

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

Committee Room C-11

Tuesday, June 25th,
2002

Tom Davies Square

Commencement: 6:30 p.m.
Adjournment: 9:10

p.m.

ANGIE HACHÉ PRESIDING

Present

Councillors Bradley, Dupuis, Kilgour, Portelance

Staff

D. Braney, Legal Services; A. Haché, Deputy City Clerk;
K. Bowschar, Planning Committee Secretary

Declarations of
Pecuniary Interest

None declared.

"In Camera"

Recommendation 2002-15

Kilgour-Dupuis: That Councillor Ron Bradley chair the In-Camera session of the Planning Committee.

CARRIED

COUNCILLOR RON BRADLEY PRESIDING

Recommendation 2002-16

Dupuis-Portelance: That we move "In Camera" to deal with a property matter in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2002-202 and the Municipal Act, R.S.O. 1990, c.M.45, s.55(5).

CARRIED

Recess

At 6:35 p.m., the Planning Committee recessed.

Reconvene

At 7:00 p.m., the Planning Committee moved to the **Council Chambers** for the regular meeting.

COUNCILLOR DAVE KILGOUR PRESIDING

Present

Councillors Bradley, Dupuis, Portelance

Councillor Callaghan

Staff

B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Services; D. Nadorozny, General Manager of Economic Development & Planning Services; D. Braney, Property Negotiator/Appraiser; J. Lahti, Legal Services; R. Dixon, Manager of Greater Sudbury Airport; C. Sandblom, Acting General Manager of Health and Social Services; A. Haché, Deputy City Clerk; K. Bowschar, Planning Committee Secretary

Media

The Box; MCTV

Declarations of Hearing

Councillor Portelance declared a pecuniary interest in Public

Pecuniary Interest

Number 4 as she owns property in the vicinity.

MATTERS ARISING FROM THE "IN CAMERA" SESSION

Rise and Report

Councillor Ron Bradley, as Acting Chair of the Planning Committee, reported the Committee met to deal with a property matter in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2002-202 and the Municipal Act, R.S.O. 1990, c.M.45, s.55(5) and the following resolution emanated therefrom:

Lease of Space McFarlane Lake

Recommendation 2002-17

Portelance-Dupuis: THAT the City of Greater Sudbury enter into a lease agreement with Her Majesty the Queen for premises at 3767 Highway 69 South, known as the McFarlane Lake Complex;

THAT the Council of the City of Greater Sudbury pass the necessary by-laws; and

THAT the Property Negotiator/Appraiser and the Clerk be authorized to execute all documents required to complete this matter.

CARRIED

PUBLIC HEARINGS

REZONING APPLICATION IN ORDER TO PERMIT THE EXPANSION OF AN EXISTING SUPERMARKET AND TO PROVIDE SOME 393 ADDITIONAL VEHICLE PARKING SPACES AT 1593 LASALLE BOULEVARD, SUDBURY - 996437 ONTARIO INC. (PROPONENT: LOBLAW PROPERTIES LIMITED)

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

Report dated June 18, 2002, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding a rezoning application by 996437 Ontario Inc. (Proponent: Loblaw Properties Limited) in order to permit redevelopment of the "Sudbury Supermall" site at 1593 Lasalle Boulevard, Sudbury.

Letter dated June 17, 2002 from Margaret Hoar, Co-Chair, Junction Creek Stewardship Committee, c/o Nickel District Conservation Authority, was distributed to Committee Members requesting the Committee to ensure certain measures are followed through as conditions of allowing the expansion to proceed. They also commended Loblaws for having the foresight to consider the impact on Junction Creek when designing their parking lot expansion.

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

Mr. Harry Froussios, agent for Zelinka Priamo Ltd., was present. He introduced Rene Paquette, landowner; Steve Thompson, Loblaws and John Krpan, Consulting Engineer. He advised they were acquiring the adjoining lands in order to expand the existing supermarket from 56,000 square feet to 86,000 square feet. The expansion of the supermarket will occur in the existing structure. An additional 393 parking spots will be provided to accommodate the expanded facility. He pointed out that the closest any part of the parking lot would be to Junction Creek would be 50 feet. On June 6, 2002, an open house was held and approximately 35 people were in attendance. He acknowledged there is a concern regarding the amount of garbage found in the Junction Creek area. He stated that once the proposed development is in place the foodstore will undertake to do a frequent clean up of the garbage and it will be a high priority to keep the area near Junction Creek clean and safe. He advised that they would look at the issues more closely during the site plan approval process. Mr. Fercios also indicated that 40 to 50 jobs will be created as a result of this application.

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PUBLIC HEARINGS (Contd.)

REZONING APPLICATION IN ORDER TO PERMIT REDEVELOPMENT OF THE “SUDBURY SUPERMALL” SITE AT 1593 LASALLE BOULEVARD, SUDBURY - 996437 ONTARIO INC. (PROPONENT: LOBLAW PROPERTIES LIMITED)(Cont'd)

Mr. John Krpan, consulting engineer for the project, addressed the Committee regarding water run-off from the site. He advised that water run-off will be directed to the stormceptor which will remove 80 to 85% of the sediment and all the oil that runs off the parking lot. Smaller sediment will be trapped in the dry pond. The stormceptor will be inspected twice a year and cleaned out once or twice a year.

Ms. Carrie Regenstreif, Member of the Junction Creek Stewardship Committee, Site 32, Box 76, Sudbury, was present. She indicated that most of what she had wanted to talk about had already been mentioned. The concerns of the Junction Creek Stewardship Committee are summarized in their letter which all Committee Members received. She pointed out that they were not opposing the zoning development but were present to reiterate their concerns in the hope that they would be addressed. She advised that Dr. John Gunn, Fisheries Biologist at Laurentian University requested that the applicant use fill other than slag to prevent the leaching of acidic to the Junction Creek. She indicated that a small fence should be built along the edge of the parking lot to prevent bags, flyers and other garbage from making their way to Junction Creek. Recent photos showing garbage in the area just off the existing parking lot were shown. She pointed out that in July 2001 volunteers filled eight garbage bags in this exact location. She requested that vegetation be planted on the slope of the bank, rather than reinforcing it with rock. On behalf of the Junction Creek Stewardship Committee she commended Loblaws for what they have done. They would like to see this become a standard practice along Junction Creek in order to help the efforts to restore Junction Creek.

Dr. Peter Beckett, Member of the Junction Creek Stewardship Committee, Chair of VETAC and resident of New Sudbury addressed the Committee. He commented that the present proposal seems to be reasonably environmentally friendly. He pointed out that conifers were planted in the area by a community group with the assistance of VETAC. He stated that it was important that as many of these trees as possible be transplanted in the area of Junction Creek. He asked if it would be possible to have a proposed park on the east side of Junction Creek. This would enhance the Junction Creek Waterway Park and it could be used by customers and employees of the Supermall. He pointed out that land alterations affect the quality of water and discharges into storm drains and creeks also affect the quality of water in our numerous lakes. He requested that piling of salt laden snow onto the vegetation buffer strip alongside Junction Creek must be avoided as salt discharge into Junction Creek will not help its recovery.

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PUBLIC HEARINGS (Contd.)

REZONING APPLICATION IN ORDER TO PERMIT REDEVELOPMENT OF THE “SUDBURY SUPERMALL” SITE AT 1593 LASALLE BOULEVARD, SUDBURY - 996437 ONTARIO INC. (PROPONENT: LOBLAW PROPERTIES LIMITED)(Cont'd)

Dr. Beckett requested that a protocol be built into the operation manual for snow clearance of the proposed parking lot expansion. A copy of his presentation was distributed at the meeting.

The Director of Planning Services advised that a copy of the Site Plan would be provided to the Junction Creek Stewardship Committee and to the Ward Councillors. If they had any comments regarding the Site Plan they could provide their comments to Planning Services. With respect to the storage of snow, he indicated that this could be addressed in the Site Plan, however, the exact maintenance schedule could not.

Councillor Callaghan, Ward 4, indicated that this application is completely different from the application that was proposed two years ago. He stated that this project has evolved over that last two years to the credit the participants involved. He pointed out that this project will create 50 to 60 jobs and is a multi-million dollar project. The project fits into making Sudbury the retail centre of Northern Ontario. He indicated that Loblaws could use the Sudbury model to promote themselves to other communities.

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

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PUBLIC HEARINGS (Contd.)

**REZONING APPLICATION IN ORDER TO PERMIT REDEVELOPMENT OF THE
“SUDBURY SUPERMALL” SITE AT 1593 LASALLE BOULEVARD, SUDBURY
- 996437 ONTARIO INC. (PROPONENT: LOBLAW PROPERTIES LIMITED)(Cont’d)**

Recommendation 2002-18

That the application by 996437 Ontario Inc. (Proponent: Loblaw Properties Limited) 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 “C-5”, Shopping Centre Commercial with respect to those lands described as Part of Parcel 17046 S.E.S. in Lot 12, Concession 5, Township of Neelon, be approved subject to the following condition:

1. That prior to the passage of an amending zoning by-law the applicant shall provide the Planning Services Division with a registered plan of survey which describes the land to be rezoned to enable the preparation of an amending zoning by-law.
2. That prior to the issuance of a building permit, the owner shall enter into a Site Plan Control Agreement, which among other matters, shall address the following:
 - i) The granting to the City of a right-of-way in perpetuity across their entire property to provide pedestrian and bicycle access for the public who use the Junction Creek Community Trail System;
 - ii) The transfer of an easement along the west side of Junction Creek to permit the construction and maintenance of the Junction Creek Waterway Park. The easement may coincide with the west limit of the sanitary sewer easement as defined by Easement No. 755918.

CONCURRING MEMBERS: Councillors Bradley; Dupuis; Kilgour; Portelance

CARRIED

**REZONING APPLICATION IN ORDER TO PERMIT A SAND AND GRAVEL PIT IN
MACLENNAN TOWNSHIP NORTH OF THE GREATER SUDBURY AIRPORT
- FALCONBRIDGE LIMITED**

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

Report dated June 18, 2002, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for rezoning by Falconbridge Limited in order to permit a sand and gravel pit in MacLennan Township north of the Greater Sudbury Airport.

Mr. Harold Cheley and Ms. Theresa Matheson, from DST Consulting Engineers, Unit 4, 1351-E Kelly Lake Road, Sudbury, were present.

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

Recess The Committee recessed at 8:30 p.m. and reconvened at 8:35 p.m.

Mr. Cheley pointed out that the area being rezoned is approximately 167 hectares, however, the area of extraction is Area A, which is approximately 33 hectares. He indicated that this area will supply them with material for a number of years. Areas B, C and D require additional environmental assessment and evaluation. Their proposal will supply material for Falconbridge Limited mine closures and development in the area. They recognize the City's concerns with trucking on city roads and pointed out that trucking will not occur on roads unless the City's approval is received. Pit operations will be conducted in accordance with Provincial Acts and standards. They plan to operate the pit 24 hours a day, 7 days a week. He advised that the site is very well drained and it appears they will have no problems with drainage or ponding. There is no residential land use in the area. He has met with the Manager of the Greater Sudbury Airport and has received comments and concerns which will be addressed in the Site Plan with the Ministry of Natural Resources. An open house regarding the pit license will be held sometime in the near future at the Skead Community Centre.

The Manager of the Sudbury Airport advised that Nav Canada controls the air space and navigation aids and their requirements will need to be addressed.

Councillor Callaghan, Ward 4, addressed the Committee in support of the application. He advised that he has received no calls regarding this application.

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PUBLIC HEARINGS (Contd.)

**REZONING APPLICATION IN ORDER TO PERMIT A SAND AND GRAVEL PIT IN
MACLENNAN TOWNSHIP NORTH OF THE GREATER SUDBURY AIRPORT
- FALCONBRIDGE LIMITED (Cont'd)**

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.

Recommendation 2002-19

That the application by Falconbridge Limited to amend By-law 83-304 being the Zoning By-law for the former Town of Nickel Centre by changing the zoning classification of that Part of Parcel 51179 lying south of the CNR right-of-way, Lots 9 and 10, Concession 2, MacLennan Township from "RU", Rural to "M5", Extractive Industrial be approved and that at the licensing stage the Ministry of Natural Resources be advised of the following:

- a) That the aggregate license prohibit the trucking of material from the pit to the municipal road system without prior approval from the General Manager of Public Works for the City of Greater Sudbury; and,
- b) That the Greater Sudbury Airport Manager be provided with a copy of any aggregate license application and associated site plans for his review and approval prior to the issuance of an aggregate license on the subject property.

CONCURRING MEMBERS: Councillors Bradley; Dupuis; Kilgour; Portelance

CARRIED

PUBLIC HEARINGS (Contd.)

REZONING APPLICATION IN ORDER TO PERMIT THE ESTABLISHMENT OF “MEDICAL OFFICES” WITHIN AN EXISTING BUILDING AT 1679 MAIN STREET, VAL CARON - CITY OF GREATER SUDBURY

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

Report dated June 19, 2002, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for rezoning by the City of Greater Sudbury in order to permit the establishment of “medical services” within an existing building at 1679 Main Street, Val Caron.

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

Catherine Sandblom, Acting General Manager of Health and Social Services, City of Greater Sudbury, was present. She indicated that the rezoning of the property will enable three medical practioners to establish offices in the building. They are confident that this will improve physician recruitment and retention in the area.

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.

Recommendation 2002-20

That the application by the City of Greater Sudbury to amend By-law 83-300, being the Comprehensive Zoning By-law for the former Town of Valley East and Town of Onaping Falls, by changing the zoning classification of Parcel 19962 S.E.S., being Part 5, Plan 53R-12277, in Lot 7, Concession 5, Township of Blezard from “I”, Institutional Zone to “I-Special” be approved subject to the following condition:

- i) That the amending By-law specify that in addition to the uses permitted in an "I" Zone, medical offices shall also be permitted.

CONCURRING MEMBERS: Councillors Bradley; Dupuis; Kilgour; Portelance

CARRIED

PUBLIC HEARINGS (Contd.)

BY-LAW 2002-137, BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO DECLARE SURPLUS, STOP-UP, CLOSE AND EXCHANGE CERTAIN PARTS OF PLAN 53R-17044 - RON LANTHIER AND ROBERT CHARETTE

Councillor Portelance having declared a conflict did not take part in the discussion, vote on any question or try to influence the voting thereof on the following:

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

Report dated June 19, 2002, was received from the General Manager, Corporate Services regarding By-law 2002-137, being a By-law of the City of Greater Sudbury to declare surplus, stop-up, close and exchange certain parts of Plan 53R-17044

with Ron Lanthier and Robert Charette (part of Kehoe Street (unopened) together with part of Nolin Street (unopened)).

The Committee Chair asked if there was anyone present in the audience who claims that his or her land would be prejudicially affected by By-law 2002-137.

No objectors were present and no objections were received by the City Clerk's Office.

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

Recommendation 2002-21

That we recommend to City Council, that By-law 2002-137, being a by-law of the City of Greater Sudbury to declare surplus, stop-up, close and exchange certain parts on Plan 53R-17044 with Ron Lanthier and Robert Charette, be given third and final reading.

CONCURRING MEMBERS: Councillors Bradley; Dupuis; Kilgour

CARRIED

PART I - CONSENT AGENDA

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

Recommendation 2002-22

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

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-1
Declaration of
Surplus Land
- Brady Street/
St. Raphael Street
Area

Report dated June 18, 2002, was received from the General Manager, Corporate Services regarding Declaration of Surplus Land - Brady Street/St. Raphael Street Area.

Recommendation 2002-23

Bradley-Dupuis: That Lots 249 to 252, 254 to 256, 259 to 262, Plan 35-S and lots 115 and 116, Plan 19-S be declared surplus to the City's needs; and

That St. Gabriel Street (unopened) north of St. Raphael Street, St. Gabriel Lane (unopened), and Part of St. Raphael Street (unopened) abutting Lots 115 to 116, Plan 19-S be stopped up and closed under by-law; and

Further that the lands be sold in accordance to those procedures governing the disposal of Real Property.

CARRIED

Item C-2
Extension to Draft
Approval, Draft

Report dated June 17th, 2002 was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an Extension to

Plan of Subdivision
Part of Parcel
10382, Lot 4,
Concession 5,
Township of
Broder

Draft Approval, Draft Plan of Subdivision, Part of Parcel 10382, Lot 4, Concession 5, Township of Broder - Mariposa Subdivision.

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Item C-2
Extension to Draft
Approval, Draft
Plan of Subdivision
Part of Parcel
10382, Lot 4,
Concession 5,
Township of
Broder (cont'd)

Recommendation 2002-24

Portelance-Bradley: That upon payment of the processing fee of \$2,702.50 the conditions of draft approval for the draft plan of subdivision of Part of Parcel 10382, Lot 4, Concession 5, Township of Broder, File #780-6/88019, shall be amended as follows:

a) By deleting condition #16 and replacing it with the following:

"16. That this draft approval shall lapse on March 16, 2005."

b) By adding the following condition #18:

"18. A detailed lot grading plan that includes the Regional Storm Flow Path will be required. Should a watershed storm water management study which is to be prepared by the City of Greater Sudbury determine that off-site improvement works are required as a result of this development, the owner will be required to cost share in the implementation of said works all to the satisfaction of the General Manager of Public Works."

c) By adding the following condition #19:

"19. That the plan be redesigned in order to provide a "greenbelt" abutting the By-pass in accordance with the Official Plan, to the satisfaction of the Director of Planning Services."

d) By deleting condition #10.

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

Item C-3
Access to
Municipal Road 15
Lessard Welding

Report dated June 18th, 2002 was received from the General Manager, Public Works regarding access to Municipal Road 15 - Lessard Welding.

Recommendation 2002-25

Bradley-Dupuis: That the Site Plan Control Agreement with Lessard Welding, 4590 Municipal Road #15, Chelmsford, be amended to permit a second entrance off of Municipal Road #15.

CARRIED

Adjournment

Recommendation 2002-26

Bradley-Dupuis: That we do now adjourn.
Time: 9:10 p.m.

CARRIED

DEPUTY CITY CLERK

CHAIR DAVE KILGOUR