closure of Part of
Long Lake Road,
abutting the
remainder of Parcel
12582 S.E.S.

Report dated October 14th, 2003, was received from the General Manager, Corporate Services regarding the closure of Part of Long Lake Road, abutting the remainder of Parcel 12582 S.E.S., Sudbury.

Recommendation #2003-193

Petryna-McIntaggart: That the City Solicitor take any and all necessary procedures to close part of Long Lake Road, being approximately 1650 square feet abutting the remainder of Parcel 12582 S.E.S., Lot 6, Concession 3, Broder Township, in the City of Greater Sudbury and the City Clerk publish notice of the proposed highway closure, in accordance with the Notice By-law, being By-law 2003-2;

That the said lands be declared surplus upon final passage of the By-law closing the specified part of Long Lake Road, and the lands be transferred to the owner of the remainder of Parcel 12582 S.E.S., for the market value of the land in accordance with Schedule "F" of the City's Purchasing By-law, and subject to the following conditions:

- (a) the Transferee bearing the costs of advertising the proposed closure of the road and of registering this By-law on title to the closed road;

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-3
Closure of Part of
Long Lake Road,
abutting the
remainder of
Parcel 12582 S.E.S.
(cont'd)

Recommendation #2003-193 (cont'd)

- (b) the City reserving or granting any necessary easements for municipal purposes or public utilities at the expense of the Transferee;
- (c) the lands being consolidated with any abutting lands owned by the Transferee and the Transferee delivering on Closing, a Lot Consolidation agreement;
- (d) the Transferee paying on Closing, the market value of the lands;
- (e) the lands being transferred in an "as is" condition;
- (f) the Transferee paying any applicable Goods and Services Tax, or, if a GST registrant, delivering appropriate evidence of registration and an undertaking to indemnify the City;
- (g) the Transferee at its cost, providing a reference plan of survey to establish a registerable legal description for the Property, and securing the approval of the City to such plan prior to depositing same at its expense;

That the Property Negotiator/Appraiser and Clerk be authorized to execute all required documents to sell the lands to the owner of the remainder of Parcel 12582 S.E.S.

CARRIED

Item C-4
Surplus School
Board Property,
11 Mary St.,
Sudbury - St.
Anthony School

Report dated October 14th, 2003, was received from the General Manager, Corporate Services regarding Surplus School Board Property at 11 Mary Street, Sudbury - St. Anthony School.

Recommendation #2003-194

Petryna-McIntaggart: That the Sudbury District Catholic School Board be advised that the City of Greater Sudbury is not interested in acquiring St. Anthony School (11 Mary Street, Sudbury).

CARRIED

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-5 Report dated October 14th, 2003, was received from the General
Lease of City Manager, Corporate Services regarding Leasing of City owned
Owned Lands, land to Wallbridge Mining, North Half of Lot 4, Concession 2,
North Half of Lot 4, Township of Drury.
Concession 2,
Township of Drury **Recommendation #2003-195**
- Wallbridge Mining

Petryna-McIntaggart: That the City of Greater Sudbury enter into a Lease agreement with Wallbridge Mining Company Limited for the purposes of conducting geological exploration activities on Parcel 7473 S.W.S., subject to the terms and conditions contained in report dated October 14th, 2003; and

That the Council of the City of Greater Sudbury pass the necessary By-law; and

That the Property Negotiator / Appraiser and the City Clerk be authorized to execute the required documents.

CARRIED

Adjournment **Recommendation #2003-196**

Petryna-McIntaggart: That we do now adjourn.
Time: 9:40 p.m.

CARRIED

DEPUTY CITY CLERK

CHAIR RON BRADLEY PRESIDING