

**THE TWENTY-SECOND MEETING OF THE COMMITTEE OF THE WHOLE -
PLANNING OF THE CITY OF GREATER SUDBURY**

**Council Chambers
Tom Davies Square**

**Tuesday, February 26th, 2002
Commencement: 5:30 p.m.
Adjournment: 9:13 p.m.**

ACTING DEPUTY MAYOR CALLAGHAN PRESIDING

- Present Councillors Courtemanche, Davey, Dupuis, Kilgour, McIntaggart, Portelance
- Staff J. Rule, Chief Administrative Officer; D. Bélisle, General Manager of Public Works; C. Hallsworth, General Manager of Citizen and Leisure Services; M. Mieto, General Manager of Health and Social Services; D. Wuksinic, General Manager of Corporate Services; R. Swiddle, Director of Legal Services/City Solicitor; S. Jonasson, Director of Finance/City Treasurer; C. Mahaffy, Manager of Financial Planning and Policy; E. Stankiewicz, Coordinator of Current Budget; N. Charette, Manager of Corporate Communications and French Language Services; D. Mathé, Manager of Supplies and Services; P. Thomson, Director of Human Resources; Jody Cameron, Coordinator of Smart Community; A. Haché, Deputy City Clerk; G. Ward, Council Secretary
- Declarations of Pecuniary Interest None declared.
- "In-Camera" 2002-31 Kilgour-McIntaggart: That we move "In-Camera" to deal with those matters which fall within Article 15.5 of the Procedural Rules.
- CARRIED
- Recess At 7:20 p.m., Committee of the Whole - Planning recessed.
- Reconvene At 7:30 p.m., Committee of the Whole - Planning moved to the **Council Chambers** for the regular meeting.

CHAIR DAVE KILGOUR PRESIDING

<u>Present</u>	Councillors Callaghan, Courtemanche, Davey, Dupuis, McIntaggart, Portelance
<u>Staff</u>	J. Rule, Chief Administrative Officer; D. Bélisle, General Manager of Public Works; C. Hallsworth, General Manager of Citizen and Leisure Services; B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Services; D. Braney, Property Negotiator/Appraiser; B. Tanos, Cartographer/G.I.S. Technologist; A. Sizer, Coordinator of Cemetery Services; J. Lahti, Legal Division, A. Haché, Deputy City Clerk; G. Ward, Council Secretary
<u>Media</u>	The Box, MCTV, Sudbury Star
<u>Declarations of Pecuniary Interest</u>	None declared.

MATTERS ARISING FROM THE “IN-CAMERA” SESSION

<u>Rise and Report</u>	Acting Deputy Mayor Callaghan reported that the Committee of the Whole - Planning had met to deal with matters falling within Article 15.5 of the Procedural Rules and the following resolution had emanated therefrom:
<u>2002 Financial Plan</u>	<p>2002-32 Kilgour-McIntaggart: That the Vision of the City of Greater Sudbury to be “a growing, world-class community bringing talent, technology and a great northern lifestyle together”, embodies a community that not only survives but thrives, and that as the budget pressures facing this City in 2002, like many others throughout the Province, are large and threaten the very sustainability of our community, we must therefore adopt a new budgeting process....one that adopts a new approach to financial management and shifts the emphasis from bottom-line financial concerns to service delivery within a longer term financial planning horizon;</p> <p>Therefore be it resolved that the Sustainable Community Model as presented by Interim Budget Chair Austin Davey be approved, being a two-step process:</p> <ol style="list-style-type: none">1) The development of a short-term financial plan for 2002 only; and2) The development of a long-term financial plan for the City, which will be presented to Council in October of 2002; and <p>That outside expertise be hired to assist staff in the development of this long-term financial plan.</p>

CARRIED

PUBLIC HEARINGS

REZONING APPLICATION FOR A TEMPORARY USE BY-LAW FOR A THREE YEAR PERIOD, TO ALLOW THE CONTINUED USE OF A SECOND DWELLING UNIT IN THE EXISTING SINGLE DWELLING TO BE USED AS A GARDEN SUITE BY THE APPLICANT'S PARENTS, 258 LAVALLEE ROAD, CHELMSFORD, CAROLE NOEL-MARTEL

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

Report dated February 15, 2002 was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for a temporary use by-law for a three year period, to allow the continued use of a second dwelling unit in the existing single dwelling to be used as a garden suite by the applicant's parents, 258 Lavallee Road, Chelmsford - Carole Noel-Martel

Letter dated February 25, 2002 from Councillor Ron Bradley advising that he supports the above-noted application was distributed to Committee Members at the meeting.

The applicant was not present.

No objectors were present.

