

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

Committee Room C-11
Tom Davies Square

Tuesday, April 17th, 2007
Commencement: 4:20 p.m.
Adjournment: 9:01 p.m.

COUNCILLOR ANDRÉ RIVEST PRESIDING

Present Councillors Cimino, Berthiaume, Dutrisac, Caldarelli

Staff A. Potvin, Manager of Development Approvals; K. Forrester, Real Estate Co-ordinator; A. Haché, City Clerk; T. Lamarche, Deputy Clerk

Declarations of Pecuniary Interest None declared.

“In Camera” **Recommendation #2007-102:**

Rivest-Caldarelli: That we move “In Camera” to deal with five disposition/acquisition of land matters in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2006-100 and the Municipal Act, 2001, s.239(2).

CARRIED

Recess At 5:00 p.m., the Planning Committee recessed.

Reconvene At 5:32 p.m., the Planning Committee reconvened in the **Council Chamber** for the regular meeting.

COUNCILLOR FRANCES CALDARELLI PRESIDING

Present Councillors Cimino, Berthiaume, Dutrisac, Rivest
Councillor Thompson

Staff A. Potvin, Manager of Development Approvals; E. Taylor, Senior Planner; B. Falcioni, Director of Roads and Transportation; R. Webb, Supervisor of Development Engineering; D. Nadorozny, General Manager of Growth and Development; K. Forrester, Real Estate Co-ordinator; A. Haché, City Clerk; T. Lamarche, Deputy Clerk; M. Laalo, Licensing & Assessment Clerk; F. Bortolussi, Planning Committee Secretary

News Media Northern Life, Sudbury Star

Declarations of Pecuniary Interest None declared

MATTERS ARISING FROM THE "IN CAMERA" SESSION

Rise and Report Councillor Rivest reported the Committee met in closed session to deal with five disposition/acquisition of land matters and the following recommendations emanated therefrom:

Item C-1
Sale of Land, Vacant Lots on Ray Street, Wahnapiatae

Recommendation #2007-103:

Caldarelli-Rivest: THAT the properties legally described as Firstly: PIN 73481 - 0533 (LT), Lot 1, Plan 53M-1258; and Secondly: PIN 73481 - 0534 (LT), Lot 2, Plan 53M-1258, Township of Dryden, City of Greater Sudbury, be sold pursuant to the procedures governing the disposal of full marketability property as set out in By-Law 2003-294;

AND THAT an appropriate by-law be passed authorizing the execution of the documents necessary to complete the real estate transaction.

CARRIED

Item C-4
Lease of Office Space, 200 Larch Street, Sudbury

Recommendation #2007-104:

Rivest-Caldarelli: THAT the City of Greater Sudbury enter into a Lease Agreement with Omega Direct Response Inc. for the main floor of the building located at 200 Larch Street, Sudbury for a term of two years with an option to renew for one additional year;

AND THAT a by-law be passed authorizing the execution of the required documents.

CARRIED

Item C-5
Land Exchange Agreement, Moyle Street (unopened) and Highway 69 North (MR 80), McCrea Heights

Recommendation #2007-105:

Rivest-Caldarelli: THAT Council of the City of Greater Sudbury transfer the closed portion of the Moyle Street, McCrea Heights, legally described as Firstly: part of PIN 73498 -0559 (LT), being part of closed Moyle Street on Plan M-296 and Secondly: PIN 73498 - 0557 (LT), being Block 'C' on Plan M-296, Township of Blezard, City of Greater Sudbury to Kimberly Wagg;

MATTERS ARISING FROM THE “IN CAMERA” SESSION (cont’d)

Item C-5

Recommendation #2007-105 (cont’d):

Land Exchange Agreement, Moyle Street (unopened) and Highway 69 North (MR 80), McCrea Heights (cont’d)

THAT Council of the City of Greater Sudbury accept the transfer of title from Kimberly Wagg of land on Municipal Road 80, McCrea Heights legally described as part of PIN 73498 -0506 (LT), part of Lot 5, Concession 3, Township of Blezard, City of Greater Sudbury;

THAT a By-law be passed authorizing the execution of the documents required to complete both transfers;

AND THAT the costs associated with the transfers be paid from the 2007 Capital Roads Program.

CARRIED

PUBLIC HEARINGS

APPLICATION FOR REZONING TO PERMIT THE USE OF TWO TRAILERS FOR THE STORAGE OF CONSTRUCTION EQUIPMENT, OFFICE FURNITURE AND OTHER TOOLS AND INVENTORY AS A TEMPORARY USE ON THE PROPERTY FOR A MAXIMUM PERIOD OF THREE YEARS, 129 BONIN STREET, CHELMSFORD - DONALD GRATTON

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

Report dated April 3th, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to permit the use of two trailers for the storage of construction equipment, office furniture and other tools and inventory as a temporary use on the property for a maximum period of three years, 129 Bonin Street, Chelmsford, Donald Gratton.

Letter of objection dated April 12th, 2007 (including notice of objection, list of reasons for objection and signatures of objectors) received from N. Berthiaume was distributed to Committee Members under separate cover.

Michelle Mailloux, 142 Paris Street, Sudbury, Counsel for the applicant, and Donald Gratton, the applicant, were present.

The Manager of Development Approvals outlined the application to the Committee. He indicated that the application is not consistent with the Provincial Policy Statement and the trailers on the property are not compatible with the uses in the area and therefore the recommendation is that the application be denied.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE USE OF TWO TRAILERS FOR THE STORAGE OF CONSTRUCTION EQUIPMENT, OFFICE FURNITURE AND OTHER TOOLS AND INVENTORY AS A TEMPORARY USE ON THE PROPERTY FOR A MAXIMUM PERIOD OF THREE YEARS, 129 BONIN STREET, CHELMSFORD - DONALD GRATTON (cont'd)

Michelle Mailloux indicated the subject property is 4.7 acres and is the applicant's residence. The abutting property is 9.7 acres and has a residential use, across the street are single residential properties and the Canadian Pacific Railway lands are not used for agricultural uses. She stated these lands have already been removed from the agricultural lands inventory and there are no agricultural uses immediately adjacent to the subject lands.

Ms. Mailloux stated that the applicant is the owner of Toojacks Rentals and Sales who retired due to his wife's failing health. She indicated that, in order to wind up his operation, he has only to dispose of the construction equipment, office furniture, tools, etc. She stated the applicant's solution was to bring two tractor trailers onto his property to store the items until they were sold. He does not intend to carry on any business on his property. She indicated Mr. Gratton took pictures of a number of farming and residential properties within a two-mile radius of his property showing trailers and buses located on them. The pictures were circulated to the Committee members. For this reason, he thought there was no problem bringing in the tractor trailers onto his property.

Ms. Mailloux stated the nature of the application is relevant as it is not a rezoning application but only for a temporary use which leaves the land within the inventory of agricultural lands. She further stated that as a temporary use, it need not be in conformity with the plan and does not violate the purview or intent of the Provincial Policy Statement. She also stated that the temporary use is compatible with and does not hinder the surrounding farm operations. She further advised that the applicant would be content with a temporary use ending December 31st, 2008.

Norm Berthiaume, area resident, indicated he was present on his own behalf and on behalf of 31 other objectors. He continued by listing the reasons for their objections. One reason is the residents wish to protect the zoning of Bonin Street, Chelmsford as an agricultural reserve zone. The residents wish to preserve the beautiful quiet agricultural setting and not have it turned into a commercial/industrial like sector for any period of time. The applicant has shown disregard for neighbours and City by-laws by storing multiple tandem storage trailers, heavy construction equipment, etc. defacing the agricultural landscape for the past five months and other items such as interlocking stones since 2004 which have caused the residents to lose confidence in him. Commercial/industrial zoning and activity would affect the present and resale value of their properties. He further stated that a reason for their objection is that the introduction of an industrial/commercial business would increase traffic and noise levels on Bonin Street. He indicated the applicant should be directed to the existing industrial park on Municipal Road 15 and should sell the equipment by auction.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE USE OF TWO TRAILERS FOR THE STORAGE OF CONSTRUCTION EQUIPMENT, OFFICE FURNITURE AND OTHER TOOLS AND INVENTORY AS A TEMPORARY USE ON THE PROPERTY FOR A MAXIMUM PERIOD OF THREE YEARS, 129 BONIN STREET, CHELMSFORD - DONALD GRATTON (cont'd)

When asked, Mr. Berthiaume indicated that, although he can not speak as agent for 31 people, he would be personally agreeable to a 60-day temporary use.

Mario Leveille, area resident, indicated he also would be agreeable to a 60-day temporary use. He stated that the equipment is outdated and will take time to sell. He stated he is also concerned that, after the three-year period has lapsed, the applicant will apply for one or more three-year periods for temporary use.

When asked about the paving bricks or interlocking stones stored on his property, Donald Gratton indicated that the interlocking stones were brought to his property when a parking lot was disassembled. It was his intention to pave his driveway with these stones; but could not, due to his 10 to 12 hour per day work schedule. He stated that, as he is now retired, he intends to complete his driveway as soon as the frost in the ground is gone.

Mr. Gratton indicated that it would be difficult to sell the construction heaters at this time of year and he would lose a substantial amount of money if he auctioned off the equipment. He also indicated that he has contacted contractors in his attempt to sell the equipment. He stated that the sale of the equipment is his pension for his retirement. He indicated he spent \$9,000 for the pad in order that the trailers could be placed parallel and remain level.

Mr. Gratton stated that he intends to farm the property in his retirement.

When asked, Mr. Gratton indicated he visited some neighbours and was told a petition was being circulated asking if they wanted a business establishment in the area. He stated there was never any intention to conduct a business from his property. The disposal of equipment would not be done on his lot, therefore no additional traffic would be generated.

Ghislain Bergeron of Rayside Mini-Storage indicated that the area is being overrun by trailers and containers which generate no revenue for the City. He stated these trailers and containers are being rented to the public and they are undercutting his business. He feels trailers and containers do not belong in a back yard.

Ms. Mailloux submitted a petition signed by eight area residents indicating they have no concerns regarding this application.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE USE OF TWO TRAILERS FOR THE STORAGE OF CONSTRUCTION EQUIPMENT, OFFICE FURNITURE AND OTHER TOOLS AND INVENTORY AS A TEMPORARY USE ON THE PROPERTY FOR A MAXIMUM PERIOD OF THREE YEARS, 129 BONIN STREET, CHELMSFORD - DONALD GRATTON (cont'd)

Councillor Dutrisac, Ward Councillor, commended the residents and noted their concerns regarding the tractor trailers remaining on the property for a temporary period of three years or longer. She stated that the area residents would be willing to give Mr. Gratton, perhaps 60 days, to try and sell the equipment.

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 recommendations were presented:

Recommendation #2007-106:

Caldarelli-Rivest: THAT the application by Donald Gratton to amend By-law 83-302 being the Zoning By-law for the (former) Town of Rayside-Balfour to permit on the lands forming Parcel 6346 S.W.S., Lot 10, Concession 3, Township of Rayside, City of Greater Sudbury, the use of two trailers for the storage of construction equipment, office furniture and other tools and inventory from the owners former rental business until they can be sold, for a maximum time period of three years be denied.

CONCURRING MEMBERS: Councillor Berthiaume

NON-CONCURRING MEMBERS: Councillors Cimino, Dutrisac, Rivest, Caldarelli

DEFEATED

Recommendation #2007-107:

Caldarelli-Rivest: THAT the application by Donald Gratton to amend By-law 83-302 being the Zoning By-law for the (former) Town of Rayside-Balfour to permit on the lands forming Parcel 6346 S.W.S., Lot 10, Concession 3, Township of Rayside, City of Greater Sudbury, the use of two trailers for the storage of construction equipment, office furniture and other tools and inventory from the owners former rental business be approved subject to the following:

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE USE OF TWO TRAILERS FOR THE STORAGE OF CONSTRUCTION EQUIPMENT, OFFICE FURNITURE AND OTHER TOOLS AND INVENTORY AS A TEMPORARY USE ON THE PROPERTY FOR A MAXIMUM PERIOD OF THREE YEARS, 129 BONIN STREET, CHELMSFORD - DONALD GRATTON (cont'd)

Recommendation #2007-107 (cont'd):

1. That the temporary use by-law specify that two tractor trailers with a combined area of 76m² shall be permitted for the storage of construction equipment, office furniture and tools until December 31st, 2007.

CONCURRING MEMBERS: Councillors Cimino, Dutrisac, Caldarelli

NON-CONCURRING MEMBERS: Councillors Berthiaume, Rivest,

CARRIED

APPLICATION FOR REZONING IN ORDER TO PERMIT THE CREATION OF FOUR RESIDENTIAL UNITS IN THE EXISTING BUILDING WITH OR WITHOUT NON-RESIDENTIAL USES, 97 YOUNG STREET, CAPREOL - BELLA BOUTIQUE

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

Report dated April 4th, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning in order to permit the creation of four residential units in the existing building with or without non-residential uses, 97 Young Street, Capreol, Bella Boutique.

Wendy and Lawrence Briscoe, the applicants, and Rheal Pitre, agent for the applicants, were present. They indicated they were satisfied with the staff recommendation.

The Manager of Development Approvals outlined the application to the Committee.

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.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING IN ORDER TO PERMIT THE CREATION OF FOUR RESIDENTIAL UNITS IN THE EXISTING BUILDING WITH OR WITHOUT NON-RESIDENTIAL USES, 97 YOUNG STREET, CAPREOL - BELLA BOUTIQUE (cont'd)

The following recommendation was presented:

Recommendation #2007-108:

Rivest-Berthiaume: THAT the application by Bella Boutique Inc. to amend By-law 83-301 being the Comprehensive Zoning for the (former) Town of Capreol as it applies to Parcel 3744 S.E.S., Lot 428, M-69, Lot 10, Concession 6, Township of Capreol, City of Greater Sudbury, by changing the zoning classification from "C2", General Commercial Zone to "C2-S", General Commercial Special zone be approved with the following exceptions being provided in the by-law:

1. That a minimum of 4 parking spaces be provided;
2. That three of the parking spaces be permitted in the required exterior side yard and the required front yard;
3. That residential uses shall be permitted with or without permitted non-residential uses.

CONCURRING MEMBERS: Councillors Cimino, Berthiaume, Dutrisac, Rivest, Caldarelli

CARRIED

APPLICATION TO REZONE VACANT COMMERCIAL LANDS IN ORDER TO PERMIT THE DEVELOPMENT OF FOUR LOTS FOR SINGLE RESIDENTIAL USE, LEROUX STREET, CHELMSFORD - DIRO HOLDINGS (AGENT: DEL BOSCO SURVEYING)

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

Report dated April 2nd, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application to rezone vacant commercial lands in order to permit the development of four lots for single residential use, Leroux Street, Chelmsford, Diro Holdings (Agent: Del Bosco Surveying).

Terry Del Bosco, 75 Lorne Street, Sudbury, agent for the applicant, was present.

The Manager of Development Approvals outlined the application to the Committee.

PUBLIC HEARINGS (cont'd)

APPLICATION TO REZONE VACANT COMMERCIAL LANDS IN ORDER TO PERMIT THE DEVELOPMENT OF FOUR LOTS FOR SINGLE RESIDENTIAL USE, LEROUX STREET, CHELMSFORD - DIRO HOLDINGS (AGENT: DEL BOSCO SURVEYING) (cont'd)

Terry Del Bosco advised that the applicant did attempt to develop the lands for commercial uses without success. He further advised that, since this application was submitted, the applicant has been approached a number of times by potential purchasers. He indicated that a lot grading agreement has already been provided addressing some items in the report.

Councillor Berthiaume, Ward Councillor, advised he had received no telephone calls objecting to the application and is in favour of the application.

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 #2007-109:

Berthiaume-Rivest: THAT the application by Diro Holdings to amend By-law 83-302 being the Comprehensive Zoning By-law for the (former) Town of Rayside-Balfour by changing the zoning classification on lands described as PINs 73348 - 0153 and 73348 - 0253, Lots 3, 4 and 5 of Plan M-430, Parts 1, 2, 3 and 4, Plan 53R-10420 and Part 1, Plan 53R-7871 in Lot 3, Concession 2, Township of Balfour, City of Greater Sudbury from "C2-5", General Commercial Special to "R1.D18", Single Residential be approved subject to the following condition:

1. That the applicant provide the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to enable the preparation of an amending zoning by-law.

CONCURRING MEMBERS: Councillors Cimino, Berthiaume, Dutrisac, Rivest, Caldarelli

CARRIED

Recess At 7:16 p.m., the Planning Committee recessed.

Reconvene At 7:24 p.m., the Planning Committee reconvened.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR DRAFT PLAN APPROVAL AND REZONING IN ORDER TO PERMIT THE CREATION OF 163 LOTS FOR SINGLE RESIDENTIAL USE AND 68 LOTS FOR DOUBLE RESIDENTIAL USE, FOXBOROUGH ESTATES, O'NEIL DRIVE, GARSON - DALRON CONSTRUCTION LIMITED

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

Report dated April 4th, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding applications for draft plan approval and rezoning in order to permit the creation of 163 lots for single residential use and 68 lots for double residential use, Foxborough Estates, O'Neil Drive, Garson - Dalron Construction Limited

Kristi Arnold and Dianna Leach Petrone of Dalron Construction Limited were present.

The Manager of Development Approvals outlined the applications to the Committee.

Kristi Arnold provided an electronic presentation showing the draft plan. She stated that single family lots abut existing single family properties. When asked about the possibility of minimizing the number of cul-de-sacs, she indicated that they did look at that possibility; however, as the grades are bad it would require much fill and the development would encroach into the planned green space.

David Hayes indicated he was speaking on behalf of residents of O'Neil Drive East, Garson whose properties back onto the proposed subdivision. He stated this huge area proposed to be developed is now all blueberries bushes, grass and sand. He asked how much of the land would be development this year. He indicated that the subdivision which was started three years ago has 48 lots and only one-half have been developed. He stated that as residents of O'Neil Drive it is more realistic if the proposed development began in the area where Dalron has already developed and come in towards them from the west.

Ms. Arnold advised that the subdivision will be developed in phases; the first phase being behind the properties on O'Neil Drive. She indicated that most of the lots, although they have not be developed, have been sold. They plan the next phase to be the loop off of O'Neil Drive and will be dependant on demand.

Mr. Hayes provided a petition of concern signed by 21 O'Neil Drive residents. He asked that the development come from the west and not begin behind the existing subdivision on O'Neil Drive and that it be done in small phases. He also asked what measures will be taken to control sand and dust problems.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR DRAFT PLAN APPROVAL AND REZONING IN ORDER TO PERMIT THE CREATION OF 163 LOTS FOR SINGLE RESIDENTIAL USE AND 68 LOTS FOR DOUBLE RESIDENTIAL USE, FOXBOROUGH ESTATES, O'NEIL DRIVE, GARSON - DALRON CONSTRUCTION LIMITED

Ms. Arnold advised that measures will be taken to control dust as it has been an issue in the past. In past years they have put in topsoil and seeded the area to control dust.

Joe Parrotta, area resident, indicated the presentation covered most items and asked if there were any plans to relocate the park.

Ms. Arnold indicated she has been speaking with Leisure Services about relocation; however, the existing structures are in bad shape. She stated that a new play structure will be erected in the new play area although the timing is not known at the present.

Mr. Parrotta indicated that traffic is a major problem at Catherine Drive and O'Neil Drive and there is a need for a 4-way stop sign.

The Manager of Development Approvals indicated that a condition of draft approval requires that a traffic impact study be undertaken, which will deal with the need for a 4-way stop sign.

Mr. Parrotta asked about the water pressure and was advised that the developer will be required to provide adequate fire flow during all phases of the development.

Vicki Train indicated that the Torrington Street area is already being developed and there are no residents along the bottom section of the development. She asked why that section is not in the first phase rather than disturbing the residents of O'Neil Drive.

Ms. Arnold advised one reason is that a secondary access must be provided and the other is the location of sewer and water services.

Councillor Thompson, Ward Councillor, indicated he has been contacted by area residents and no one indicated they are against the development although there are some concerns. He stated there are concerns about sand and dust control, the water pressure situation and water drainage; which issues have been addressed. Another concern is the access to Moreau Avenue. He stated the residents would like to see this access otherwise there will be much more traffic on Penman Avenue. He further indicated the residents would also like a sidewalk on Penman Avenue and was advised that it can be included in the traffic study or staff requirements. He stated that a 4-way or 3-way stop on

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR DRAFT PLAN APPROVAL AND REZONING IN ORDER TO PERMIT THE CREATION OF 163 LOTS FOR SINGLE RESIDENTIAL USE AND 68 LOTS FOR DOUBLE RESIDENTIAL USE, FOXBOROUGH ESTATES, O'NEIL DRIVE, GARSON - DALRON CONSTRUCTION LIMITED (cont'd)

O'Neil would help the speeding problem. He concluded by stating that he has not heard anything negative from the area residents and they will be pleased to see this new development as long as their concerns are addressed.

Ms. Arnold concluded by stating that it would not be practical to connect the cul-de-sacs. She also stated that they will do their best throughout all phases of the development to control the dust and sand problem. With respect to the Moreau Avenue access, she stated that will be dealt with later in the agenda.

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 applications.

The following recommendations were presented:

Recommendation #2007-110:

Caldarelli-Berthiaume: THAT the application by Dalron Construction Limited to amend By-law 83-304 being the Comprehensive Zoning By-law for the (former) Town of Nickel Centre from "RU", Rural to "R1", Single Residential, "R2", Double Residential and "P", Public Park with respect to those lands described as PIN 73494 - 0899 and parts of PINs 73494 - 0491, 73494 - 0490, 73494 - 0522 and 73494 - 0523, part of Parcels 24685, 24686, 27063 and 27062 S.E.S., Part 2, Plan 53R-17583 and Parts 1 to 3, Plan SR-1944, in Lot 5, Concession 1, Township of Garson, City of Greater Sudbury be recommended for approval subject to the following condition:

1. That in order to enable the preparation of an amending zoning by-law the owner shall provide the Development Services Section with a registered survey plan which describes the lands to be rezoned.

CONCURRING MEMBERS: Councillors Cimino, Berthiaume, Dutrisac, Caldarelli

NON-CONCURRING MEMBERS: Councillor Rivest

CARRIED

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR DRAFT PLAN APPROVAL AND REZONING IN ORDER TO PERMIT THE CREATION OF 163 LOTS FOR SINGLE RESIDENTIAL USE AND 68 LOTS FOR DOUBLE RESIDENTIAL USE, FOXBOROUGH ESTATES, O'NEIL DRIVE, GARSON - DALRON CONSTRUCTION LIMITED (cont'd)

Recommendation #2007-111:

Caldarelli-Berthiaume: THAT the City of Greater Sudbury Council's delegated official be directed to issue the draft plan 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:

1. That this draft approval applies to the draft plan of subdivision of part of Parcels 24685, 24686, 27063 and 27062 S.E.S., Part 2, Plan 53R-17583 and Parts 1 to 3, Plan SR-1944, in Lot 5, Concession 1, Township of Garson, as shown on a plan of subdivision prepared by Terry Del Bosco, O.L.S., dated October 11th, 2006.
2. That the standard conditions of draft approval be imposed.
3. 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) of the Planning Act.
4. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the Director of Planning Services, provide an updated geotechnical report prepared, signed, sealed, and dated 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 recommend construction procedures for storm and sanitary sewers, stormwater management facilities, watermains, roads to a 20 year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services.
5. The owner shall provide a detailed lot grading plan prepared, signed, sealed, and dated by a professional civil engineer with a valid certificate of authorization for the proposed lots as part of the submission of servicing

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR DRAFT PLAN APPROVAL AND REZONING IN ORDER TO PERMIT THE CREATION OF 163 LOTS FOR SINGLE RESIDENTIAL USE AND 68 LOTS FOR DOUBLE RESIDENTIAL USE, FOXBOROUGH ESTATES, O'NEIL DRIVE, GARSON - DALRON CONSTRUCTION LIMITED (cont'd)

Recommendation #2007-111 (cont'd):

plans. This plan must show finished grades around new houses, retaining walls, side yards, swales, slopes and lot corners. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties.

6. Prior to the submission of servicing plans, the owner shall have a stormwater management report and plan prepared, signed, sealed and dated by a professional engineer with a valid certificate of authorization. Said report shall establish how the quantity and quality of stormwater will be managed for the subdivision development and assess the impact of stormwater runoff from this developed subdivision on abutting lands, on the downstream storm sewer outlet systems and on downstream water courses. The report shall deal with the control of both the 1:5 year and Regional Storm events, so as to limit the volume of flow generated on the site to pre-development levels. The Regional Storm flow path is to be set out on the plan(s). The report shall set out any necessary improvements to downstream storm sewers and water courses. The civil engineering consultant shall meet with the Development Approvals Section prior to commencing the stormwater management report.
7. The owner will be required to provide permanent silt and erosion control drainage works to the subdivision's storm water outlet to the satisfaction of the Director of Planning Services.
8. The owner shall be required to have all stormwater management facilities constructed and approved by the City prior to initial acceptance of roads and sewers or at such time as the Director of Planning Services may direct. The owner shall provide lands for said facilities as required by the City.
9. The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, storm sewers and related appurtenances to the City of Greater Sudbury Engineering Standards at the time of submission.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR DRAFT PLAN APPROVAL AND REZONING IN ORDER TO PERMIT THE CREATION OF 163 LOTS FOR SINGLE RESIDENTIAL USE AND 68 LOTS FOR DOUBLE RESIDENTIAL USE, FOXBOROUGH ESTATES, O'NEIL DRIVE, GARSON - DALRON CONSTRUCTION LIMITED (cont'd)

Recommendation #2007-111 (cont'd):

10. The owner agrees to provide the required soils report, stormwater, water, sanitary sewer and lot grading master planning reports and plans to the Director of Planning Services prior to the submission of servicing plans for any phase of the subdivision.
11. The owner shall develop a siltation control plan for the subdivision construction period to the satisfaction of the Director of Planning Services, Nickel District Conservation Authority and the Department of Fisheries and Oceans.
12. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
13. The owner will be required to ensure that the corner radius for all intersecting streets is to be 9.0 m.
14. As part of the submission of servicing plans, the owner shall have rear yard slope treatments designed by a geotechnical engineer licensed in the Province of Ontario incorporated in to the plans if noted as required at locations required by the Director of Planning Services. Suitable provisions shall be incorporated into the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the Director of Planning Services.
15. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Greater Sudbury Hydro Plus or Hydro One, Bell, Union Gas and Persona. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.
16. That the registered Plan be integrated with the City of Greater Sudbury Control Network to the satisfaction of the Coordinator of the Geographic Information, Surveys and Mapping Section; provision of the final plan coordinate listings and an AutoCAD file of the resultant parcel fabric shall formulate part of this requirement.
17. The owner provide proof of sufficient fire flow in conjunction with the submission of construction drawings for each phase of construction.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR DRAFT PLAN APPROVAL AND REZONING IN ORDER TO PERMIT THE CREATION OF 163 LOTS FOR SINGLE RESIDENTIAL USE AND 68 LOTS FOR DOUBLE RESIDENTIAL USE, FOXBOROUGH ESTATES, O'NEIL DRIVE, GARSON - DALRON CONSTRUCTION LIMITED (cont'd)

Recommendation #2007-111 (cont'd):

18. The owner be required to undertake a Traffic Impact Study and agree to participate in the cost of any changes, upgrading, or improvements to roadways or traffic control identified in the approved Traffic Impact Study, all to the satisfaction of the Acting General Manager of Infrastructure.

CONCURRING MEMBERS: Councillors Cimino, Berthiaume, Dutrisac, Rivest, Caldarelli

CARRIED

PART I - CONSENT AGENDA

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

Recommendation #2007-112:

Rivest-Berthiaume: THAT Items C-1 to C-7 contained in Part 1, Consent Agenda, be adopted.

CARRIED

MINUTES

Item C-1 **Recommendation #2007-113:**
Report #1
VETAC Minutes Berthiaume-Rivest: That Report #1, VETAC Committee Minutes of
February 20, 2007 February 20th, 2007, be received.

CARRIED

Item C-2 **Recommendation #2007-114:**
Report #63
DLAC Minutes Rivest-Berthiaume: That Report #63, Development Liaison
March 29, 2007 Advisory Committee Minutes of March 29th, 2007, be received.

CARRIED

PART I - CONSENT AGENDA (cont'd)

ROUTINE MANAGEMENT REPORTS

Item C-3
Application to
Amend Draft
Subdivision
Approval,
Foxborough
Estates/
Harrington
Heights, Garson,
Dalron
Construction
Limited

Report dated April 2nd, 2007 was received from the General Manager of Growth and Development regarding an application to amend draft subdivision approval, Foxborough Estates/Harrington Heights, Garson, Dalron Construction Limited.

The Committee agreed to hear a presentation from Kristi Arnold.

Ms. Arnold stated that, at the previously mentioned public meeting in December of 2006, the majority of residents indicated they would like to see the Moreau Avenue access eliminated and used only as a pedestrian walkway. She indicated that the residents of the 90 apartments and 50 townhouses on Moreau Avenue have safety concerns due to increased traffic.

Ms. Arnold indicated that the new proposal provides for two entrances on O'Neil Drive; the east entrance being added on the assumption that the Moreau Avenue access be closed. She does not feel three entrances on O'Neil Drive are required.

The Manager of Development Approvals and the Director of Roads and Transportation indicated that all access points (the two connections to O'Neil in the proposed subdivision and the Moreau Street connection to O'Neil in the existing draft approved subdivision) are required to spread traffic throughout the neighbourhood.

Recommendation #2007-115:

Rivest-Berthiaume: THAT the application by Dalron Construction Limited to amend the draft subdivision approval for Parcel 35336 S.E.S. in Lot 5, Concession 1, Township of Garson, City of Greater Sudbury be approved subject to the following:

- a) That the Moreau Avenue connection be maintained;
- b) That the plan be amended to include a street connection in the approximate location of Lot 17 on the draft plan of subdivision dated December 16th, 1987.

CARRIED

PART I - CONSENT AGENDA (cont'd)

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-4
Application to
Extend Draft Plan
of Subdivision
Approval, Adam &
Eve's Subdivision,
1991 Maley Drive,
Sudbury - Adam
& Eve's Garden
& Patio Centre

Report dated April 3rd, 2007 was received from the General Manager of Growth and Development regarding an application to extend draft plan of subdivision approval, Adam & Eve's Subdivision, 1991 Maley Drive, Sudbury, Adam & Eve's Garden & Patio Centre.

Recommendation #2007-116:

Berthiaume-Caldarelli: THAT upon the payment of the processing fee of \$1,565.00 prior to the June 4th, 2007 lapsing date, the conditions of draft approval of plan of subdivision for Parcels 760 N.W.S. and 2768 S.E.S. and part of Block F, Plan M-1005 in Lot 11, Concession 6, Township of Neelon, City of Greater Sudbury, File 780-6/97001, be amended as follows:

- a) By deleting condition #10 and replacing it with the following:
 - 10. That this draft approval shall lapse on June 4, 2010.

- b) By deleting condition #15 and replacing it with the following:
 - 15. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the Acting General Manager of Infrastructure, provide an updated geotechnical report prepared, signed, sealed, and dated 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 recommend construction procedures for storm and sanitary sewers, stormwater management facilities, watermains, roads to a 20 year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services.

- c) By deleting condition #17 and replacing it with the following:

PART I - CONSENT AGENDA (cont'd)

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-4
Application to
Extend Draft Plan
of Subdivision
Approval, Adam &
Eve's Subdivision,
1991 Maley Drive,
Sudbury - Adam
& Eve's Garden
& Patio Centre
(cont'd)

Recommendation #2007-116 (cont'd):

17. The applicant/owner shall provide to the City, as part of the submission of servicing plans a Siltation Control Plan detailing the location and types of sediment and erosion control measures to be implemented during the construction of each phase of the project. Said plan shall be to the satisfaction of the General Manager of Growth and Development and the Nickel District Conservation Authority. The siltation control shall remain in place until all disturbed areas have been stabilized. All sediment and erosion control measures shall be inspected daily to ensure that they are functioning properly and are maintained and/or updated as required. If the sediment and erosion control measures are not functioning properly, no further work shall occur until the sediment and/or erosion problem is addressed.
- d) By deleting condition #20.
- e) By deleting condition #23 and replacing it with the following:
23. That prior to the signing of the final plan, the Planning Services Division is to be advised by the City Solicitor that Conditions #2, 3, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 24, 25 and 26 have been complied with to his satisfaction.
- f) By adding the following as condition #25:
25. Prior to the submission of servicing plans, the owner shall have a stormwater management report and plan prepared, signed, sealed, and dated by a professional engineer with a valid certificate of authorization. Said report shall establish how the quantity and quality of stormwater will be managed for the subdivision development and assess the impact of stormwater runoff from this developed subdivision on abutting lands, on the downstream storm sewer outlet systems and on Junction Creek, the downstream water course. The report shall deal with the control of both the 1:5 year and Regional Storm events, so as to limit

PART I - CONSENT AGENDA (cont'd)

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-6
Closed Lane
Between St.
Charles Street &
Dell Street from
Morin Avenue to
Laforest Avenue,
Sudbury

Report dated April 11th, 2007 was received from the Acting General Manager of Infrastructure regarding closed lane between St. Charles Street and Dell Street from Morin Avenue to Laforest Avenue, Sudbury.

Recommendation #2007-118:

Rivest-Berthiaume: THAT By-law 83-150 be amended by deleting Section 6 and replacing it with the following:

“THAT the Manager of Assets be authorized to execute any and all documents necessary to complete the conveyance of the land to the adjoining owner or owners.”

CARRIED

Item C-7
Declaration of
Surplus Vacant
Land, Oak
Avenue, Coniston

Report dated April 11th, 2007 was received from the Acting General Manager of Infrastructure regarding declaration of surplus vacant land, Oak Avenue, Coniston.

Recommendation #2007-119:

Rivest-Berthiaume: THAT the property owned by the City of Greater Sudbury legally described as PIN 73560 - 0731, formerly Parcel 3174, S.E.S., Part of Lot 4, Concession 3, Township of Neelon, City of Greater Sudbury, be declared surplus to the City's needs.

CARRIED

Adjournment

Recommendation #2007-120:

Berthiaume-Rivest: That we do now adjourn.
Time: 9:01 p.m.

CARRIED

DEPUTY CLERK

COUNCILLOR FRANCES CALDARELLI