

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

**Council Chambers
Tom Davies Square**

**Tuesday, May 14th, 2002
Commencement: 7:30 p.m.
Adjournment: 8:50 p.m.**

COUNCILLOR DAVE KILGOUR PRESIDING

Present Councillors Bradley, Callaghan, Courtemanche, Craig, Dupuis, Gainer, Lalonde, McIntaggart, Petryna, Portelance

Staff J. Rule, Chief Administrative Officer; D. Nadorozny, General Manager of Economic Development and Planning Services; G. Clausen, Director of Engineering Services; B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Services; D. Braney, Property Negotiator/Appraiser; R. Henderson, Director of Citizen Services; J. Lahti, Legal Services; A. Haché, Deputy City Clerk; K. Bowschar, Planning Committee Secretary

Media The Box; MCTV; Sudbury Star

Declarations of Pecuniary Interest None declared.

DELEGATION

Canadian Mental Health Association Council by a two-thirds majority agreed to dispense with the rules of procedure and deal with a delegation not on the agenda at this time.

Ms. Lisa Jensen and I Can Do the Kangaroo from the Canadian Mental Health Association delivered a bouquet of balloons to Members of the Committee to recognize people who make a difference in the community. Council noted that CMHA Mental Health Week ran from May 6 to 12, 2002.

An information package on CMHA Emerging Into Light symbol and theme, as well as facts and figures on Mental Health and Mental Illness were distributed to Committee Members at the meeting.

The Committee Chair thanked the delegation from the Canadian Mental Health Association for their presentation.

PUBLIC HEARINGS

REZONING APPLICATION IN ORDER TO PERMIT A BED AND BREAKFAST AT 54 BENN DRIVE, SKEAD - DAVID BISSET

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

Report dated May 6, 2002 was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding a rezoning application by David Bisset in order to permit a bed and breakfast at 54 Benn Drive, Skead.

Letter dated May 12, 2002 from Daniel Kennedy and Madeleine Albert, Skead, expressing concern regarding adequate parking for customers of the bed and breakfast was distributed to Committee Members at the meeting.

Letter dated May 14, 2002 from George and Gayle Charsley, 5 Cottage Lane, Skead, indicating that they are adjacent to the bed and breakfast and their property would be available to accommodate overflow parking.

The Chair indicated that the applicant, Mr. David Bisset, could not be present since he was in the hospital.

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

Mr. Rob Guertz, 50 Benn Drive, advised that one of his concerns regarding adequate parking for the bed and breakfast has now been addressed. He pointed out that the applicant did not mention or discuss the application with him. He expressed concern regarding privacy. He requested that a fence be erected or trees planted where the lot line ends.

Mrs. Gayle Charsley, 5 Cottage Lane, addressed the Committee in favour of the application. She pointed out that she could understand Mr. Guertz's concern regarding privacy as from Mr. Guertz's house you can see into Mr. Bisset's house and vice versa. She advised that cedar trees were planted between the two houses but they are not fully grown. She indicated that a privacy screen or trees that would compliment the grounds could be put in place. She pointed out that the bed and breakfast is on the Sudbury Trail Plan and would possibly provide employment for students, etc.

PUBLIC HEARINGS (Contd.)

REZONING APPLICATION IN ORDER TO PERMIT A BED AND BREAKFAST AT 54 BENN DRIVE, SKEAD - DAVID BISSET (Contd.)

The Director of Planning Services indicated that he was aware of the privacy concern and therefore a 5th condition was added to the staff recommendation requiring a planting strip to provide a buffer for the adjoining residential lot. He also advised that the applicant is not aware of the 5th condition, however, this was already in the applicant's plan as he has started planting some cedar trees.

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.