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

2002-33 Davey-Portelance: That the application by Carole-Noel Martel for approval of a temporary use by-law under Section 39 of the Planning Act for the property municipally known as 258 Lavallee Road, Chelmsford, in order to allow a second dwelling unit in the existing single detached dwelling to be used as a garden suite by the applicant's parents for a period of three years be approved.

CONCURRING MEMBERS: Councillors Callaghan; Courtemanche; Davey; Dupuis; McIntaggart; Portelance; Kilgour

CARRIED

PUBLIC HEARINGS (Contd.)

REZONING APPLICATION TO PERMIT THE CONVERSION OF A FORMER HALL INTO ONE DWELLING UNIT AND A DANCE STUDIO, 45 WILLIAM AVENUE, CONISTON - AMANDA TESSIER

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

Report dated February 18, 2002 was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding a rezoning application to permit the conversion of a former hall into one dwelling unit and a dance studio, 45 William Avenue, Coniston
- Amanda Tessier.

Mr. Dave Dorland, agent and Ms. Amanda Tessier, applicant, were present.

Mr. Dorland pointed out the staff report states that the creation of the residential unit may be subject to development charges. This fee represents a hardship to the applicant because of her investment in the property and her ability to pay the fee. He asked staff if development charges would be levied in this case. He pointed out that this is a downscaled use of the property and services currently exist in this area. This type of development is not normally assessed development charges. He advised that area residents have been canvassed and approximately 26 residents have signed documentation in support of the application.

The Director of Planning Services indicated that the development charges amount to approximately \$2,600 to \$2,800. The Committee noted that Council has waived development charges in the downtown area. He indicated that it is staff's opinion that development charges should be imposed in this case as there is a new residential unit where one did not exist before. He pointed out that few exemptions have been made with respect to waiving development charges when new residential units are created. Development charges are warranted and would be imposed at the building permit stage. He indicated that should the Committee want to waive development charges, they would have to add that to the motion.

No objectors were present:

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

Contd.

PUBLIC HEARINGS (Contd.)

REZONING APPLICATION TO PERMIT THE CONVERSION OF A FORMER HALL INTO ONE DWELLING UNIT AND A DANCE STUDIO, 45 WILLIAM AVENUE, CONISTON - AMANDA TESSIER (Contd.)

The following motion was presented:

Dupuis-McIntaggart: That the application by Amanda Tessier to amend By-law 83-304 being the Comprehensive Zoning By-law for the (former) Town of Nickel Centre from "I", Institutional to "R1-Special", Special Single Residential with respect to those lands described as Parcel 4383 S.E.S. being Lots 23 and 24, Plan M-36, Lot 4, Concession 3, Township of Neelon, be recommended for approval subject to the following conditions:

1. That in addition to the uses permitted within an "R1", Single Residential zone a dance studio shall be permitted.
2. Prior to the passage of an amending zoning by-law the owner shall verify that the "residential section" of the structure has been flood proofed to the satisfaction of the Nickel District Conservation Authority. In the alternative, the owner may request that an "H" Holding Symbol pursuant to Section 36 of the Planning Act, 1990, be established on the subject lands. Until the "H" symbol has been removed the only permitted uses would be a dance studio or a day nursery. The "H" symbol would only be removed upon verification by the owner that the "residential section" of the structure has been flood proofed to the satisfaction of the Nickel District Conservation Authority. The owner shall be exempt from any fee applicable to the removal of an "H" symbol.

The following amendment to the motion was presented:

2002-34 Davey-Dupuis: That this application be exempt from development charges.

CONCURRING MEMBERS: Councillors Callaghan; Courtemanche; Davey; Dupuis; McIntaggart; Portelance; Kilgour

CARRIED

Contd.

PUBLIC HEARINGS (Contd.)

REZONING APPLICATION TO PERMIT THE CONVERSION OF A FORMER HALL INTO ONE DWELLING UNIT AND A DANCE STUDIO, 45 WILLIAM AVENUE, CONISTON - AMANDA TESSIER (Contd.)

The main motion as amended was then presented:

2002-35 Dupuis-McIntaggart: That the application by Amanda Tessier to amend By-law 83-304 being the Comprehensive Zoning By-law for the (former) Town of Nickel Centre from "I", Institutional to "R1-Special", Special Single Residential with respect to those lands described as Parcel 4383 S.E.S. being Lots 23 and 24, Plan M-36, Lot 4, Concession 3, Township of Neelon, be recommended for approval subject to the following conditions:

1. That in addition to the uses permitted within an "R1", Single Residential zone a dance studio shall be permitted.
2. Prior to the passage of an amending zoning by-law the owner shall verify that the "residential section" of the structure has been flood proofed to the satisfaction of the Nickel District Conservation Authority. In the alternative, the owner may request that an "H" Holding Symbol pursuant to Section 36 of the Planning Act, 1990, be established on the subject lands. Until the "H" symbol has been removed the only permitted uses would be a dance studio or a day nursery. The "H" symbol would only be removed upon verification by the owner that the "residential section" of the structure has been flood proofed to the satisfaction of the Nickel District Conservation Authority. The owner shall be exempt from any fee applicable to the removal of an "H" symbol.

That this application be exempt from development charges.

CONCURRING MEMBERS: Councillors Callaghan; Courtemanche; Davey; Dupuis; McIntaggart; Portelance; Kilgour

CARRIED

REZONING APPLICATION TO PERMIT THE SEVERANCE OF PART OF A RESORT COMMERCIAL PROPERTY FOR CONSOLIDATION WITH AN ADJOINING SEASONAL RESIDENTIAL PROPERTY TO CORRECT A DRIVEWAY ENCROACHMENT, 53 PANACHE NORTH SHORE ROAD, DIEPPE TOWNSHIP - ESTATE OF HELEN SIRKKA

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

Contd.

PUBLIC HEARINGS (Contd.)

REZONING APPLICATION TO PERMIT THE SEVERANCE OF PART OF A RESORT COMMERCIAL PROPERTY FOR CONSOLIDATION WITH AN ADJOINING SEASONAL RESIDENTIAL PROPERTY TO CORRECT A DRIVEWAY ENCROACHMENT, 53 PANACHE NORTH SHORE ROAD, DIEPPE TOWNSHIP - ESTATE OF HELEN SIRKKA (Contd.)

Report dated February 15, 2002 was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding a rezoning application to permit the severance of part of a resort commercial property for consolidation with an adjoining seasonal residential property to correct a driveway encroachment, 53 Panache North Shore Road, Dieppe Township - Estate of Helen Sirkka

Ms. Celia Teale and Ms. Corrie Sirkka, were present and indicated they were satisfied with the staff recommendation.

No objectors were presented.

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

2002-36 Dupuis-McIntaggart: That the application by the Estate of Helen Sirkka to amend By-law 83-303 being the Zoning By-law for the former Town of Walden by changing the zoning classification of an approximate 28,405 square foot part of Parcel 8576, Dieppe Township from "C7", Resort Commercial to "R7.D2.5", Seasonal Residential to facilitate the enlargement of abutting Parcel 10286 be approved subject to the following:

- (a) That the applicant provide the Development Services Section with a registered survey plan of the subject property to enable the preparation of an amending by-law.

CONCURRING MEMBERS: Councillors Callaghan; Courtemanche, Davey, Dupuis; McIntaggart; Portelance; Kilgour

CARRIED

PART I - CONSENT AGENDA

The following resolution was presented to adopt Items C-1 to C-3 contained in the Consent Agenda:

2002-37 Dupuis-McIntaggart: That Items C-1 to C-3 contained in the Consent Agenda, be adopted.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-1
Bancroft Drive
Reconstruction
Project, Application
for Approval to
Expropriate Land

Report dated February 20, 2002 was received from the General Manager of Corporate Services regarding Bancroft Drive Reconstruction Project, application for approval to expropriate land.

2002-38 Davey-Portelance: That the Council of the City of Greater Sudbury authorize applications for approval to expropriate properties required for the Bancroft Drive Reconstruction Project; and further

That staff be authorized to proceed with the expropriations and also continue to negotiate settlements with the property owners involved.

Yeas
Callaghan
Courtemanche
Davey
Dupuis
Portelance
Kilgour

Nays
McIntaggart

CARRIED

Item C-2
Declaration of
Surplus Properties

Report dated February 19, 2002 was received from the General Manager of Corporate Services regarding declaration of surplus properties on Notre Dame Avenue, Azilda; Lockerby Mine Access Road, Onaping Falls; Hannah Avenue and Railway Ave., Capreol; Daniel Street, Valley East; and 346 Murray St, Sudbury.

Contd.

ROUTINE MANAGEMENT REPORTS (Cont'd)

Item C-2
Declaration of
Surplus Properties
(Cont'd)

The following resolution was presented:

McIntaggart-Dupuis: That the following properties be declared surplus to the City's needs and sold in accordance with the Procedures Governing the Disposal of Real Property:

1. Notre Dame Avenue, Azilda
Parts 1, Plan 53R-15586
2. Lockerby Mine Access Road, Onaping Falls
Part of Parcel 23501 "A", Sudbury West Section
Part of Lot 2, Concession 4, Township of Fairbank
3. Railway Avenue, Capreol
Part of Lot 17, Plan M-575
4. Daniel Street, Valley East
Lot 64, Plan M-486
5. 346 Murray Street, Sudbury
Part of Lot 8, Plan M-59

The Committee approved a motion by Councillor Portelance to remove 346 Murray Street, Sudbury from the motion and defer it to the next regular meeting of the Committee.

The main motion as amended was then presented:

2002-39 McIntaggart-Dupuis: That the following properties be declared surplus to the City's needs and sold in accordance with the Procedures Governing the Disposal of Real Property:

1. Notre Dame Avenue, Azilda
Parts 1, Plan 53R-15586
2. Lockerby Mine Access Road, Onaping Falls
Part of Parcel 23501 "A", Sudbury West Section
Part of Lot 2, Concession 4, Township of Fairbank

Cont'd.

*Surplus Property
Daniel Street
Valley East
Habitat for
Humanity (Canada)
Inc. (Cont'd)*

Now Therefore Be It Resolved that notwithstanding the provisions of the Purchasing By-law 2001-2, as amended, Lot 64, on Plan M-486, located on Daniel Street in the former municipality of Valley East, be conveyed to Habitat for Humanity (Canada) Inc. for the nominal consideration of \$2.00, subject to the condition that a building permit for the construction of a single family dwelling on Lot 64, Plan M-486 be issued by the City of Greater Sudbury no later than September 1st, 2002;

And further that staff be directed to obtain an appraisal of the property and to advertise notice of the proposed sale, both in accordance with the requirements of the Municipal Act, and to report back to the Committee of the Whole - Planning.

Item C-3
Lease Renewal
Industry Canada

Report dated February 20, 2002 was received from the General Manager of Corporate Services regarding lease renewal, Industry Canada.

2002-40 McIntaggart-Dupuis: That the City of Greater Sudbury enter into an agreement with Industry Canada for a Remote Apparatus Monitoring Station at the Sudbury Reservoir.

CARRIED

PART II REGULAR AGENDA

MANAGERS' REPORTS

Item R-1
Request to Modify
Approval
Increase Number
of Guest Rooms
Proposed Seniors'
Residence
Alert Care, Paris St.
Sudbury

Report dated February 15, 2002 was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding request to modify approval given under Committee of the Whole - Planning Resolution #2002-3 to increase the number of guest rooms in the proposed seniors' residence from 85 to 95 (Alert Care, Paris St., Sudbury)

Contd.

MANAGERS' REPORTS (Contd.)

Item R-1 2002-41 McIntaggart-Dupuis: That Resolution 2002-3 which was
Request to Modify passed by the Committee of the Whole - Planning on January 15th,
Approval 2002 be amended by deleting Condition (B) 1. and replacing it with
Increase Number the following:
of Guest Rooms
Proposed Seniors' "1. On Parts 2, 3, 4, 5 and 10, the only permitted uses shall be a
Residence residential building containing a maximum of 95 guest rooms
Alert Care, Paris St. designed for seniors or residents thereof who require nursing
Sudbury (Contd.) and/or home care, together with centralized kitchen and dining
 facilities, and related accessory uses.";

And Further, that no additional public hearing be required to deal with this change.

<u>Yeas</u>	<u>Nays</u>
Callaghan	McIntaggart
Courtemanche	
Davey	
Dupuis	
Portelance	
Kilgour	

CARRIED

Item R-2 Report dated February 18, 2002 was received from the General
Creation of Manager of Citizen and Leisure Services regarding creation of
Scattering Gardens scattering gardens.

The following motion was presented:

Davey-Portelance: That a policy restricting the creation of scattering gardens within the boundaries of the City of Greater Sudbury to existing cemeteries be approved as recommended by the Cemetery Advisory Panel; and

That a copy of this report be forwarded to the Registrar of Cemeteries.

Cont'd.

MANAGERS' REPORTS (Cont'd)

Item R-2
Creation of
Scattering Gardens
(Cont'd)

The following amendment to the above motion was presented:

Courtemanche-Portelance: That any existing scattering gardens not currently approved as a recognized cemetery be considered for approval at the request of the property owner; and

That the Church of the Epiphany's existing scattering garden be approved.

The Committee defeated a motion by Councillor Dupuis to defer this matter to the next regular meeting in order that Members of Council who sit on the Cemetery Advisory Plan could be present to discuss the matter.

With the consent of the mover and seconder, the first paragraph was deleted. The amended amendment was then presented:

2002-42 Courtemanche-Portelance: That the Church of the Epiphany's existing scattering garden be approved.

<u>Yeas</u>	<u>Nays</u>
Callaghan	Davey
Courtemanche	Dupuis
McIntaggart	
Portelance	
Kilgour	

CARRIED

The main motion as amended was then presented:

2002-43 Davey-Portelance: That a policy restricting the creation of scattering gardens within the boundaries of the City of Greater Sudbury to existing cemeteries be approved as recommended by the Cemetery Advisory Panel; and

Cont'd.

