

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

**Committee Room C-11
Tom Davies Square**

**Tuesday, November 2, 2004
Commencement: 5:37 p.m.
Adjournment: 9:23 p.m.**

COUNCILLOR RUSS THOMPSON PRESIDING

Present Councillors Bradley, Caldarelli, Dupuis, Reynolds

Councillor Rivest

Staff B. Lautenbach, Director of Planning Services; M. Manzon, Senior Planning Technician; G. Clausen, Director of Engineering Services; D. Nadorozny, General Manager of Economic Development and Planning Services; A. Haché, Deputy City Clerk; F. Bortolussi, Planning Committee Secretary; M. Burtch, Licensing & Assessment Clerk

News Media Sudbury Star, MCTV

Declarations of Pecuniary Interest None declared

PUBLIC HEARINGS

**APPLICATION FOR REZONING IN ORDER TO CONTINUE TO USE AN EXISTING
“GARDEN SUITE”, 880 GRAVEL DRIVE, HANMER - ROBERT MILLS**

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

Report dated October 21, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for rezoning in order to continue to use an existing “garden suite”, 880 Gravel Drive, Hanmer - Robert Mills.

The applicant was not in attendance.

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

Aurele Desrosiers, the owner of property across the street from the subject property, stated he was the only one who opposed this application ten years ago.

**APPLICATION FOR REZONING IN ORDER TO CONTINUE TO USE AN EXISTING
“GARDEN SUITE”, 880 GRAVEL DRIVE, HANMER - ROBERT MILLS (Cont’d)**

He further stated the house was moved from a property on Dominion Drive to the subject property. He indicated that ten years ago there were no buildings in the area and now there are new homes with values of over \$200,000.00. This property is not consistent with the progress and upscale homes being built on Gravel Drive. It would be a disfavour to the surrounding property owners if this application was approved.

Councillor Dupuis, Ward Councillor, indicated he was surprised to hear Mr. Desrosiers' comments as he has received any calls in opposition to this application.

The Chair asked whether there was anyone else 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.

The following recommendation was presented:

Recommendation #2004-258:

Dupuis-Caldarelli: THAT the application by Robert Mills, the owner of Parcel 49299 S.E.S. being Part 1, Plan 53R-12851 in Lot 4, Concession 4, Township of Hanmer, to permit a second dwelling unit on the subject property for a maximum temporary period of ten (10) years, pursuant to Section 39 of The Planning Act be approved.

**CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis,
Reynolds, Thompson**

CARRIED

**APPLICATION FOR REZONING IN ORDER TO PERMIT A WILD GAME
BUTCHERING BUSINESS, 146 GORDON LAKE ROAD, CHELMSFORD -
EDGAR & CAROLE VAILLANCOURT**

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

Report dated October 25, 2004, was from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for rezoning in order to permit a wild game butchering business, 146 Gordon Lake Road, Chelmsford - Edgar & Carole Vaillancourt

The applicant, Edgar Vaillancourt, 146 Gordon Lake Road, Chelmsford, was present.

APPLICATION FOR REZONING IN ORDER TO PERMIT A WILD GAME BUTCHERING BUSINESS, 146 GORDON LAKE ROAD, CHELMSFORD - EDGAR & CAROLE VAILLANCOURT (Cont'd)

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

Mr. Vaillancourt stated that he was located at 1 Leonard Avenue in Dowling and bought this property to accommodate his wild life game butchering business as hunters have nowhere to go to have their meat butchered. He further stated that the operation is monitored by the Ministry of Natural Resources and the Sudbury & District Health Unit and everything is recorded and registered. He is planning to raise his own cattle and butcher them at this location for his own personal use. He also plans to butcher livestock for other farmers for their own personal use, not for sale. It is presently a family operation and there will not be any retail business on the property.

Councillor Bradley, Ward Councillor, stated that this kind of operation is needed in the area. At this location hides will be stored during the hunting season and then transported to Toronto. He also stated that this location, which is more isolated than the previous location, is much more suitable for the operation.

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.

The following recommendation was presented:

Recommendation #2004-259:

Bradley-Caldarelli: THAT the application by Edgar & Carole Vaillancourt to amend by-law 83-300 being the Zoning By-law for the former Town of Onaping Falls and to amend By-law 83-302 being the Zoning By-law for the former Town of Rayside-Balfour by changing the zoning classification of Part 5, Plan 53R-3796 in Lot 12, Concession 3, Balfour Township and Part 1, Plan 53R-9660 in Lot 1, Concession 3, Dowling Township from "A", Agricultural Reserve to "A-Special", Agricultural Reserve Special be approved subject to the following:

- a) That the amending by-laws add a single wild game butchering and hide storage business to the uses permitted on the subject property.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Reynolds, Thompson

CARRIED

APPLICATION FOR OFFICIAL PLAN AMENDMENT TO PERMIT THE CREATION OF THREE, FIVE ACRE RESIDENTIAL LOTS ON THE SUBJECT PROPERTY, DESCHENE ROAD, VAL THERESE - RONALD & SUSAN PERREAULT

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

Report dated October 25, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for Official Plan Amendment to permit the creation of three, five acre residential lots on the subject property, Deschene Road, Val Therese - Ronald & Susan Perreault.

Copies of letters from Ministry of Agriculture and Food dated February 18, 1997 to Eugene Vince and to Tin-Chee Wu, Senior Planner, Sudbury Region wherein the Ministry recommends that the land be designated as Rural were distributed to the Committee Members.

Reference Material in support of Official Plan Amendment Application was distributed to the Committee Members.

Dave Dorland, 298 Larch Street, Sudbury, agent, and Ronald Perreault, one of the applicants, were present.

The Director of Planning Services outlined the application to the Committee. He stated that the Official Plan for the Sudbury Planning Area permits one severance per 25 acres to the owner on the date of the adoption of the Official Plan which was March 14th, 1978. In 1982, the original owner received approval for applications for consent to create three, one acres lots but decided not to complete the applications and in 1988, received approval for consent to create a two acre lot which was completed. In 1991, the present owners were denied approval for the creation of three, one to two acre lots as the applications did not conform with the ownership requirements of the Official Plan. In 1996, three applications were made to create two, five acre residential lots and one 12 acre hobby farm lot. These applications were denied by the Land Division Committee but subsequently approved by the Ontario Municipal Board. In 1997, approval was granted for three, five acre residential lots the Land Division Committee. In 1999, applications were made for three additional five acre residential lots which applications were denied by City Council because they did not comply with the Official Plan.

The Director of Planning Services indicated the comments from the Ministry of Municipal Affairs and Housing stated that the provincial interests set out in Section 2 of the Planning Act and in the Provincial Policy Statement must be taken into consideration. They also feel this application is premature as the City is in the midst of an Official Plan review.

APPLICATION FOR OFFICIAL PLAN AMENDMENT TO PERMIT THE CREATION OF THREE, FIVE ACRE RESIDENTIAL LOTS ON THE SUBJECT PROPERTY, DESCHENE ROAD, VAL THERESE - RONALD & SUSAN PERREAULT (Cont'd)

The Director of Planning Services stated that it is the applicant's contention that the lands are not suitable for agriculture and therefore should be viewed as "Rural". Evidence has been submitted with other applications in the area which would suggest the area soils are not suitable for agriculture. He further explained that an Agricultural Background Study has been prepared as a component of the review of the Official Plan to delineate prime agricultural lands for consideration to be protected by the Official Plan. The study uses a Land Evaluation and Area Review (LEAR) system and the LEAR Committee has evaluated each property on a basis of both soil suitability and area review (drainage, road access, percentage of parcel used in agriculture, surrounding land use, historic farm use and parcel size). The LEAR Committee considers lands scoring higher than 475 to be Prime Agricultural lands and the subject property scored 570. He also indicated that the application of Minimum Distance Separation Formula for livestock (as prescribed by the Ministry of Agriculture and food and Provincial Policy Statement) will curtail any intent to reestablish livestock activities in the area. The Planning Services Division recommended that the application be denied.

Dave Dorland feels these lands are not properly zoned and residential development should be permitted on the property. Any development on these lands would not create a cost burden to the municipality as it would be infilling. He also wanted to clarify the matter of the 1999 Consent Applications which went to Council for approval to proceed by way of consent which was denied because Council felt the applications did not comply with the Official Plan. He stated that the matter went to Council without notice to the applicant. The applicant had no opportunity to give evidence that the Ministry of Agriculture and Food considered this property Rural and therefore decided to withdraw the applications and reapply at a later date. The applicant is now reapplying with additional information including letters from the Ministry of Agriculture and Food and from Rolly Rainville and Andy van Drunen stating that the lands are not suitable for agriculture. Mr. Dorland indicated he tried to get a sense of the LEAR evaluation to arrive at a score of 570. As the public does not have access to LEAR's parameters to make their own assessment, he questioned whether or not it should be used.

Councillor Rivest, Ward Councillor, stated that the southern portion of the property at Gravel Drive has agricultural viability but the soil to the north is sandy. He stated that in the 1940s the Land Evaluation Division in Toronto designated the zoning of each property which designation was based on the highest quality of a parcel of land. The south portion of the original parcel is Class 4 and the north portion is Class 5, 6 or 7 and getting into sandy soil. The LEAR score of 570 incorporates the sandy soil on the subject property and who knows if that score will remain. This development would bring in additional tax dollars and the City needs to increase assessment. He indicated the subject property should be considered more of a rural than agricultural nature.

APPLICATION FOR OFFICIAL PLAN AMENDMENT TO PERMIT THE CREATION OF THREE, FIVE ACRE RESIDENTIAL LOTS ON THE SUBJECT PROPERTY, DESCHENE ROAD, VAL THERESE - RONALD & SUSAN PERREAULT (Cont'd)

Councillor Dupuis, Ward Councillor, stated that there are \$300,000 to \$400,000 homes on this road and, if the same kind of homes are built on the subject lands, they will generate a considerable amount of taxes. Although dealing with agricultural lands is important to the Committee, he feels that the Committee should believe Rolly Rainville and Andy van Drunen because of their knowledge of soils in the area. Also, the Ministry recommends that none of the lands in Valley East be zoned agriculture. He indicated that three, five acre lots will be an asset not only for Duchesne Road but for Valley East. He also indicated there will be no additional costs to the municipality as this is infilling.

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.

The following recommendations were presents:

Recommendation #2004-260:

Reynolds-Bradley: THAT the application by Ronald & Susan Perreault to amend the Official Plan for the Sudbury Planning Area by introducing a site specific policy exemption to the "Agricultural Reserve" policies that apply to the Remainder of Parcel 15678 S.E.S. in Lot 5, Concession 4, Township of Hanmer to permit the creation of three, five acre residential lots, and further permit severance of the balance of the lands, all of the preceding to be in accordance with the rural residential requirements (Section 3.15 b.) of the Official Plan, be denied.

NON- CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Reynolds, Thompson

DEFEATED

Recommendation #2004-261:

Dupuis-Caldarelli: THAT the application by Ronald & Susan Perreault to amend the Official Plan for the Sudbury Planning Area by introducing a site specific policy exemption to the "Agricultural Reserve" policies that apply to the Remainder of Parcel 15678 S.E.S. in Lot 5, Concession 4, Township of Hanmer to permit the creation of three, five acre residential lots, and further permit severance of the balance of the lands, all of the preceding to be in accordance with the rural residential requirements (Section 3.15 b.) of the Official Plan be approved subject to the following condition:

APPLICATION FOR OFFICIAL PLAN AMENDMENT TO PERMIT THE CREATION OF THREE, FIVE ACRE RESIDENTIAL LOTS ON THE SUBJECT PROPERTY, DESCHENE ROAD, VAL THERESE - RONALD & SUSAN PERREAULT (Cont'd)

Recommendation #2004-261 (cont'd):

1. Prior to the passage of the above noted Official Plan Amendment the applicant shall prepare to the satisfaction of the General Manager of Public Works and the Director of Planning Services a hydrogeological study to determine the suitability of the subject lands for the proposed rural residential lots. Specifically, the quality and availability of potable water for domestic purposes and the requirements for septic sewage system implementation shall be addressed. This study shall include a determination of the geodetic elevation of the water table.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Reynolds, Thompson

CARRIED

Recommendation #2004-262:

Dupuis-Caldarelli: THAT the application by Ronald & Susan Perreault to subdivide of the lands described as the Remainder of Parcel 15678 S.E.S. in Lot 5, Concession 4, Township of Hanmer be allowed to proceed by way of the Consent Process.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Reynolds, Thompson

CARRIED

Recess At 7:25 p.m., the Planning Committee recessed.

Reconvene At 7:32 p.m., the Planning Committee reconvened.

APPLICATIONS FOR REZONING AND A PLAN OF SUBDIVISION TO SUBDIVIDE THE PROPERTY INTO 45 LOTS FOR SINGLE RESIDENTIAL USE, JEANNE D'ARC STREET, VAL THERESE - 996465 ONTARIO LTD.

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

Report dated October 22, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an applications for rezoning and a Plan of Subdivision to subdivide the property into 45 lots for single residential use, Jeanne d'Arc Street, Val Therese - 996465 Ontario Ltd.

APPLICATIONS FOR REZONING AND A PLAN OF SUBDIVISION TO SUBDIVIDE THE PROPERTY INTO 45 LOTS FOR SINGLE RESIDENTIAL USE, JEANNE D'ARC STREET, VAL THERESE - 996465 ONTARIO LTD. (Cont'd)

Dave Dorland, 298 Larch Street, Sudbury, agent, and Gord Hope, Officer of the owner corporation and Dominion Parc Developments, were present.

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

Dave Dorland stated the applicant also owns Dominion Parc, which is ready for development, to the east of the subject property. To provide for an alternate entrance, other than Dominion Drive to Dominion Parc, the owner acquired the subject property and now has a new proposal for the subject lands and land to the east. He advised two public meetings were held with area residents and at the public meetings the draft plan of subdivision was presented as well as staff's position with respect to the street entrance to Jeanne d'Arc Street and extension at the east end of Alexander Street. He stated that the developer is neutral but suggested that the Planning Committee might want to an alternative to Condition (s) which provides for the dedication of a 20m road allowance through proposed Lots 42 and 43 for future road connection. He also stated the developer is satisfied with all other conditions of draft approval and anxious to move forward with the project.

The Director of Engineering Services stated that the dedication of a 20m road allowance through Lots 42 and 43 would allow for the link of Alexandre Street to the new Jeanne d'Arc Street. The entrance to Alexandre Street to MR80 would be closed. All residential streets would link to collector road (Jeanne d'Arc Street) and come out on signalized intersection on MR80.

Rachel Caron-Demers, Alexander Street, Hanmer, has lived in the neighbourhood for six years. She stated it is a quiet, peaceful and safe neighbourhood with young children. She is not opposed to the proposal but is opposed to the opening of the east end of Alexandre Street as she feels Dominion Parc residents will use Alexandre Street and Dutrisac Boulevard to get to the highway causing increased traffic and safety concerns.

Michel Proulx, Alexandre Street, stated he shares the same concerns as the previous speaker with respect to the increased traffic and safety in the neighbourhood.

Richard Gervais, Alexandre Street, Hanmer, stated he has lived there since 1989 and it is a nice neighbourhood with little traffic. He feels most people would access Dominion Drive and MR80 through Alexandre Street rather than go to the proposed lights on Jeanne d'Arc Street and because of safety and additional traffic concerns does not want Alexandre Street opened.

The Director of Planning Services stated, for clarification purposes, that the only item on the agenda tonight regarding Alexandre Street was the dedication of

APPLICATIONS FOR REZONING AND A PLAN OF SUBDIVISION TO SUBDIVIDE THE PROPERTY INTO 45 LOTS FOR SINGLE RESIDENTIAL USE, JEANNE D'ARC STREET, VAL THERESE - 996465 ONTARIO LTD. (Cont'd)

Lots 42 & 43 for connection of Alexandre Street to Jeanne d'Arc Street. He pointed out if roads are closed there are public processes to be following with notifications.

Dave Wylie, Dutrisac Boulevard, Hanmer, stated he is opposed to connecting Alexandre Street to Jeanne d'Arc Street but would not be opposed to a walkway at that location.

Yvon Gour, Dutrisac Boulevard, Hanmer, stated he strongly opposes the Alexandre Street extension as it will affect the way of life of the residents in the subdivision. He is concerned with the influx of Dominion Parc traffic going through their subdivision. He feels the traffic will not go to the proposed traffic lights but use Dutrisac Boulevard as a shortcut. There are no sidewalks and there will be additional traffic which will affect the elderly, disabled and children riding their bicycles in the neighbourhood. His other concern is drainage, as the ditches overflow in the spring. He feels the new subdivision will add to the existing drainage problem.

Lyane Gervais, Alexandre Street, Hanmer, stated her property is three houses from the proposed roadway. She feels the biggest problem is misinformation as they were not told what will happen and were not advised of the meetings. She stated this is her backyard and everyone in the subdivision is affected by whatever happens on Alexandre Street. She already missed two meetings because she was not informed of such meetings.

Ted Mrochek, Gaston Street, Hanmer, stated his family moved to the area because they wanted to raise their children in quiet subdivision with no racing cars and where they could walk freely. This would not be the case if the new subdivision is connected to the old subdivision.

Pat Fantin, Fernand, stated that Dave Dorland and Gord Hope held an open house to explain the proposal. He is concerned about two things. One is that some residents received notice from the City and some did not. Although he did not receive notice, everything that happens in this development will affect him. He feels that the City should look beyond the 400 foot radius for notice and should look at who will be impacted. His second concern is the proposed two extensions to Alexandre Street and the reasons given for such extensions (secondary egress and emergency egress). He stated that there is already a second egress through the park although it is not legal. With the proposed lights at Jeanne d'Arc Street, he feels Dutrisac Boulevard will become a main artery. Although he has no objection to the proposal, he does not believe the risks associated with the Alexandre extensions, especially to the elder and children, are warranted.

APPLICATIONS FOR REZONING AND A PLAN OF SUBDIVISION TO SUBDIVIDE THE PROPERTY INTO 45 LOTS FOR SINGLE RESIDENTIAL USE, JEANNE D'ARC STREET, VAL THERESE - 996465 ONTARIO LTD. (Cont'd)

Dave Dorland stated he believes the meetings with the residents strongly indicated they were against the easterly extension of Alexander Street. The developer is prepared to not make this connection as a means to expediting the project and satisfying the concerns of the residents.

Councillor Rivest, Ward Councillor, stated that the residents do not want the opening of Alexandre Street east to Dominion Parc development as it will result in increased traffic and reduced safety nor do they want the closure of the Alexandre Street intersection at MR80 and the connection between Jeanne d'Arc Street and Alexandre Street. The residents want the subdivision left as is. He asked the Committee to give serious consideration to what the residents are saying.

Councillor Dupuis, Ward Councillor, stated that never has an application generated so many calls and interest as this application. The residents have attended two meetings and it is quite clear what they are saying. Alexandre Street must stay as it is, as it does not have the infrastructure to deal with additional traffic created by the new subdivision. He indicated that no one is opposed to the development but the additional traffic is a safety concern.

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.

The following recommendations were presents:

Recommendation #2004-263:

Dupuis-Caldarelli: THAT the application by 996465 Ontario Ltd. to amend By-law 83-300 being the Zoning By-law for the former Town of Valley East by changing the zoning classification of Part of PIN 73504-0954, being Part 7 and Part of Part 4, Plan 53R-14476, in Lot 6, Concession 2, Hanmer Township from "I-6", Institutional Special to "R1.D18", Single Residential be approved subject to the following:

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

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Reynolds, Thompson

CARRIED

APPLICATIONS FOR REZONING AND A PLAN OF SUBDIVISION TO SUBDIVIDE THE PROPERTY INTO 45 LOTS FOR SINGLE RESIDENTIAL USE, JEANNE D'ARC STREET, VAL THERESE - 996465 ONTARIO LTD. (Cont'd)

The following recommendation was presented:

Dupuis-Caldarelli: That 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 Part of PIN 73504-0954, being Part 7 and Part of Part 4, Plan 53R-14476 in Lot 6, Concession 2, Hanmer Township, as shown on a plan prepared by D.S. Dorland, O.L.S. and dated July 22, 2004.
- (b) That the standard conditions of draft approval be imposed.
- (c) That 5% of the land included in the plan of subdivision be deeded to the City of Greater Sudbury for parks purposes in accordance with Section 51.1 (1) of the Planning Act.
- (d) Prior to the submission of servicing plans, the Applicant / Owner shall, to the satisfaction of the General Manager of Public Works, provide a soils report prepared by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommended construction procedures for the following items: storm and sanitary sewers, watermains, roads, the mass filling of land, surface drainage works including erosion control, slope stability (if applicable) and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official.
- (e) The Applicant / Owner shall provide a detailed lot grading plan for all the proposed lots as part of the submission of servicing plans. This plan must show finished grades around new homes, sideyards, swales and lot corners. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties. Suitable provisions shall be incorporated into the Subdivision Agreement to ensure that the grading is undertaken, all to the satisfaction of the General Manager of Public Works.
- (f) The Applicant / Owner shall be required to provide sodded rear yard drainage swales as a condition of initial acceptance of the subdivision infrastructure.

APPLICATIONS FOR REZONING AND A PLAN OF SUBDIVISION TO SUBDIVIDE THE PROPERTY INTO 45 LOTS FOR SINGLE RESIDENTIAL USE, JEANNE D'ARC STREET, VAL THERESE - 996465 ONTARIO LTD. (Cont'd)

Recommendation (cont'd)

- (g) The Applicant / Owner will be required to enter into a written agreement to satisfy all requirements of the City of Greater Sudbury concerning the provision of roads, walkways, street lighting, sanitary sewers, watermains, storm sewers, surface drainage facilities and stormwater management facilities.
- (h) The Applicant / Owner will be required to ensure that the corner radius for all intersecting streets is to be 9.0 metres.
- (i) The Applicant / Owner shall provide a 1.5 metre concrete sidewalk on Jeanne d'Arc Street from Municipal Road 80 to the easterly end of said street.
- (j) The proposed internal subdivision roadways are to be built to urban standards including curbs, gutters, storm sewers and related appurtenances.
- (k) The Applicant / Owner will be required to dedicate rear lot easements to the City of Greater Sudbury for municipal purposes.
- (l) Draft approval does not guarantee the allocation of either sewer or water capacity. Prior to the signing of the final plan, clearance is required from the General Manager of Public Works that sufficient sewage treatment capacity and water capacity exists to service this development.
- (m) The Applicant / Owner support a petition for a municipal drain to improve the watercourse adjacent the fire hall to the Whitson River and to pay the drainage assessment allocated to the subdivision lands for drainage outlet benefits.
- (n) The Applicant / Owner shall be responsible for reducing stormwater flows from the subdivision lands to the watercourse outlet to pre-development levels for the 1:5 year and Regional Storm. The Applicant / Owner shall cost share in the implementation of the recommendation from a stormwater management study to be incorporated into the municipal drain project for the fire hall watercourse.
- (o) That the final plan of subdivision be integrated with the City of Greater Sudbury Control Network. Final plan coordinate listings and an AutoCAD simple line file of the resultant parcel fabric (with coordinated points labelled) are to be provided to this office as part of this requirement. Also, the final plan must be provided in AutoCAD.dwg format.

APPLICATIONS FOR REZONING AND A PLAN OF SUBDIVISION TO SUBDIVIDE THE PROPERTY INTO 45 LOTS FOR SINGLE RESIDENTIAL USE, JEANNE D'ARC STREET, VAL THERESE - 996465 ONTARIO LTD. (Cont'd)

Recommendation (cont'd)

- (p) That prior to the signing of the final plan the Economic Development and Planning Services Department is to be advised by the Nickel District Conservation Authority that the owner has provided them with lot grading and drainage plans for the site.
- (q) That the subdivision agreement contain provisions whereby the owner will be required to install traffic signals at the intersection of Jeanne D'Arc Street and Municipal Road 80 when actual traffic volumes warrant their installation or when the full Jeanne D'Arc Street connection is built, whichever comes first.
- (r) That the owner shall construct Jeanne D'Arc Street to an urban collector standard.
- (s) That the subdivision agreement contain provisions for the dedication of a 20m road allowance through Lots 43 and 42 on the draft plan for future road connection purposes to the satisfaction of the General Manager of Public Works.
- (t) If final approval is not granted within three years of the date of draft approval, the 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.

The following amendment to the recommendation was presented:

Recommendation #2004-264:

Caldarelli-Dupuis: THAT we delete condition (s) from the recommendation.

CONCURRING MEMBERS: Councillors Caldarelli, Dupuis, Reynolds

NON-CONCURRING MEMBERS: Councillors Bradley, Thompson

CARRIED

The main motion as amended was presented:

Recommendation #2004-265:

Dupuis-Caldarelli: That City of Greater Sudbury Council's delegated official be directed to issue the draft approval for the subject subdivision, not sooner than

APPLICATIONS FOR REZONING AND A PLAN OF SUBDIVISION TO SUBDIVIDE THE PROPERTY INTO 45 LOTS FOR SINGLE RESIDENTIAL USE, JEANNE D'ARC STREET, VAL THERESE - 996465 ONTARIO LTD. (Cont'd)

Recommendation #2004-265 (cont'd):

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 Part of PIN 73504-0954, being Part 7 and Part of Part 4, Plan 53R-14476 in Lot 6, Concession 2, Hanmer Township, as shown on a plan prepared by D.S. Dorland, O.L.S. and dated July 22, 2004.
- (b) That the standard conditions of draft approval be imposed.
- (c) That 5% of the land included in the plan of subdivision be deeded to the City of Greater Sudbury for parks purposes in accordance with Section 51.1 (1) of the Planning Act.
- (d) Prior to the submission of servicing plans, the Applicant / Owner shall, to the satisfaction of the General Manager of Public Works, provide a soils report prepared by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommended construction procedures for the following items: storm and sanitary sewers, watermains, roads, the mass filling of land, surface drainage works including erosion control, slope stability (if applicable) and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official.
- (e) The Applicant / Owner shall provide a detailed lot grading plan for all the proposed lots as part of the submission of servicing plans. This plan must show finished grades around new homes, sideyards, swales and lot corners. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties. Suitable provisions shall be incorporated into the Subdivision Agreement to ensure that the grading is undertaken, all to the satisfaction of the General Manager of Public Works.
- (f) The Applicant / Owner shall be required to provide sodded rear yard drainage swales as a condition of initial acceptance of the subdivision infrastructure.
- (g) The Applicant / Owner will be required to enter into a written agreement to satisfy all requirements of the City of Greater Sudbury concerning the

APPLICATIONS FOR REZONING AND A PLAN OF SUBDIVISION TO SUBDIVIDE THE PROPERTY INTO 45 LOTS FOR SINGLE RESIDENTIAL USE, JEANNE D'ARC STREET, VAL THERESE - 996465 ONTARIO LTD. (Cont'd)

Recommendation #2004-265 (cont'd):

provision of roads, walkways, street lighting, sanitary sewers, watermains, storm sewers, surface drainage facilities and stormwater management facilities.

- (h) The Applicant / Owner will be required to ensure that the corner radius for all intersecting streets is to be 9.0 metres.
- (i) The Applicant / Owner shall provide a 1.5 metre concrete sidewalk on Jeanne d'Arc Street from Municipal Road 80 to the easterly end of said street.
- (j) The proposed internal subdivision roadways are to be built to urban standards including curbs, gutters, storm sewers and related appurtenances.
- (k) The Applicant / Owner will be required to dedicate rear lot easements to the City of Greater Sudbury for municipal purposes.
- (l) Draft approval does not guarantee the allocation of either sewer or water capacity. Prior to the signing of the final plan, clearance is required from the General Manager of Public Works that sufficient sewage treatment capacity and water capacity exists to service this development.
- (m) The Applicant / Owner support a petition for a municipal drain to improve the watercourse adjacent the fire hall to the Whitson River and to pay the drainage assessment allocated to the subdivision lands for drainage outlet benefits.
- (n) The Applicant / Owner shall be responsible for reducing stormwater flows from the subdivision lands to the watercourse outlet to pre-development levels for the 1:5 year and Regional Storm. The Applicant / Owner shall cost share in the implementation of the recommendation from a stormwater management study to be incorporated into the municipal drain project for the fire hall watercourse.
- (o) That the final plan of subdivision be integrated with the City of Greater Sudbury Control Network. Final plan coordinate listings and an AutoCAD simple line file of the resultant parcel fabric (with coordinated points labelled) are to be provided to this office as part of this requirement. Also, the final plan must be provided in AutoCAD.dwg format.

APPLICATIONS FOR REZONING AND A PLAN OF SUBDIVISION TO SUBDIVIDE THE PROPERTY INTO 45 LOTS FOR SINGLE RESIDENTIAL USE, JEANNE D'ARC STREET, VAL THERESE - 996465 ONTARIO LTD. (Cont'd)

Recommendation #2004-265 (cont'd):

- (p) That prior to the signing of the final plan the Economic Development and Planning Services Department is to be advised by the Nickel District Conservation Authority that the owner has provided them with lot grading and drainage plans for the site.
- (q) That the subdivision agreement contain provisions whereby the owner will be required to install traffic signals at the intersection of Jeanne D'Arc Street and Municipal Road 80 when actual traffic volumes warrant their installation or when the full Jeanne D'Arc Street connection is built, whichever comes first.
- (r) That the owner shall construct Jeanne D'Arc Street to an urban collector standard.
- (s) If final approval is not granted within three years of the date of draft approval, the 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.

CONCURRING MEMBERS: Councillors Caldarelli, Dupuis, Reynolds, Thompson

NON-CONCURRING MEMBER: Councillor Bradley

CARRIED

Adjournment _____

Recommendation #2004-266:

Bradley-Caldarelli: That we do now adjourn.
Time: 9:23 p.m.

CARRIED

DEPUTY CITY CLERK

COUNCILLOR RUSS THOMPSON PRESIDING