2002-73 Portelance-Dupuis: That the application by David Bisset to amend By-law 83-304 being the Comprehensive Zoning By-law for the (former) Town of Nickel Centre from "R1.D2.5", Single Residential to "R1.D2.5-Special", Special Single Residential, with respect to those lands described as being Parcel 10964 S.E.S. being Part of Lot 26, Plan M-137, Lot 5, Concession 5, Township of MacLennan, be approved subject to the following conditions:

1. That in addition to all other "R1" uses a 'bed and breakfast accommodation facility' comprised of a maximum of four (4) accessory guest rooms accommodating a maximum of twelve (12) persons, and related accessory uses, shall be permitted.
2. Prior to the passage of an amending zoning by-law the Planning Services Division shall be advised by the applicant that a Sewage System Permit, which accommodates the proposed 'bed and breakfast' and associated uses, has been obtained from the Sudbury & District Health Unit to the satisfaction of the Director of Planning Services.
3. Prior to the passage of an amending zoning by-law the applicant shall undertake to meet all requirements of the Ontario Building Code with respect to the proposed and existing accessory guest room accommodation to the satisfaction of the Director of Building Services/Chief Building Official.
4. Prior to the passage of an amending zoning by-law the applicant shall provide 1 parking space for the dwelling unit and one parking space for each of the accessory guest rooms, to the satisfaction of the General Manager of Public Works.

PUBLIC HEARINGS (Contd.)

REZONING APPLICATION IN ORDER TO PERMIT A BED AND BREAKFAST AT 54 BENN DRIVE, SKEAD - DAVID BISSET (Contd.)

5. That the amending zoning by-law establish that a planting strip will be required along the westerly limit of the subject property in order to provide a visual buffer for the adjoining residential lot.

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

CARRIED

REZONING APPLICATION IN ORDER TO PERMIT THREE (3) PERMANENT DWELLING UNITS WITHIN AN EXISTING RESIDENTIAL BUILDING AT 3240 LINA STREET, VAL CARON - NICOLE AND NORMAND DENIS

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

Report dated May 6, 2002 was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding a rezoning application by Normand and Nicole Denis in order to permit three (3) permanent dwelling units within an existing residential building at 3240 Lina Street, Val Caron.

The Director of Planning Services outlined the history relating to the rezoning of the property, indicating that in 1999 an application to establish a triplex dwelling as a permanent use was considered by Council. Council agreed to a temporary use of the property for a three year period. In March of 2002, the Committee of the Whole Planning considered an application to extend the temporary use for an additional three years and the matter was deferred in order that the applicants could submit this rezoning application to permit three permanent dwelling units.

The Director of Planning Services advised that Planning Services recommendation has not changed from the original report that went to Council. The existing sanitary sewer has sufficient capacity to support this application provided the design criteria of 18 people per acre is not exceeded. He indicated that the total area for this property would allow for a maximum of 5 people, whereas the proposed triplex would yield approximately 10 persons using standard residential occupancy assumptions. The Technical Services Section, as a condition of this rezoning are requesting that the owner be required to upgrade the existing municipal sanitary sewer system and the Sewage Treatment Plant.

PUBLIC HEARINGS (Contd.)

REZONING APPLICATION IN ORDER TO PERMIT THREE (3) PERMANENT DWELLING UNITS WITHIN AN EXISTING RESIDENTIAL BUILDING AT 3240 LINA STREET, VAL CARON - NICOLE AND NORMAND DENIS (Contd.)

Planning Services believe the application does not comply to the Valley East Secondary Plan policy relating to "Medium Density Residential" development which states "...municipal sewer...capacities should be adequate for the proposed development" and therefore Planning Services cannot support the application.

He pointed out that an alternate recommendation, which includes a condition to obtain a building permit has been prepared for the Committee's consideration.

Mr. Normand Denis, owner of the property at 3240 Lina Street and Ms. Debbie Denis, 3240 Lina Street were present.

Ms. Denis indicated that she rents the upstairs apartment in her father's building. She stated that they returned at Council's request and would like approval of a permanent R3 zoning. She pointed out that she has 20 letters from her neighbours indicating they have no concerns with the rezoning.

Mr. Denis pointed out that there have been five people living in this dwelling for four years.

No objectors were present.

2002-74 Dupuis-Portelance: That the application by Normand and Nicole Denis to amend By-law 83-300 being the Comprehensive Zoning By-law for the (former) City of Valley East from "R2.D36", Double Residential to "R3.D30", Medium Density Residential with respect to those lands described as Parcel 53M-1276-3 being Lot 3, Plan 53M-1276 in Lot 7, Concession 6, Township of Blezard, be approved subject to the following condition:

1. Prior to the passage of an amending zoning by-law the owner shall undertake to obtain a Building Permit to the satisfaction of the Director of Building Services/Chief Building Official.

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

CARRIED

PUBLIC HEARINGS (Contd.)

SUBDIVISION APPROVAL AND REZONING APPLICATIONS ON THE SOUTH SIDE OF NIEMI ROAD, LIVELY - H. BASSO, M. KOSKELA, I. PARKS (DALRON CONSTRUCTION LIMITED)

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

Report dated May 6, 2002 was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding rezoning applications for subdivision approval and rezoning on the south side of Niemi Road, Lively, by H. Basso, M. Koskela, I. Parks (Dalron Construction Limited).

Letter dated May 10, 2002 was received from Ronald and Lorna Suomu, 200 Santala Road, Lively. They indicate that the proposed development would invade their privacy and pointed out that construction has already begun on the first home, without a visual building permit being posted. They also requested the installation of a quality chain link fence along the south end of the lots abutting their property. They note that there is no established playground to accommodate increased population in the area.

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

Ms. Celia Teale, Dalron Construction addressed the Committee. She expressed concern that they might have to relocate a wild line. The wild line was installed by the former Town of Walden quite a while ago and the reason it is located where it is, is because of rock. She understood that Dalron Construction could either transfer a small piece of land to the City or relocate the wild line.

The Director of Planning Services confirmed that they could do either.

In replying to questions from Committee Members, she indicated that there will be an open ditch in front of the 10 lots which Dalron's engineers have reviewed and believe there should be no problem. With respect to sidewalks, she pointed out that Dalron owns land across the street and in their long term plans to develop in the area, sidewalks would go on the north side which is what would constitute Sugar Bush subdivision.

PUBLIC HEARINGS (Contd.)

SUBDIVISION APPROVAL AND REZONING APPLICATIONS ON THE SOUTH SIDE OF NIEMI ROAD, LIVELY - H. BASSO, M. KOSKELA, I. PARKS (DALRON CONSTRUCTION LIMITED) (Contd.)

In response to Mr. Suomu's letter, she indicates that she does not know if it makes any sense to have a park in this area for 10 houses. With respect to the chain link fence she believes that once these lots are developed, there will be less problem with people crossing that land. She pointed out that Dalron does have a building permit for the house which is currently being constructed, but did not post it because they were at the block stage, however now it has been posted.

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.

The following recommendations were presented:

2002-75 Portelance-Bradley: That the application by H. Basso, M. Koskela, I. Parks/Dalron Construction Limited to amend By-law 83-303 being the Zoning By-law for the former Town of Walden by changing the zoning classification of Parcels 15563 and 15564 in Lot 8, Concession 5, Waters Township, from "RU", Rural to "R1.D18", Single Residential be approved.

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

CARRIED

2002-76 Portelance-Bradley: That the City of Greater Sudbury Council's delegated official be directed to issue the draft approval for the subject subdivision not sooner than 14 days following the date of the public meeting in accordance with the requirements of Section 51(20) of the Planning Act, and subject to the following conditions:

- (a) That this draft approval applies to the draft plan of subdivision of Parcels 15563 and 15564 in Lot 8, Concession 5, Waters Township as shown on a plan prepared by Terry Del Bosco, O.L.S. and dated February 1st, 2002.
- (b) That the standard conditions of draft approval be imposed.

PUBLIC HEARINGS (Contd.)

SUBDIVISION APPROVAL AND REZONING APPLICATIONS ON THE SOUTH SIDE OF NIEMI ROAD, LIVELY - H. BASSO, M. KOSKELA, I. PARKS (DALRON CONSTRUCTION LIMITED) (Contd.)

- (c) That 5% of the lands included in the plan of subdivision be dedicated to the City of Greater Sudbury for parks purposes, or as an alternative, that cash in lieu of the 5% be paid to the City for parks purposes, in accordance with Section 51.1 of the Planning Act.
- (d) That the subdivision agreement contain provisions for the provision of positive roadside drainage to the satisfaction of the General Manager of Public Works.
- (e) That the subdivision agreement contain provisions for the owner to pay 50% of the cost to construct Niemi Road to full urban collector standard along the frontage of the proposed ten lots.
- (f) That the subdivision agreement contain provisions whereby the owner agrees that following service cuts the owner shall remove the existing full-width asphalt pavement and construct a new paved surface equal to the existing pavement along the full frontage of the subject property to the satisfaction of the General Manager of Public Works.
- (g) That the final plan be provided in AutoCAD.dwg format to the satisfaction of the Coordinator of Geographic Information, Surveys and Mapping Section.
- (h) That prior to the signing of the final plan the owner relocate the private sanitary sewer 'wild line' located on Lot 1 to the satisfaction of the General Manager of Public Works.
- (i) If final approval is not granted within three years of the date of draft approval, the draft approval shall lapse in accordance with Section 51(32) of the Planning Act, unless an extension is granted by Council pursuant to Section 51(33) of the Planning Act.
- (j) Draft approval does not guarantee an allocation of water or sanitary sewer capacity. Prior to the signing of the final plan, the Planning and Development Services Division is to be advised by the General Manager of Public Works that sufficient water and sanitary sewer capacity exists to service the development.

PUBLIC HEARINGS (Contd.)

SUBDIVISION APPROVAL AND REZONING APPLICATIONS ON THE SOUTH SIDE OF NIEMI ROAD, LIVELY - H. BASSO, M. KOSKELA, I. PARKS (DALRON CONSTRUCTION LIMITED) (Contd.)

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

CARRIED

PART I - CONSENT AGENDA

The following resolution was presented to adopt Items C-1 to C-7 contained in the Consent Agenda:

2002-77 Bradley-Portelance: That Items C-1 to C-7 contained in the Consent Agenda, be adopted with the exception of Item C-3 as otherwise dealt with.

CARRIED

MINUTES

Item C-1 2002-78 Bradley-Callaghan: That Report No. 5, Vegetation
Report No. 5 Enhancement Technical Advisory Committee Minutes of April 3,
VETAC Minutes 2002, be received.
April 3, 2002

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-2 Report dated April 19, 2002 was received from the General
Ontario Heritage Manager of Economic Development and Planning Services
Act designation - regarding the Ontario Heritage Act designation - property: 26 Bloor
property: 26 Bloor Street, in the former Town of Capreol.
Street, in the former
Town of Capreol 2002-79 Bradley-Portelance:

1. That the real property municipally known as Capreol, Concession 6, Lot 10, Parcel 32447, Sudbury East Section, Part 2, Plan SR-1116, 26 Bloor Street, in the former Town of Capreol be designated a property to be of historic or architectural value or interest pursuant to Section 29 of the Ontario Heritage Act R.S.O. 1990, c. O. 18, as amended (the Act).

ROUTINE MANAGEMENT REPORTS Cont'd

Item C-5
Sale of Surplus
Property - Trinity
Development
Group Inc. cont'd

2002-81 Portelance-Bradley: THAT the City of Greater Sudbury sell to Trinity Development Group Inc. part of Part 1, Plan 53R-16789, Marcus Drive, to be surveyed, if and when Trinity exercises its Option to Purchase Part 4, Plan 53R-16789 Marcus Drive, on the same terms and conditions outlined in the Option to Purchase, and

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

CARRIED

Item C-6
Sale of Surplus
Property, Walden
Industrial Park -
Greater Sudbury
Telecommunications
Inc.
but that

Report dated May 3, 2002 was received from the General Manager, Corporate Services regarding the sale of surplus property in the Walden Industrial Park - Greater Sudbury Telecommunications Inc.

2002-82 Bradley-Callaghan: THAT the City of Greater Sudbury transfer to the Greater Sudbury Telecommunications Inc. part of Plan 53R-6520, Magill Street, Lively, for a nominal consideration,

all costs associated with the transfer be borne by the purchaser, and

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

CARRIED

Item C-7
Lease Agreement
with the United Way
Centraide Sudbury
& District, 1127
Bancroft Drive,
Sudbury

Report dated May 8, 2002 was received from the General Manager, Corporate Services regarding Lease Agreement with the United Way Centraide Sudbury and District , 1127 Bancroft Drive, Sudbury.

2002-83 Portelance-Bradley: THAT the City of Greater Sudbury enter into a lease agreement with the United Way Centraide Sudbury & District for space in the building located at 1127 Bancroft Drive, Sudbury, under the terms and conditions contained in the following report, and

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

CARRIED

Adjournment

2002-84 Bradley-Callaghan: That we do now adjourn.
Time: 8:50 p.m.

CARRIED

DEPUTY CITY CLERK

CHAIR DAVE KILGOUR