

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

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**Council Chambers  
Tom Davies Square**

**Tuesday, February 12<sup>th</sup>, 2002  
Commencement: 7:30 p.m.  
Adjournment: 9:45 p.m.**

**CHAIR DAVE KILGOUR PRESIDING**

Present Councillors Bradley; Callaghan (D. 9:10); Courtemanche (A. 8:00);  
Craig; Davey; Dupuis; McIntaggart; Petryna, Portelance (D. 9:05)

Staff J. Rule, Chief Administrative Officer; D. Bélisle, General Manager  
of Public Works; B. Lautenbach, Director of Planning Services;  
A. Potvin, Manager of Development Services; D. Wuksinic, General  
Manager of Corporate Services; D. Braney, Property Negotiator/  
Appraiser; T. Rossman-Gibson, Property Administrator; P. Aitken,  
Policy Analyst; J. Lahti, Legal Division; A. Haché, Deputy Clerk;  
G. Ward, Council Secretary

Media The Box; MCTV; Sudbury Star

Declarations of  
Pecuniary Interest None declared.

**DELEGATION**

Order of Agenda

Dr. Jack Layton  
President of FCM The Committee Chair advised that Dr. Jack Layton, President of  
FCM would be arriving later during the meeting. The Committee  
agreed to hear Dr. Layton when he arrived.

Proclamation  
Guide/Scout Week  
Feb. 17 -24, 2002 The Committee Chair stated that February 17 to 24, 2002 is being  
proclaimed Guide/Scout Week in the City of Greater Sudbury. He  
read the proclamation and acknowledged the Guides, Scouts, and  
their leaders who were present in the audience.

Marlene Moore, leader and Girl Guides; Barb Waldick, leader and  
Boy Scouts presented each Member of the Committee with Girl  
Guide Cookies and Boy Scout Popcorn.

Members of the Boy Scouts performed their "Opening Howl" for the  
Committee.

## **PUBLIC HEARINGS**

### **REZONING APPLICATION TO ADD BULK RETAIL OUTLET AND GIFT SHOP TO THE USES PERMITTED UNDER THE HIGHWAY COMMERCIAL ZONING THAT APPLIES TO THE SITE, 1159 KINGSWAY, SUDBURY - JOSEPH CIARDULLO**

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

Report dated February 1, 2002 was received from the Director of Planning Services and the General Manager of Economic Development & Planning Services regarding a rezoning application to add a bulk retail outlet and gift shop to the uses permitted under the Highway Commercial zoning that applies to the site, 1159 Kingsway, Sudbury - Joseph Ciardullo.

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

Mr. M. Sinclair, Solicitor; Ann McNamara and Diane Couchie, proposed purchasers of the property, were present. Mr. Sinclair advised that the applicants were satisfied with the staff recommendation.

No objectors were present.

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

2002-22 Dupuis-McIntaggart: That the application by Joseph Ciardullo to amend By-law 95-500Z being the Zoning By-law for the former City of Sudbury by changing the zoning classification of Parcel 15721 in Lot 2, Concession 4, McKim Township from "C6", Highway Commercial to "C6-Special", Highway Commercial Special be approved subject to the following:

- a) That in addition to normal C6 uses, a bulk retail outlet and a gift shop shall be permitted; and
- b) That prior to the passing of an amending by-law the applicant make arrangements for the installation of a maintenance access structure to the satisfaction of the General Manager of Public Works.

CONCURRING MEMBERS: Councillors Bradley; Callaghan; Craig; Davey, Dupuis; McIntaggart; Petryna, Portelance; Kilgour

CARRIED

**PUBLIC HEARINGS (Cont'd)**

**REZONING APPLICATION TO PERMIT A VIDEO RENTAL/SALES ESTABLISHMENT, 450 SECOND AVENUE, SUDBURY - VICLAIRE INVESTMENTS LTD.**

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

Report dated February 1, 2002 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 video rental/sales establishment, 450 Second Avenue, Sudbury - Viclaire Investment Ltd.

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

Mr. M. Kivistik, agent; Mr. Victor Dubois, property owner and Ms. Joan Vyard, proposed tenant were present.

Mr. Kivistik indicated the condition of providing a test manhole was an onerous requirement to place on a rezoning for a video store. He advised that today, Mr. Dubois deposited \$4,000 for a test manhole in order that the application could proceed. He pointed out that all businesses located within the subject building would be emitting waste through one sanitary sewer outlet and he does not know how it would be determined which business emitted hazardous waste. He requested that the condition to provide a test manhole be deleted.

The General Manager of Public Works pointed out that over 75% of municipalities impose the requirement for a test manhole. The Sewer Use By-law empowers Council to impose a test manhole on anyone, whether rezoning property or not, who could potentially release hazardous waste. When MISA legislation was introduced, the Council of the former Regional Municipality of Sudbury chose to impose this requirement on anyone who applied for rezonings, site plan control or for consent (severance). The Council of the City of Greater Sudbury adopted the policy for test manholes in June 2001. He pointed out that automotive uses were established on the subject building prior to the policy being adopted by the Council of the former Regional Municipality of Sudbury and this provides an opportunity to capture the automotive uses on the property.

Cont'd. . . . .

**PUBLIC HEARINGS (Cont'd)**

**REZONING APPLICATION TO PERMIT A VIDEO RENTAL/SALES ESTABLISHMENT, 450 SECOND AVENUE, SUDBURY - VICLAIRE INVESTMENTS LTD. (Cont'd)**

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Mr. Rick Villeneuve, 192 Eugene Street addressed the Committee against the rezoning. He pointed out that he is both a video store owner and a commercial property owner. He owns a video store located at the corner of Second Avenue and Bancroft Drive and as a video store owner he welcomes a competitor in the neighbourhood. With respect to being a commercial property owner, he pointed out that every ward in the City has a lot of vacant commercial spaces and commercial property owners are having a difficult time filling vacancies in their buildings. He indicated that the applicant could open her business in an existing commercial building.

**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.**

2002-23 McIntaggart-Davey: That the application by Viclaire Investments Ltd. to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury from "M1", Mixed Light Industrial/Service Commercial to "M1-Special", Special Mixed Light Industrial Service Commercial in order to permit a video rental/sales establishment in addition to all other "M1", Mixed Light Industrial/Service Commercial uses with respect to those lands described as the Remainder of Parcel 47285 S.E.S. in Lot 12, Concession 4, Township of Neelon, be approved subject to the following condition:

1. That prior to the passage of an amending zoning by-law the applicant make arrangements to install a Maintenance Access Structure to the satisfaction of the General Manager of Public Works.

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

CARRIED

Order of  
Agenda

The Committee agreed to hear Dr. Layton at this time.

Dr. Jack Layton  
FCM Priorities

Dr. Jack Layton, President of the Federation of Canadian Municipalities and Toronto City Councillor pointed out that FCM currently represents 1,000 democratically elected municipal governments. He has been visiting municipalities regarding FCM's campaign for increased financial and political independence from provincial and federal governments. He advised that FCM has produced a document called "Early Warning - Will Canadian Cities Compete?". The purpose of the research is to compare legislative and fiscal powers of US and Canadian municipal governments, as well as a financing mechanism for infrastructure. He pointed out that US levels of government are investing double the amount of money in their cities than we are and this cannot continue for an extended period before you start noticing where business and industry begin to locate. He stated that it is not possible for Canadian municipalities to do the job being done in the US as long as Canadian municipalities are constrained in the current manner. FCM is saying its time for that to change.

He also advised that FCM is strongly recommending that Canada sign the Kyoto Agreement on Climate Change. It is felt that this will have immense positive economic benefits.

A question and answer period followed Mr. Layton's presentation. Councillor Kilgour, on behalf of the Committee, thanked Mr. Layton and presented him with a token of appreciation.

## **PART I - CONSENT AGENDA**

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

2002-24 Dupuis-McIntaggart: That Items C-1 to C-5 contained in the Consent Agenda, be adopted.

CARRIED

## **MINUTES**

Item C-1  
Report No. 1  
VETAC Minutes  
January 10, 2002

2002-25 McIntaggart-Dupuis: That Report No. 1, Vegetation Enhancement Technical Advisory Committee Minutes of January 10, 2002, be adopted.

CARRIED

## ROUTINE MANAGEMENT REPORTS

Item C-2  
Extension of Draft  
Approval, Draft Plan  
of Subdivision  
Parcel 1869, Lot 5,  
Concession 4,  
Twp. Of Waters  
Riverglen Subd.

Report dated February 1, 2002 from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding extension of draft approval, draft plan of subdivision of Parcel 1869, Lot 5, Concession 4, Township of Waters, Riverglen Subdivision.

2002-26 McIntaggart-Dupuis: That upon payment of Council's processing fee of \$2,156.50 prior to the March 31<sup>st</sup>, 2002 lapsing date, the conditions of draft approval for the draft plan of subdivision of Parcel 1869, Lot 5, Concession 4, Township of Waters, File #780-8/76-2, shall be amended as follows:

1. By deleting Condition #18 and replacing it with the following:

"18. That this draft approval shall lapse on December 31<sup>st</sup>, 2004."

2. That as required, the conditions of draft approval be amended to address municipal restructuring and the creation of the City of Greater Sudbury.

CARRIED

Item C-3  
Declaration of  
Surplus Properties

Report dated February 6, 2002 was received from the General Manager of Corporate Services regarding declaration of surplus properties, various locations.

2002-27 Dupuis-McIntaggart: That the following properties be declared surplus to the City's needs:

1. 0 Martindale Road  
Parcel 24043 SES, Part of Lot 7, Concession 2, Township of McKim, Sudbury

2. 84B Balsam Street  
Parcel 40531 SES, Lot 83 on Plan M-1024, Sudbury

3. 127 Cedar Street  
Lot 77 on Plan 3-S, Part of Lot 5, Concession 3, Township of McKim, Sudbury

4. 75 Santala Road  
Parcel 17931 SWS, being Part of Lot 9, Concession 4, Township of Waters, Walden

CARRIED

## **ROUTINE MANAGEMENT REPORTS**

Item C-4  
Extension of Draft  
Approval  
Draft Plan of  
Subdivision of  
Part of Parcel 4873,  
Lot 10  
Concession 3  
Rayside Township  
Hazel Street  
Subdivision, Azilda

Report dated February 4, 2002 was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding extension of draft approval, draft plan of subdivision of Part of Parcel 4873, Lot 10, Concession 3, Rayside Township, Hazel Street Subdivision, Azilda.

2002-28 McIntaggart-Dupuis: That upon payment of Council's processing fee of \$329.17 prior to the February 16<sup>th</sup>, 2002 lapsing date, the conditions of draft approval for the draft plan of subdivision of Parcel 4873, Lot 10, Concession 3, Township of Rayside, File #780-5/93010, shall be amended as follows:

1. By deleting Condition #12 and replacing it with the following:

"12. That this draft approval shall lapse on December 16<sup>th</sup>, 2002."

CARRIED

Item C-5  
Amendment to  
Conditions of  
Draft Approval  
Part of Parcel  
20632, Lot 1,  
Concession 3,  
Twp. of Hanmer  
Katmic Construction  
Subdivision

Report dated February 5, 2002 was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding amendment to the conditions of draft approval, Part of Parcel 20632, Lot 1, Concession 3, Township of Hanmer, Katmic Construction Subdivision

2002-29 Dupuis-McIntaggart: That the conditions of draft approval for the draft plan of subdivision of Parcel 20632, Lot 1, Concession 3, Township of Hanmer, File #780-7/94008, be amended by deleting Condition #15 and replacing it with the following:

"15. That the subdivision agreement contain a provision whereby the "Restriction on Transferring Land" shall not be removed from the title of a lot until such time as the owner has paid a levy of \$2,000.00 per lot, over and above all other charges and levies to the City, for the future upgrading of the Centennial Drive Water Booster Station."

CARRIED

Adjournment

2002-30 Davey-Dupuis:: That we do now adjourn.  
Time: 9:45 p.m.

CARRIED

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DEPUTY CITY CLERK

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CHAIR DAVE KILGOUR