

**THE FIFTY-FIRST MEETING OF THE PLANNING COMMITTEE
OF THE CITY OF GREATER SUDBURY**

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

**Wednesday, July 12th, 2006
Commencement: 9:12 a.m.
Adjournment: 2:20 p.m.**

COUNCILLOR RUSS THOMPSON PRESIDING

Present Councillors Caldarelli, Reynolds

Councillor Craig

Staff A. Potvin, Manager of Development Approvals; E. Taylor, Senior Planner; G. Clausen, City Engineer; R. Norton, Drainage Engineer; L. Hayes, CFO/Treasurer; C. Mahaffy, Manager of Financial Planning and Policy; D. Nadorozny, General Manager of Growth and Development; D. Braney, Acting Director of Assets and Solid Waste; P. Reid, Business Development Officer; C. Teale, Senior Planner; E. Labelle, Clerk Designate; J. Nelson, Clerk's Services Co-ordinator; F. Bortolussi, Planning Committee Secretary

News Media MCTV

Declarations of Pecuniary Interest None declared

PUBLIC HEARINGS - PLANNING ACT

APPLICATION FOR REZONING TO PERMIT THE EXISTING PREMISES OF A CHIROPRACTIC OFFICE AND RETAIL USES, 1708 LASALLE BOULEVARD, SUDBURY - DR. JOSEPH FANTIN

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

Report dated July 4th, 2006 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to permit the existing premises of a chiropractic office and retail uses, 1708 Lasalle Boulevard, Sudbury, Dr. Joseph Fantin.

Dr. Joseph Fantin, 1708 Lasalle Boulevard, Sudbury, the applicant, was present.

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

PUBLIC HEARINGS - PLANNING ACT (cont'd)

APPLICATION FOR REZONING TO PERMIT THE EXISTING PREMISES OF A CHIROPRACTIC OFFICE AND RETAIL USES, 1708 LASALLE BOULEVARD, SUDBURY - DR. JOSEPH FANTIN (cont'd)

Dr. Joseph Fantin advised the reason for the rezoning is for the sign. His only concern is that the strip of property being transferred to the City for road improvements may affect wheelchair access to his building.

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 #2006-132:

Thompson-Caldarelli: THAT the application by Dr. Joseph Fantin to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury as it applies to Parcel 15690 S.E.S., Lot 12, Concession 6, Township of Neelon, City of Greater Sudbury, by changing the zoning classification from "R3", Mixed Multiple Residential Zone to "C3-S", Limited General Commercial Special zone be approved subject to the following:

1. That prior to the passing of an amending by-law the owner agrees to transfer an approximate 4.3 metre wide strip of property along the entire frontage of Lasalle Boulevard for road improvements.
2. That prior to the passing of the amending by-law the owner will be required to relocate the existing ground sign to a safe location to the satisfaction of the General Manager of Infrastructure and Emergency Services.

CONCURRING MEMBERS: Councillors Caldarelli, Reynolds, Thompson

CARRIED

APPLICATION FOR REZONING TO PERMIT AN EXTENSION FOR A MODEL MANUFACTURED HOME RETAIL SALE DISPLAY AREA AS A TEMPORARY USE, FALCONBRIDGE ROAD/MUNICIPAL ROAD #86, GARSON - 630411 ONTARIO INC.

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

PUBLIC HEARINGS - PLANNING ACT (cont'd)

APPLICATION FOR REZONING TO PERMIT AN EXTENSION FOR A MODEL MANUFACTURED HOME RETAIL SALE DISPLAY AREA AS A TEMPORARY USE, FALCONBRIDGE ROAD/MUNICIPAL ROAD #86, GARSON - 630411 ONTARIO INC. (cont'd)

Report dated June 28th, 2006 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to permit an extension for a model manufactured home retail sale display area as a temporary use, Falconbridge Road/Municipal Road #86, Garson, 630411 Ontario Inc.

Denise Clement, was present on behalf of the applicant.

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

Denise Clement stated that they were asked to sod the property but indicated this would be difficult as there is no water supply to the property. She asked if they could seed and fertilize the land instead of sodding.

The Manager of Development Approvals advised that the concern of Planning Services is that the property be maintained as a residence. He also advised that, if it is not, it can be dealt with under the property standards by-law.

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:

Thompson-Caldarelli: THAT the application by 630411 Ontario Inc., the owner of part of Parcel 9984 S.E.S. in Lot 8, Concession 1, Township of Garson, to allow a temporary use of the property for a model, manufactured home retail sale display area for a maximum temporary period of one (1) year, pursuant to Section 39 of The Planning Act be approved subject to the following conditions:

1. A parking area accessory to a retail sale display area, and a loading area for model homes shall be maintained and identified on a survey landscape plan on Parcel 9984 S.E.S. to the satisfaction of the General Manager of Infrastructure & Emergency Services.
2. The following unlit business identification signs shall be permitted:

PUBLIC HEARINGS - PLANNING ACT (cont'd)

APPLICATION FOR REZONING TO PERMIT AN EXTENSION FOR A MODEL MANUFACTURED HOME RETAIL SALE DISPLAY AREA AS A TEMPORARY USE, FALCONBRIDGE ROAD/MUNICIPAL ROAD #86, GARSON - 630411 ONTARIO INC. (cont'd)

Recommendation (cont'd):

- a) one ground sign not exceeding 1.5m² per sign face or 3m² in total sign area, located not closer than 3m to any street line or any interior lot line abutting a residential zone;
- b) not more than two wall signs (or portable banners) each not exceeding 2.8m² in total sign area;
3. The westerly limit of the temporary use lands be defined to be "a rear lot line" for zoning by-law administration purposes, where a 7.5m "Rear Yard Depth" shall be provided.
4. That prior to the completion of the temporary use permission the owner may apply for a further 2 year extension. The fee for such a rezoning application shall only be that fee required for the statutory public notice. When evaluating such an extension application, Council shall have regard to the impacts of this use on the surrounding neighbourhood and the municipal infrastructure.

The following amendment to the recommendation was presented:

Recommendation #2006-133:

Reynolds-Caldarelli: THAT the temporary use period be amended from 1 year to 3 years and that condition #4 be deleted.

CONCURRING MEMBERS: Councillors Caldarelli, Reynolds, Thompson

CARRIED

The main recommendation as amended was presented:

Recommendation #2006-134:

Thompson-Caldarelli: THAT the application by 630411 Ontario Inc., the owner of part of Parcel 9984 S.E.S. in Lot 8, Concession 1, Township of Garson, to allow a temporary use of the property for a model, manufactured home retail sale display area for a maximum temporary period of three (3) years, pursuant to Section 39 of The Planning Act be approved subject to the following conditions:

1. A parking area accessory to a retail sale display area, and a loading area for model homes shall be maintained and identified on a survey

PUBLIC HEARINGS - PLANNING ACT (cont'd)

APPLICATION FOR REZONING TO PERMIT AN EXTENSION FOR A MODEL MANUFACTURED HOME RETAIL SALE DISPLAY AREA AS A TEMPORARY USE, FALCONBRIDGE ROAD/MUNICIPAL ROAD #86, GARSON - 630411 ONTARIO INC. (cont'd)

Recommendation #2006-134 (cont'd):

landscape plan on Parcel 9984 S.E.S. to the satisfaction of the General Manager of Infrastructure & Emergency Services.

2. The following unlit business identification signs shall be permitted:
 - a) one ground sign not exceeding 1.5m² per sign face or 3m² in total sign area, located not closer than 3m to any street line or any interior lot line abutting a residential zone;
 - b) not more than two wall signs (or portable banners) each not exceeding 2.8m² in total sign area;
3. The westerly limit of the temporary use lands be defined to be "a rear lot line" for zoning by-law administration purposes, where a 7.5m "Rear Yard Depth" shall be provided.

CONCURRING MEMBERS: Councillors Caldarelli, Reynolds, Thompson

CARRIED

APPLICATION FOR REZONING TO PERMIT THE CREATION OF 3 SINGLE FAMILY RESIDENTIAL LOTS AND THE CONVERSION OF AN EXISTING CHURCH INTO A RESIDENTIAL DWELLING THAT WILL OCCUPY ONE OF THE LOTS, 72 HILLCREST DRIVE, LIVELY - TAINA HEIKKILA

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

Report dated June 30th, 2006 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to permit the creation of 3 single family residential lots and the conversion of an existing church into a residential dwelling that will occupy one of the lots, 72 Hillcrest Drive, Lively, Taina Heikkila.

Mr. Heikkila was present on behalf of the applicant.

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

PUBLIC HEARINGS - PLANNING ACT (cont'd)

APPLICATION FOR REZONING TO PERMIT THE CREATION OF 3 SINGLE FAMILY RESIDENTIAL LOTS AND THE CONVERSION OF AN EXISTING CHURCH INTO A RESIDENTIAL DWELLING THAT WILL OCCUPY ONE OF THE LOTS, 72 HILLCREST DRIVE, LIVELY - TAINA HEIKKILA (cont'd)

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 #2006-135:

Thompson-Caldarelli: THAT the application by Taina Heikkila to amend By-law 83-303 being the Comprehensive Zoning By-law for the (former) Town of Walden as it applies to PIN 73376-0035, Parcel 19083 S.W.S., Part 1, SR-495, Lot 5, Concession 5, Township of Waters, City of Greater Sudbury, by changing the zoning classification from "I" Institutional Zone to "R1.D.18", Single Residential Zone be approved.

CONCURRING MEMBERS: Councillors Caldarelli, Reynolds, Thompson

CARRIED

APPLICATION FOR REZONING IN ORDER TO ADD A COMMERCIAL SCHOOL TO THE LIST OF PERMITTED USES, 430 WESTMOUNT AVENUE, SUDBURY - TIC CORPORATION

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

Report dated June 30th, 2006 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning in order to add a commercial school to the list of permitted uses, 430 Westmount Avenue, Sudbury, Tic Corporation.

Douglas Simmons, 430 Westmount Avenue, Sudbury, was present on behalf of the applicant.

The Manager of Development Approvals outlined the application to the Committee. He indicated that a condition was added to the recommendation providing for the transfer of an easement to the City for an existing storm sewer which was an outstanding requirement under a prior Consent Application.

PUBLIC HEARINGS - PLANNING ACT (cont'd)

APPLICATION FOR REZONING IN ORDER TO ADD A COMMERCIAL SCHOOL TO THE LIST OF PERMITTED USES, 430 WESTMOUNT AVENUE, SUDBURY - TIC CORPORATION (cont'd)

Marc Rémillard, Durham Street, Sudbury, was present on behalf of Getoni Holdings Inc. and PD2 Developments Inc. along with Peter Dellelce, director of PD2 Developments Inc.

Marc Rémillard explained the history between Tic Corporation, Getoni Holdings Inc. and PD2 Developments Inc. involving the Shell, Bianco's, Keg and Tim Horton's properties, the ring road and the right-of-way arrangements. He provided the Committee with a copy of the minutes of settlement between Shell Canada Products and Tic Corp. with respect to the right-of-way and a copy of an email to Ian Sinclair regarding the transfer of a drainage/storm sewer easement to the City. He asked the Committee to defer this application until the matter of the easement and right-of-way is resolved.

The Committee noted that the issues between the various land owners are not relevant 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 #2006-136:

Thompson-Caldarelli: THAT the application by Tic Corporation to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury as it applies to Parcel 24447 S.E.S., Part 2, 53R-13562, Lot 1, Concession 4, Township of McKim in order to include a commercial school as a permitted use within the "M1-6", Mixed Light Industrial Service Commercial Special Zone, be approved, subject to the following:

1. Prior to the passing of the amending by-law, the applicant will be required to transfer an easement to the City of Greater Sudbury for an existing storm sewer to the satisfaction of the General Manager of Infrastructure and Emergency Services.

CONCURRING MEMBERS: Councillors Caldarelli, Reynolds, Thompson

CARRIED

Recess At 10:37 a.m., the Planning Committee recessed.

Reconvene At 10.50 a.m., the Planning Committee reconvened.

Rules of Procedure The Committee, by two-thirds majority, agreed to dispense with the Rules of Procedure, to alter the order of the Agenda and deal with Item R-1 (Municipal Drain Financing Policy) prior to dealing with the Public Hearings under the Drainage Act.

PART II - REGULAR AGENDA

MANAGERS' REPORTS

Item R-1 Report dated July 6th, 2006 was received from the General Manager of
Municipal Infrastructure and Emergency Services regarding Municipal Drain
Drain Financing Policy.
Financing
Policy With the concurrence of the Committee, this matter was referred to Staff for a further report with additional information and to be dealt with at the Priorities Committee in September.

PUBLIC HEARINGS - DRAINAGE ACT

HOPE MUNICIPAL DRAIN

Report dated July 4th, 2006 was received from the General Manager of Infrastructure and Emergency Services regarding Hope Municipal Drain Assessments.

Kenn Smart, P. Eng., Drainage Engineer for the Hope Municipal Drain, advised that under the Drainage Act, in areas where individual drainage assessment for individual lots are very small, Council may direct the Drainage Engineer to assess these individual lots as a block. The Act also provides that in these cases the assessed cost are to be charged against the public roads in the watershed and paid by the municipality. He recommends that the lands set out in Appendix "B" of the report entitled "Hope Municipal Drain Assessments" dated June 30th, 2006 be assessed as a block under the Drainage Act and that the said assessments be paid by the City.

The following recommendation was presented:

Recommendation #2006-137:

Thompson-Caldarelli: THAT the lands set out in Appendix "B" of the report entitled "Hope Municipal Drain Assessments" dated June 30th, 2006 be assessed as a block pursuant to Section 25 of the Drainage Act R.S.O., 1990.,

PUBLIC HEARINGS - DRAINAGE ACT (cont'd)

HOPE MUNICIPAL DRAIN (cont'd)

Recommendation #2006-137 (cont'd):

AND THAT the said assessments be paid by the City of Greater Sudbury.

CONCURRING MEMBERS: Councillors Caldarelli, Reynolds, Thompson

CARRIED

The Planning Committee meeting was adjourned and the Public Hearing was opened to deal with the Hope Municipal Drain.

Report dated July 4th, 2006 was received from the General Manager of Infrastructure and Emergency Services regarding Hope Municipal Drain.

Schedule "A" Engineering Report Hope Drain was circulated under separate cover.

Ken Smart, P. Eng., Drainage Engineer for the Hope Municipal Drain, outlined the project to the Committee. He explained that under the Drainage Act, the engineering report is to be considered by Council.

Daniel Bouchard, area developer, indicated he did not ask to begin the petition. He signed the petition as it was a condition of approval for consent for lot splits. He indicated only a portion of the existing channel is on his property and he was willing to drain all the water at that end. He further indicated there is no water in the creek on his property at the present time. He stated that his main concern with the report is the cost component. He feels only a small portion of his property is affected but he is required to pay a large portion of the cost without being able to obtain a grant as he is a developer. He indicated that if he has to pay a large amount he may not develop the property. He feels development will be stopped if a developer is asked to pay the cost of correcting a problem which has existed for many years. He asked what the consequences would be if he removed his name from the petition.

The City Drainage Engineer indicated that Mr. Bouchard was asked to sign the petition as he would be developing lands north of Larocque and Lillian Streets. At present, there is insufficient drainage outlet to allow such development. He also indicated that Engineering Services has been working with Mr. Bouchard to find the most economic way to proceed.

Kenn Smart advised that, if Mr. Bouchard feels the costs are inequitable, the Drainage Act provides for Court of Revisions which is specifically to discuss costs or assessments. Mr. Bouchard can also appeal to the Tribunal or the Drainage Referee. Mr. Smart indicated that most of the cost is related to

PUBLIC HEARINGS - DRAINAGE ACT (cont'd)

HOPE MUNICIPAL DRAIN (cont'd)

property depth for these projects and that the City's share of the cost is much higher. He further indicated that, if the petition fails, there would be a cost of \$60,000 to the petitioners.

Mr. Bouchard indicated he will not remove his name from the petition. However, he asked for assurance that this drainage project is fair for everyone. He also asked if future developers will be asked to contribute to the cost.

The City Drainage Engineer advised that today's costs can not be imposed on developments that may or may not happen in the future.

Mr. Smart advised that the Drainage Act has a legal provision that if there is a change in land use in the watershed, there will be an inspection and the land will be proportionately assessed.

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 #2006-138:

Thompson-Caldarelli: THAT the Planning Committee recommend that the Council of the City of Greater Sudbury accept the Engineer's Report dated June 30th, 2006 from K. Smart Associates Limited for the Hope Municipal Drain and give first and second reading to a draft By-Law to provide for the Hope Municipal Drainage Works in the City of Greater Sudbury.

CONCURRING MEMBERS: Councillors Caldarelli, Reynolds, Thompson

CARRIED

POITRAS MUNICIPAL DRAIN

Report dated July 4th, 2006 was received from the General Manager of Infrastructure and Emergency Services regarding Poitras Municipal Drain Assessments.

Kenn Smart, P. Eng., Drainage Engineer for the Poitras Municipal Drain, advised that under the Drainage Act, in areas where individual drainage assessment for individual lots are very small, Council may direct the Drainage Engineer to

PUBLIC HEARINGS - DRAINAGE ACT (cont'd)

POITRAS MUNICIPAL DRAIN (cont'd)

assess these individual lots as a block. The Act also provides that in these cases the assessed cost are to be charged against the public roads in the watershed and paid by the municipality. He recommends that the lands set out in Appendix "B" of the report entitled "Poitras Municipal Drain Assessments" dated June 30th, 2006 be assessed as a block under the Drainage Act and that the said assessments be paid by the City.

The following recommendation was presented:

Recommendation #2006-139:

Caldarelli-Thompson: THAT the lands set out in Appendix "B" of the report entitled "Poitras Municipal Drain Assessments" dated June 30th, 2006 be assessed as a block pursuant to Section 25 of the Drainage Act R.S.O., 1990.,

AND THAT the said assessments be paid by the City of Greater Sudbury.

CONCURRING MEMBERS: Councillors Caldarelli, Reynolds, Thompson

CARRIED

The Planning Committee meeting was adjourned and the Public Hearing was opened to deal with the Poitras Municipal Drain.

Report dated July 4th, 2006 was received from the General Manager of Infrastructure and Emergency Services regarding Poitras Municipal Drain.

Schedule "A" Engineering Report Poitras Drain was circulated under separate cover.

Ken Smart, P. Eng., Drainage Engineer for the Poitras Municipal Drain, outlined the project to the Committee. He explained that under the Drainage Act, the engineering report is to be considered by Council.

Jack Langlois, area resident, is not pleased with the process. He stated that some people do not know what they signed when they signed the petition. He indicated that 14 people are against this petition and 3 are for it.

Clair Rouse, area resident, stated that the drainage works will be of no benefit to him as he does not front on a water course. His concern is the disturbing of the wetlands and natural wildlife with the widening and deepening of the drainage course. He does not disagree with the cleaning of the beaver dams and debris but is otherwise opposed.

PUBLIC HEARINGS - DRAINAGE ACT (cont'd)

POITRAS MUNICIPAL DRAIN (cont'd)

Kenn Smart indicated there will be no significant impact on the environment. He stated that the work will clean the channel with the deepening and widening of certain areas and the construction work required is minor. The main purpose is to lower the water level across the Poitras property. There would be environmental impact if the improvements were all the way down to Whitson River. He advised that, at the second meeting, everyone in attendance agreed the drainage course should be cleaned of beaver dams and this municipal drain will give the City the right to remove beaver dams.

Ginette Fortin, area resident, indicated that a tributary is on her property. She feels the drainage works will increase the life expectancy of the road which has recently been redone. She signed the petition at the meeting.

April Poitras indicated the property was purchased with the intention of creating a small farm and eventually developing the land. She stated that a tributary of the Whitson River flows through her property and, over the last few years, a major portion of the property has become water logged and unusable. For this reason, she began the petition. The drainage works will mean the difference between developing the land to its full agricultural potential or leaving it sit vacant and water logged.

Linda Levesque indicated this is a marsh area. She also stated there are fish in the drainage course which will disappear if there are changes made.

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 #2006-140:

Caldarelli-Thompson: THAT the Planning Committee recommend that the Council of the City of Greater Sudbury accept the Engineer's Report dated June 30th, 2006 from K. Smart Associates Limited for the Poitras Municipal Drain and give first and second reading to a draft By-Law to provide for the Poitras Municipal Drainage Works in the City of Greater Sudbury.

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

CARRIED

PART I - CONSENT AGENDA

The following recommendation was presented to adopt Items C-1 to C-9 contained in Part 1 of the Consent Agenda:

Recommendation #2006-141:

Caldarelli-Thompson: THAT Items C-1 to C-9 contained in Part 1, Consent Agenda, be adopted with the exception of Item C-4 as otherwise dealt with.

CARRIED

MINUTES

Item C-1
Report #59
DLAC Minutes
May 11, 2006

Recommendation #2006-142:

Caldarelli-Thompson: That Report #59, Development Liaison Advisory Committee Minutes of May 11th, 2006, be received.

CARRIED

Item C-2
Report #60
DLAC Minutes
June 22, 2006

Recommendation #2006-143:

Caldarelli-Thompson: That Report #60, Development Liaison Advisory Committee Minutes of June 22nd, 2006, be received.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-3
Draft Subdivision
Approval
Extension,
Whitson Lake
Subdivision,
1141573 Ontario
Inc.

Report dated June 30th, 2006 was received from the General Manager of Growth and Development regarding application for Draft Subdivision Approval Extension, Whitson Lake Subdivision, 1141573 Ontario Inc.

Recommendation #2006-144:

Thompson-Caldarelli: THAT upon payment of the processing fee of \$1,265.00 prior to the lapsing date of September 18th, 2006, the conditions of draft approval for the draft plan of subdivision of part of Parcels 2433 & 9436 S.E.S., being Parts 1, 2, & 3, Plan 53R-15429 and Parts 1 & 3, Plan 53R-16637, Lot 3, Concession 5, Township of Blezard (Whitson Lake Subdivision), be amended as follows:

- a) By deleting Condition # 21 and replacing it with the following:

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-3
Draft Subdivision
Approval
Extension,
Whitson Lake
Subdivision,
1141573 Ontario
Inc. (cont'd)

Recommendation #2006-144 (cont'd):

21. That this draft approval shall lapse on June 16th, 2009.
- b) By revising Condition # 13 to read as follows:
13. "That the developer prepare a sediment control plan for the construction phase of the project to the satisfaction of the Nickel District Conservation Authority and the Director of Planning Services."
- c) By revising condition # 14 to read as follows:
14. "That the developer prepare a lot grading/drainage plan addressing storm water runoff from this developed subdivision to the adjacent Whitson Lake to the satisfaction of the Nickel District Conservation Authority and the City of Greater Sudbury. The detailed lot grading plan is to be prepared by a professional civil engineer with a valid certificate of authorization for the proposed lots as part of the submission of servicing 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 as per the City's Lot Grading Policy."
- d) By revising condition #16 to read as follows:
16. "That the developer submit a drainage study prepared by a professional drainage engineer for this development and the surrounding land, prior to the completion of the engineering plans, to the satisfaction of the Director of Planning Services."
- e) By revising condition #17 to read as follows:
17. "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 ground water conditions

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-3
Draft Subdivision
Approval
Extension,
Whitson Lake
Subdivision,
1141573 Ontario
Inc. (cont'd)

Recommendation #2006-144 (cont'd):

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.”

f) By adding the following condition:

22. “That the developer provide a utilities servicing plan showing the location of all utilities including City services, Hydro, 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.”

CARRIED

Item C-4

Refer to Page 18.

Item C-5
Draft Subdivision
Approval
Extension,
Pagnutti
Subdivision,
Pagnutti
Developments Ltd.

Report dated June 29th, 2006 was received from the General Manager of Growth and Development regarding application for Draft Subdivision Approval Extension, Pagnutti Subdivision, Pagnutti Developments Ltd.

Recommendation #2006-145:

Caldarelli-Thompson: THAT upon the payment of the processing fee of \$2,500.00 prior to September 28th, 2006 lapsing date, the conditions of draft approval of plan of subdivision for the remainder of Parcel 25851 S.E.S. in Lots 5 & 6, Concession 1, Township of Broder, City of Greater Sudbury, File 780-6/88016, be amended as follows:

- a) By amending Condition # 27 to delete the numbers, “29 and 30” and replace them with, "30, 31, 32 and 33";
- b) By deleting Condition # 28 and replacing it with the following:

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-5
Draft Subdivision
Approval
Extension,
Pagnutti
Subdivision,
Pagnutti
Developments
Ltd. (cont'd)

Recommendation #2006-145 (cont'd):

- “28. That this draft approval shall lapse on June 28th, 2009.”;
- c) By deleting Condition # 29;
- d) By adding the following as Conditions # 31, 32 and 33:
- “31. That the developer prepare a sediment control plan for the construction phase of the project to the satisfaction of the Nickel District Conservation Authority and the Director of Planning Services.
32. 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.
33. That the developer provide a utilities servicing plan showing the location of all utilities including City services, Hydro, 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.

CARRIED

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-6
Declaration of
Surplus Vacant
Lands, Front
Street, Capreol

Report dated July 5th, 2006 was received from the General Manager of Infrastructure and Emergency Services regarding Declaration of Surplus Vacant Lands, Front Street, Capreol.

Recommendation #2006-146:

Thompson-Caldarelli: THAT the properties legally described as Lots 87, 88, 89 and 90, Plan M-65, Part of Lot 11, Concession 6, Township of Capreol, be declared surplus to the City's needs.

CARRIED

Item C-7
Declaration of
Surplus Vacant
Lands, Hillcrest
Drive, Lively

Report dated July 5th, 2006 was received from the General Manager of Infrastructure and Emergency Services regarding Declaration of Surplus Vacant Lands, Hillcrest Drive, Lively.

Recommendation #2006-147:

Reynolds-Thompson: THAT the property legally described as Parcel 16949, S.E.S. and Parcel 10373, S.W.S., being Parts 25 and 28, Plan 53R-6077, Part of Lot 5, Concession 4, Township of Waters, be declared surplus to the City's needs.

CARRIED

Item C-8
Declaration of
Surplus Vacant
Lands, South
Lane Road,
Sudbury

Report dated July 5th, 2006 was received from the General Manager of Infrastructure and Emergency Services regarding Declaration of Surplus Vacant Lands, South Lane Road, Sudbury.

Recommendation #2006-148:

Reynolds-Thompson: THAT the property legally described as PIN 73477-0047 (LT), being Parcel 45847, S.E.S., described as Part 1, Plan 53R-9265, part of Lot 3, Concession 3, Township of Broder, be declared surplus to the City's needs.

CARRIED

Item C-9
Lane Closure,
Lane West of
Aubrey Sreet,
Coniston

Report dated July 5th, 2006 was received from the General Manager of Infrastructure and Emergency Services regarding Lane Closure, Lane West of Aubrey Street, Coniston.

Recommendation #2006-149:

Reynolds-Thompson: THAT the property legally described as PIN 73560-1084, formerly Parcel 8191 S.E.S., Plan M-147, Township of

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-9 **Recommendation #2006-149 (cont'd):**
Lane Closure,
Lane West of
Aubrey Street,
Coniston (cont'd) Neelon, Coniston be closed by By-Law , declared surplus to the City's needs and sold in accordance with the procedures governing the sale of land.

CARRIED

Item C-4
Subdivision
Referral Request
for Consent
Applications
B29/2006 to
B31/2006, Hill
Street and
Riverside Drive,
Wahnapiatae, Jean
Charles Labonte Report dated June 30th, 2006 was received from the General Manager of Growth and Development regarding application for Subdivision Referral Request for Consent Applications B29/2006 to B31/2006, