

Request for Decision

Ronald Belanger - Request for extension of conditional approval of rezoning application File 751-5/16-1, 120 Radisson Avenue, Chelmsford

Presented To:	Planning Committee
Presented:	Wednesday, Sep 09, 2020
Report Date	Thursday, Aug 13, 2020
Type:	Routine Management Reports
File Number:	751-5/16-1

Resolution

THAT the City of Greater Sudbury approves the application by Ronald Belanger to extend the conditional approval of rezoning application File # 751-5/16-1 on lands described as PINs 73347-0509, 73347-0774, 73347-0776, 73347-0911, 73347-1631, Lots 6 to 9, Plan M-956, Parts 1, 2, 5, & 6, Plan 53R-19705, Lot 11, Concession 3, Township of Rayside, for a period of two (2) years to June 14, 2022, as outlined in the report entitled "Ronald Belanger", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on September 9, 2020.

Relationship to the Strategic Plan / Health Impact Assessment

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding.

Report Summary

The owner has requested an extension to the conditional zoning approval of File # 751-5/16-1, 120 Radisson Avenue, Chelmsford for a period of two (2) years to June 14, 2022. Planning staff are recommending approval of the request.

Financial Implications

If approved, there will not be any development charges as there are no planned additions to any building. Any change in taxation is unknown at this time as the change in land use designation may impact the assessment value

Signed By

Report Prepared By

Wendy Kaufman
Senior Planner
Digitally Signed Aug 13, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Aug 13, 20

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed Aug 13, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Aug 21, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Aug 24, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Aug 24, 20

Title: Ronald Belanger

Date: August 10, 2020

STAFF REPORT

Applicant:

Ronald Belanger

Location:

PINs 73347-0509, 73347-0774, 73347-0776, 73347-0911, 73347-1631, Lots 6 to 9, Plan M-956, Parts 1, 2, 5, & 6, Plan 53R-19705, Lot 11, Concession 3, Township of Rayside, 120 Radisson Avenue, Chelmsford

Application:

Request to extend conditional zoning approval of 751-5/16-1, 120 Radisson Avenue, Chelmsford for a period of two (2) years to June 14, 2022.

Proposal:

The proponents are requesting a two year extension to complete the outstanding works in conformity with Schedule "A" of the July 28, 2004 site plan control agreement and enter into an amended Site Plan Control Agreement for the expanded site.

Once the conditions of approval have been addressed, these lands will be rezoned to "M2", Light Industrial.

Background:

An application for rezoning was submitted in February 2016 in order to permit a contractor's yard. The application was approved by Planning Committee on May 30, 2016 (Recommendation #2016-98) and ratified by Council on June 14, 2016. The conditional approval has previously been extended for two years effective September 25, 2018.

Conditional approval was granted to change the zoning classification from M1", Mixed Light Industrial/Business Commercial to "M2", Light Industrial in order to permit a contractor's yard.

The majority of the lands subject to this application for rezoning are subject to an existing site plan control agreement entered into on August 10, 2004. Items included in the 2004 site plan that have not been completed include, but are not limited to, the following: the provision of landscape strips with trees, opaque fencing to screen the outdoor storage areas, asphalt paved parking areas and garbage enclosures. The proposal also includes additional lands beyond those governed by the current site plan.

The applicant has requested additional time to address the conditions of approval. An application to amend the site plan has not been submitted the Planning Services at the time of writing of this report.

Summary:

The application for a two-year extension is the second request since initial approval was granted in June 2016. Planning Services Division recommends that the request for a two year extension to June 14, 2022 be granted.

Request for Decision

Ronald Belanger - Application for rezoning in order to change the zoning classification from M1, Mixed Light Industrial/Business Commercial to M2(S), Light Industrial Special in order to permit a contractor's yard, 120 Radisson Avenue, Chelmsford

Presented To: Planning Committee

Presented: Monday, May 30, 2016

Report Date: Wednesday, May 11, 2016

Type: Public Hearings

File Number: 751-5/16-1

Resolution

THAT the City of Greater Sudbury approves the application by Ronald Belanger to amend Zoning By-law 2010-100Z by changing the zoning classification of lands described as PINs 73347-0509, 73347-0774, 73347-0776, 73347-0911, 73347-1631, Lots 6 to 9, Plan M-956, Parts 1, 2, 5, & 6, Plan 53R-19705, Lot 11, Concession 3, Township of Rayside from "M1", Mixed Light Industrial/Business Commercial to "M2(S)", Light Industrial Special subject to the following conditions:

- a) That no exceptions shall be provided to the M2 Zone standards.
- b) That prior to the enactment of the amending by-law the owner shall:
 - i) Complete the outstanding works in conformity with Schedule "A" of the July 28, 2004 site plan control agreement to the satisfaction of the Director of Planning Services, and;
 - ii) Enter into an amended Site Plan Control Agreement with the City, which amongst other matters, shall include the following:
 1. The addition of the lands comprising Parts 1, 2, 5 & 6, Plan 53R-19705 abutting Municipal Road 15;
 2. The removal of the existing driveway onto Municipal Road 15;
 3. The screening of outdoor storage areas; and,
 4. The provision of required landscaping abutting public roadways.

STAFF REPORT

Signed By

Report Prepared By

Alex Singbush
Senior Planner
Digitally Signed May 11, 16

Reviewed By

Eric Taylor
Manager of Development Approvals
Digitally Signed May 11, 16

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed May 11, 16

Recommended by the Department

Tony Cecutti
General Manager of Infrastructure Services
Digitally Signed May 11, 16

Recommended by the C.A.O.

Kevin Fowke
Acting Chief Administrative Officer
Digitally Signed May 17, 16

Applicant:

Ronald Belanger

Location:

PINs 73347-0509, 73347-0774, 73347-0776, 73347-0911, 73347-1631, Lots 6 to 9, Plan M-956, Parts 1, 2, 5, & 6, Plan 53R-19705, Lot 11, Concession 3, Township of Rayside, 120 Radisson Avenue, Chelmsford

Application:

To amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury by changing the zoning classification from "M1", Mixed Light Industrial/Service Commercial to "M2(S)", Light Industrial Special in order to permit the existing Contractor's Yard and to permit the location of the existing buildings.

Proposal:

The applicant is proposing to rezone the lands to permit a contractor's yard and to permit the location of the existing buildings.

Official Plan Conformity:Background

The application indicates that the current use as a contractor's yard was established in 1973, prior to the adoption of By-law 76-327 which was the first zoning by-law in effect for Rayside-Balfour. On September 9, 1976, Belanger Construction Limited entered into a Site Plan Agreement with the Regional Municipality of Sudbury for the development of Lot 7 on Plan M-956 and as such the current land use on that parcel appears to be legal non-conforming.

With respect to this application, staff notes that the applicant has not requested approval to expand a non-conforming use in accordance with Section 20.5.5 of the Official Plan which contains policies with respect to non-conforming land uses; the Official Plan provides guidance in Section 20.5.5.4. for evaluating requests for expansion, extension or change on non-conforming uses. This application, an application for rezoning to the "M2", Light Industrial zone which permits the existing contractor's yard use has therefore not been evaluated against the criteria of Section 20.5.5.4. of the Official Plan.

General Industrial

The subject property is designated "General Industrial" in the Official Plan for the City of Greater Sudbury. Section 4.5 Industrial Area Designations, states:

General Industrial allows a range of industrial activities, such as manufacturing and processing facilities. Heavy Industrial permits all industrial uses, including core infrastructure facilities such as water and wastewater treatment plants and landfill sites. Any expansion to these areas will require an amendment to the Zoning By-law.

Policy 4.5.1 indicates that:

1. Permitted uses may include manufacturing, fabricating, processing and assembling of industrial and consumer products, repair, packaging and storage of goods and materials, and related industrial activities.
2. Complementary uses, such as administrative offices, which do not detract from, and which are compatible with, the operation of industrial uses are also permitted.
3. General Industrial uses must have minimal environmental impacts. Any use which may impact surrounding areas and cause nuisance will be appropriately buffered and screened.

4. Where development occurs in areas that are not fully serviced, only dry industries that generate less than 4,500 litres of wastewater a day may be permitted.
5. Heavy industrial uses may also be permitted by rezoning.

As detailed in the Planning Considerations section of this report, the application is considered to conform to the policies in Sections 4.5.1 of the Official Plan.

Site Description & Surrounding Land Uses:

The subject property is located at the north east corner of Municipal Road 15 and Radisson Avenue in Chelmsford. The lands, which have an approximate area of 4.05 ha (10 acres), are comprised of five parcels with road frontage on Radisson Avenue on the south and east sides and Regional Road 15 on the west side (2012 air photo attached). Municipal water and sanitary sewer services exist at this location.

The applicant's sketch indicates that there are three existing buildings on the property, however when visiting the property staff observed additional canopies, fabric covered buildings, shipping and storage containers on-site. The site is also occupied by a collection of equipment and material, some of which appears to have spilled out onto the Radisson Avenue right-of-way.

Lands, located in the "M1", Mixed Light Industrial/Business Commercial Zone, to the east are vacant and to south are occupied by the City of Greater Sudbury's North-West Depot. Also to the south are lands located in the "M1(32)", Mixed Light Industrial/Business Commercial Special Zone, occupied by automobile related businesses. Lands to the west, on the west side of Municipal Road 15 include the Chelmsford Mall, located in the "C5(1)", Shopping Centre Commercial Special zone and vacant lands zoned "C2(7)", General Commercial Special permitting a bingo hall, funeral parlour and a special needs facility. Lands to the north in the M2 and M2(4) zones are occupied, respectively, by industrial land uses and a single detached dwelling.

Departmental & Agency Comments:

Building Services

Building Services has the following comments:

1. Opaque fencing as required by the August 2004 Site Plan Control Agreement and as per CGS Zoning By-law 2010-100Z, Section 4.28.1 shall be provided.
2. Outdoor storage shall only be permitted in a rear or interior side yard and shall not be located any closer than 9.0 metres to any street line as per CGS Zoning By-law 2010-100Z, Section 4.28.1.
3. A 3.0 metre wide landscaped area shall be required abutting all public roads in all zones as per CGS Zoning By-law 2010-100Z, Section 4.15.1.
4. All shipping containers are to be removed from the property as per CGS Zoning By-law 2010-100Z, Section 4.34.
5. A building permit will be required for all buildings constructed without benefit of a permit including the fabric covered building located at the rear of Building 2 prior to the approval of the zoning amendment.
6. An amendment to the Site Plan Control Agreement will be required.
7. All buildings are to be shown on the property sketch.
8. The use of all buildings shall be shown on the property sketch.
9. All parking areas are to be shown on the property sketch.

Development Engineering

No objection. This site is presently serviced with municipal water and sanitary sewer.

Roads & Traffic and Transportation

In this area, Municipal Road 15 is designated as a Primary Arterial Roadway. In accordance with the policies of the Official Plan, "Access to this type of roadway is to be strictly regulated and kept to a minimum." The Transportation Study for the new Official Plan further indicates that "road access policies and by-laws need to be more stringently enforced in order to uphold the intended function of the specific road segment."

We ask as a condition of approval that the owner be required to close off the driveway onto Municipal Road 15 and we also require that the owner dedicate to the City a 0.3 metre reserve across the entire frontage of Municipal Road 15.

Operations and Drainage

No concerns.

Public Consultation:

A notice of complete application was mailed to property owners and tenants within the surrounding area on February 24, 2016. The statutory notice of the public hearing was provided by newspaper along with a courtesy mail out to property owners and tenants within a minimum of 120 metres of the property.

The applicant was advised of the City's policy which recommends that applicants consult with their neighbours, ward councillor and key stakeholders to inform area residents on the application. As of the date of this report one email citing a list of concerns has been attached to this report and two telephone inquiries requesting additional information with respect to the proposal have been received by the Planning Services Division.

Planning Considerations:

Official Plan Conformity

The proposal broadens the range of industrial uses that can be permitted on the lands to permit the existing use of the property as a contractor's yard. The site is currently serviced with sanitary sewer and municipal water. Official Plan policy 4.5.1.3. indicates that uses which may impact surrounding areas and cause nuisance will be appropriately buffered and screened. This application provides the City with the opportunity to implement site plan control on all of the lands currently occupied by this land use, which includes the western portion of the site which is not currently included in the existing site plan control agreement.

Zoning By-law Conformity

The application requests relief from the setback standards of the M2 zone with respect to the location of Building 3, a storage structure constructed around three shipping containers, which was erected without the benefit of building permits. The applicant's sketch indicates that Building 3 has been constructed with a 0 m east side setback where a 6.0 m setback is required and has requested relief from the by-law standard in order to allow the building to remain in its current location. Staff does not support the request for setback relief adjacent to an open public roadway and are of the opinion that the structure should be relocated accordingly.

As noted in the comments provided by Building Services Section 4.28.1 of By-law 2010-100Z contains the following standards for Outdoor Storage:

Where accessory *outdoor storage* is permitted in a zone, the following provisions apply unless otherwise permitted by this Bylaw:

- a) *Outdoor storage* shall be permitted only in a rear or interior side yard and shall

not be located any closer than 9.0 metres to any street line;

- b) *Outdoor storage* shall be screened by opaque fencing with a minimum height of 2.2 metres, except that no such barrier shall be required:
 - i) where a permitted *outdoor storage* area abuts a railway right-of-way; and,
 - ii) where a permitted *outdoor storage* area in a M3, M4, M5 or M6 one is located more than 150 metres from a Residential Zone or arterial road;
- c) *Outdoor storage* is not permitted within any yard abutting a residential zone boundary.

The application does not request relief to the by-law standards with respect to the screening and location of outdoor storage. Section 4.15.1. of By-law 2010-100Z also requires that 3.0 m planting strips be provided abutting all public roads. Accordingly, it is appropriate for the landscape strip and screening standards of the by-law to be implemented through a revised site plan control agreement encompassing the lands subject to the current application. Parking for the uses proposed will be required in accordance with zoning by-law standards.

While Building Services comments indicate that the shipping containers and storage trailers are to be removed from the property, Planning Staff note that prior to the adoption of By-law 2010-100Z in September 2010, the use of shipping containers at this location was not addressed by Zoning By-law 83-302. Therefore, the applicant is advised to work with Building Services to determine if any of the shipping containers and storage trailers located on the property have legal non-conforming status.

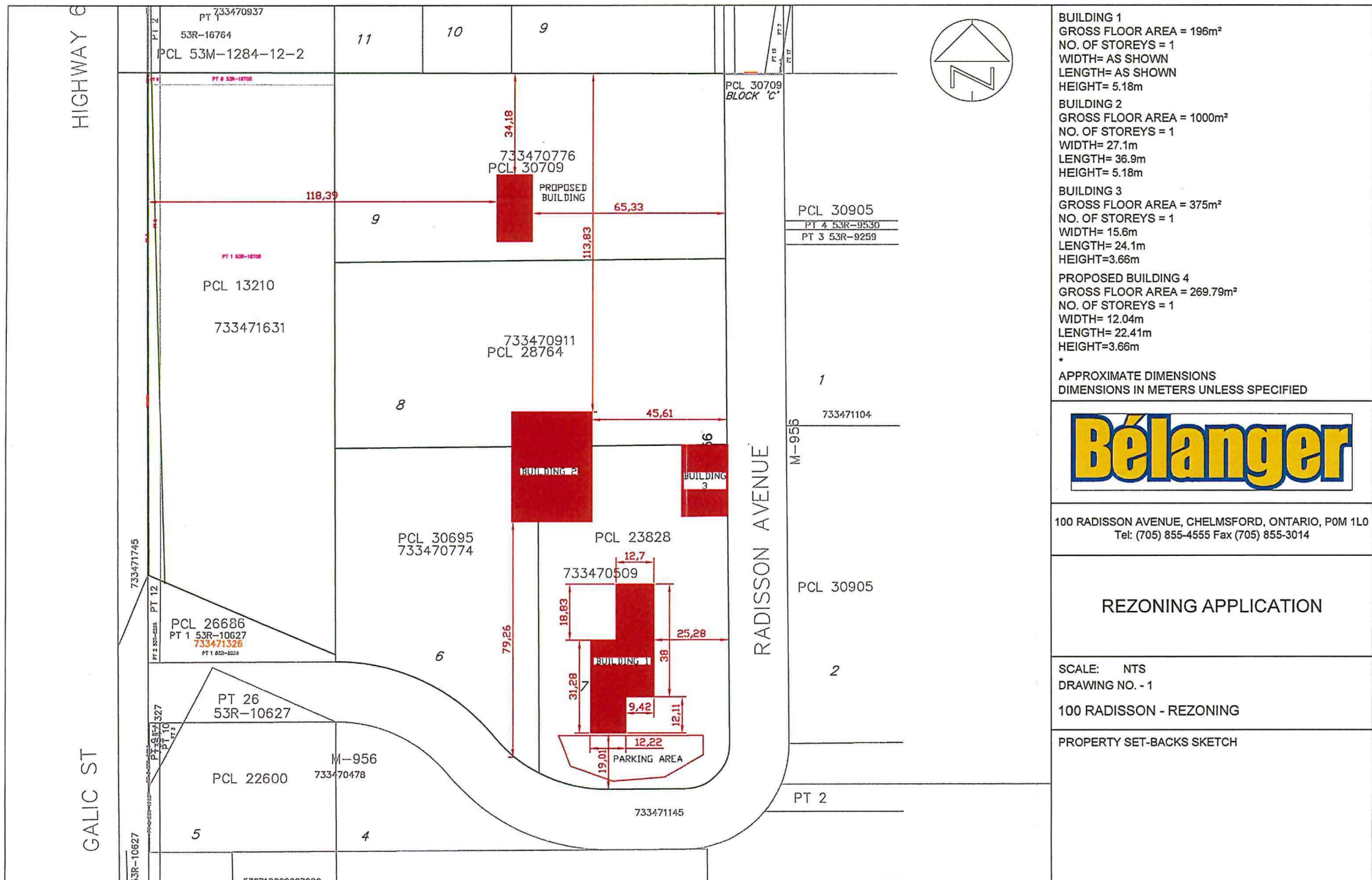
Site Plan Control

The majority of the lands subject to this application for rezoning are subject to an existing site plan control agreement for the properties entered into on August 10, 2004; Schedule A to that agreement has been attached to this report for reference purposes. Staff notes that the City is holding a bond for the completion of the required site works in accordance with that agreement and that in correspondence dated November 3, 2015 R. M. Belanger Limited advised that they will be working in the next few months to resolve the uncompleted works. Items included in the 2004 site plan that have not been completed include, but are not limited to, the following: the provision of landscape strips with trees, opaque fencing to screen the outdoor storage areas, asphalt paved parking areas and garbage enclosures.

The requests from Roads and Transportation Services for the removal of the existing driveway on Municipal Road 15 and the dedication of a 0.3 m reserve across the Municipal Road 15 frontage can be addressed through a revised site plan control agreement that would add the western most parcel to the current site plan control agreement. It is noted that the existing driveway, which is currently blocked with a concrete barrier, was not on lands subject to the 2004 site plan control agreement and City records indicate that in August 2014 an application for a permit for this driveway entrance was denied.

Summary

The proposed rezoning conforms to the Official Plan. This application to change the zoning classification from "M1", Mixed Light Industrial/Business Commercial to "M2", Light Industrial in order to permit a contractor's yard is appropriate at this location and the Planning Services Division recommends that the application to amend By-law 2010-100Z be approved subject to the conditions noted.



BUILDING 1
GROSS FLOOR AREA = 196m²
NO. OF STOREYS = 1
WIDTH= AS SHOWN
LENGTH= AS SHOWN
HEIGHT= 5.18m

BUILDING 2
GROSS FLOOR AREA = 1000m²
NO. OF STOREYS = 1
WIDTH= 27.1m
LENGTH= 36.9m
HEIGHT= 5.18m

BUILDING 3
GROSS FLOOR AREA = 375m²
NO. OF STOREYS = 1
WIDTH= 15.6m
LENGTH= 24.1m
HEIGHT= 3.66m

PROPOSED BUILDING 4
GROSS FLOOR AREA = 269.79m²
NO. OF STOREYS = 1
WIDTH= 12.04m
LENGTH= 22.41m
HEIGHT= 3.66m

*
APPROXIMATE DIMENSIONS
DIMENSIONS IN METERS UNLESS SPECIFIED

Bélanger

100 RADISSON AVENUE, CHELMSFORD, ONTARIO, P0M 1L0
Tel: (705) 855-4555 Fax (705) 855-3014

REZONING APPLICATION

SCALE: NTS
DRAWING NO. - 1

100 RADISSON - REZONING

PROPERTY SET-BACKS SKETCH

2004 SITE PLAN AGREEMENT SCHEDULE A

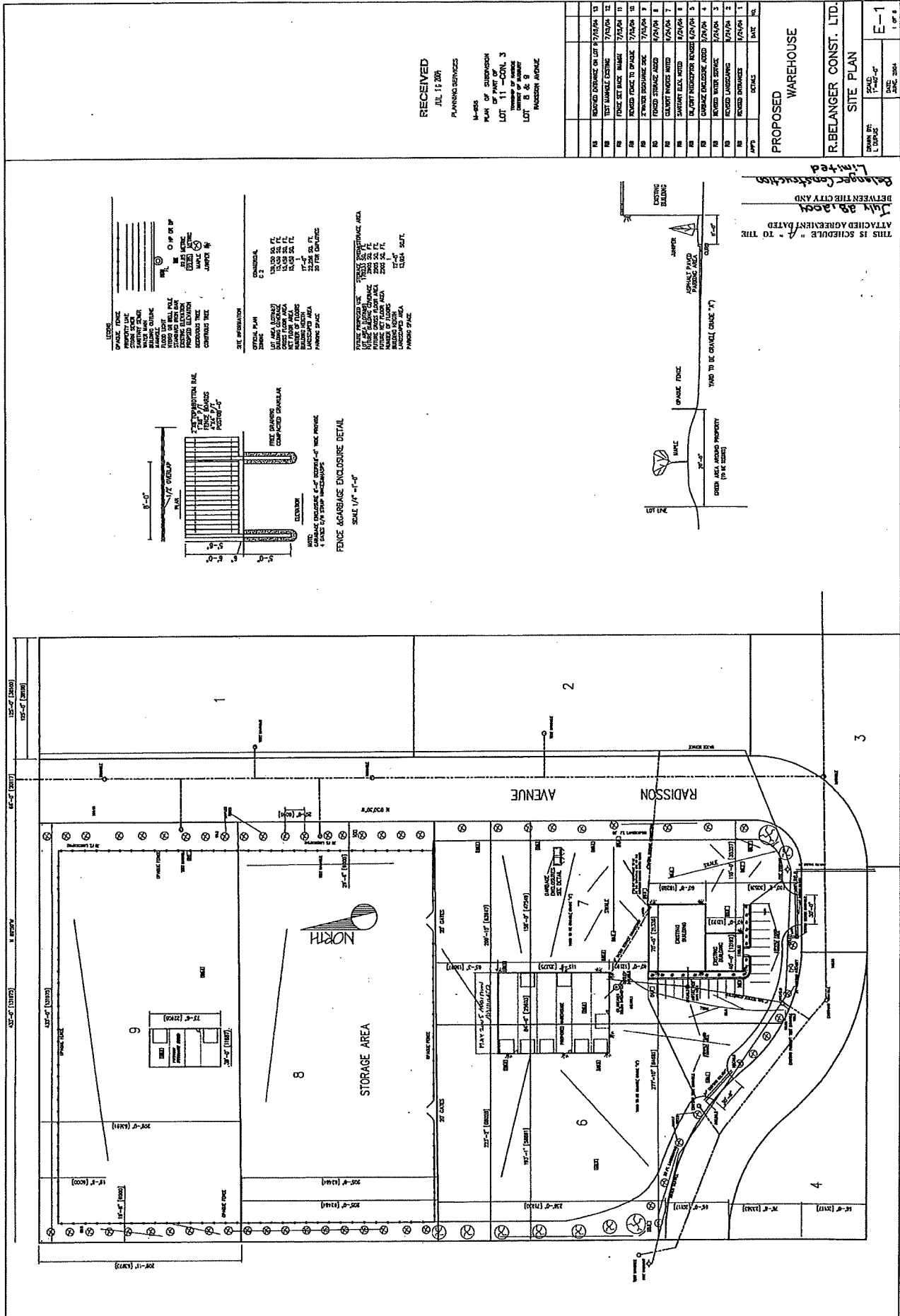




PHOTO 1 SUBJECT LANDS, 120 RADISSON AVENUE, VIEWED
LOOKING NORTH EAST FROM THE CORNER OF MUNICIPAL
ROAD 15 AND RADISSON AVENUE



PHOTO 2 SUBJECT LANDS VIEWED LOOKING NORTH WEST FROM THE
SOUTH EAST CORNER OF THE SITE FROM RADISSON AVENUE



PHOTO 3 SUBJECT LANDS VIEWED LOOKING SOUTH WEST FROM THE
NORTH WEST CORNER OF THE SITE FROM RADISSON AVENUE



PHOTO 4 3248 RADISSON AVENUE, SOUTH OF THE SUBJECT
LANDS, VIEWED LOOKING SOUTH EAST FROM
MUNICIPAL ROAD 15 AND RADISSON AVENUE

751-5/16-1 PHOTOGRAPHY APRIL 26, 2016



PHOTO 5 101 RADISSON AVENUE, SOUTH OF THE SUBJECT LANDS,
VIEWED LOOKING SOUTH FROM RADISSON AVENUE



PHOTO 6 VACANT LANDS EAST OF THE SUBJECT LANDS,
VIEWED LOOKING EAST FROM RADISSON AVENUE

751-5/16-1 PHOTOGRAPHY APRIL 26, 2016



PHOTO 7 3695 FORD DRIVE, NORTH OF THE SUBJECT LANDS,
VIEWED LOOKING SOUTH FROM FORD DRIVE



PHOTO 8 3675 FORD DRIVE, NORTH OF THE SUBJECT LANDS,
VIEWED LOOKING SOUTH FROM FORD DRIVE

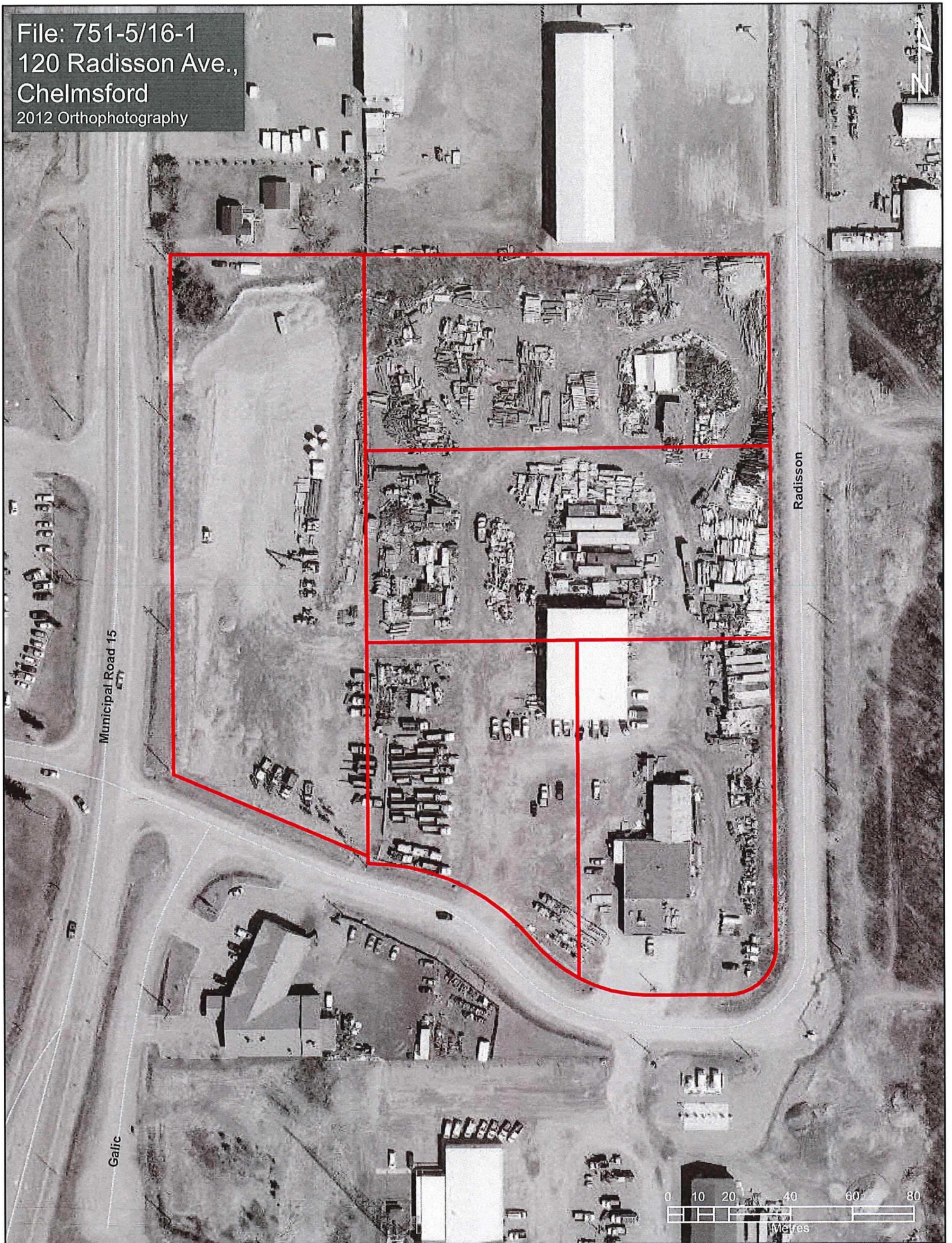
751-5/16-1 PHOTOGRAPHY APRIL 26, 2016



PHOTO 9 4379 MUNICIPAL ROAD 15, NORTH OF THE SUBJECT
LANDS, VIEWED LOOKING EAST FROM MUNICIPAL ROAD 15

751-5/16-1 PHOTOGRAPHY APRIL 26, 2016

File: 751-5/16-1
120 Radisson Ave.,
Chelmsford
2012 Orthophotography



Alex Singbush - In the Matter of an Application under Section 34.

From: Marcel Goulet
To: "evelyn.dutrisac@greatersudbury.ca" <evelyn.dutrisac@greatersudbury.ca>,...
Date: 3/2/2016 10:14 PM
Subject: In the Matter of an Application under Section 34.

Hi Evelyn:, Eric:

I received another letter from Growth and Development Planning Service about Rezoning Classification from (M1) to(M2(S)

at 120 Radisson St in Chelmsford for Ronald Belanger to extend is yard witch looks like a scrapyard ? This was reject 1 or 2 years ago
by Eric Taylor and You and the Counsel plus there was a petition from the subdivision and the reason was

#1 was there any environmental assessment completed.

#2were worried about hydraulic oil and diesel fuel leaking from heavy equipment into the ground and then Contaminating our property.

#3Noise pollution to homes affecting tranquility.

#4If their lot is raised it will affect water drainage.

#5 Concern about this proposal affecting my property value.

#6 Take a ride down Radisson and you will see how it looks like a Junk Yard in the summer time plus they make noise there sometime till 2 A.M.

so just think if they move a building or built one next to R back yard we will never get any sleep.Plus the smell of diesel and welding .

My question will this be accepted because Its Ronald Belanger making the Application ??????

MINUTES – MAY 30, 2016

RONALD BELANGER – APPLICATION FOR REZONING IN ORDER TO CHANGE THE ZONING CLASSIFICATION FROM M1, MIXED LIGHT INDUSTRIAL/BUSINESS COMMERCIAL TO M2(S), LIGHT INDUSTRIAL SPECIAL IN ORDER TO PERMIT A CONTRACTOR'S YARD 120 RADISSON AVENUE, CHELMSFORD

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

Report dated May 11, 2016 was received from the General Manager of Infrastructure Services regarding Ronald Belanger – Application for rezoning in order to change the zoning classification from M1, Mixed Light Industrial/Business Commercial to M2(S), Light Industrial Special in order to permit a contractor's yard, 120 Radisson Avenue, Chelmsford.

Denis Michel, Michel Vincent Law, agent for the applicant was present.

Alex Singbush, Senior Planner, outlined the application to the Committee.

Eric Taylor, Manager of Development Approvals, stated that as part of the site plan control agreement deposits would have been in place to ensure that the owner completes the work required. Once it is completed and approved the deposits are released. He stated that it is unfortunate that sometimes the deposits are not enough incentive for the owners to complete the work however there is an agreement where the owner has agreed to complete the work required. He advised that changes were made to the subdivision process to encourage developers to complete the infrastructure prior to moving forward which is not the case with this application which is privately owned land and covered under the site plan agreement.

Jason Ferrigan, Director of Planning, stated that the five (5) year strategic business plan will include an overview of the approval processes and will look at strengthening the process, they need to ensure landscape works are complete and also looking at types of deposits and amounts of deposits required to ensure the work is completed.

Alex Singbush, Senior Planner, stated that the site plan control agreement addresses the pavement of parking and transitional paving. There is also a requirement for an opaque fence with a minimum height of 2.2 metres, a planting strip of 3 metres and states that storage containers must be contained and not within 9 meters of the property.

Eric Taylor, Manager of Development Approvals, stated that any of the items in the report, listed under Building Services comments would be matters addressed through rezoning or the site plan control agreement. He stated that any buildings listed on the site plan must be in compliance as part of the review, and this would include any shipping containers.

Mr. Michel stated that this area is an industrial park that existed since 1975 and the applicant would like to bring it up to date with proper zoning and site plan control agreement. He advised that they have closed off the entrance to Municipal Road 15 and

a portion of Radisson Avenue as per the site plan agreement. As well they installed a berm next to the existing house near the property. He stated that there have been delays but the owner would like to rectify this and deal with all the issues and building permits that need to be addressed. He advised that the current business employs in excess of three hundred employees. He stated that there currently is not a timeline in place, however building controls has the opportunity to provide for infractions and he is hoping they can work together to rectify the situation. He stated the previous deposits are currently being held by the City and can be used if the work is not completed.

Jason Ferrigan, Director of Planning Services, stated that the recommendation in the staff report is structured requiring the owner to complete several conditions prior to the enactment of the by-law and that it is structured that way to ensure the owner completes the requirements. He stated that the site plan approval process requires deposits until the owner completes the work to our satisfaction. He advised that the City also has the ability to initiate legal action however this is a last resort and we prefer to work proactively with applicants.

Eric Taylor, Manager of Development Approvals, stated that the conditional approval the committee grants is two (2) years and some applicants come back and seek extensions and if approved have two (2) years to complete site plan approval prior to the enactment of the by-law.

Jason Ferguson, Director of Planning Services, stated that the resolution is structured for conditional approval for two (2) years.

The Chair asked whether there was anyone in the audience who wished to speak in favour or against this application and seeing none:

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

Rules of Procedure With the concurrence of the members, the reading of the main motion was waived.

The following resolution was presented:

PL2016-98 Landry-Altmann/McIntosh: THAT the City of Greater Sudbury approves the application by Ronald Belanger to amend Zoning By-law 2010-100Z by changing the zoning classification of lands described as PINs 73347-0509, 73347-0774, 73347-0776, 73347-0911, 73347-1631, Lots 6 to 9, Plan M-956, Parts 1, 2, 5 & 6, Plan 53R-19705, Lot 11, Concession 3, Township of Rayside from "M1", Mixed Light Industrial/Business Commercial to "M2(S)", Light Industrial Special subject to the following conditions:

- a) That no exceptions shall be provided to the M2 Zone standards.
- b) That prior to the enactment of the amending by-law the owner shall:
 - i. Complete the outstanding works in conformity with Schedule "A" of the July 28, 2004 site plan control agreement to the satisfaction of the Director of Planning Services, and;

- ii. Enter into an amended Site Plan Control Agreement with the City, which amongst other matters, shall include the following:
 - 1. The addition of the lands comprising Parts 1, 2, 5 & 6, Plan 53R-19705 abutting Municipal Road 15;
 - 2. The removal of the existing driveway onto Municipal Road 15;
 - 3. The screening of outdoor storage areas; and,
 - 4. The provision of required landscaping abutting public roadways.

YEAS: Councillors Sizer, McIntosh, Cormier, Landry-Altmann

CARRIED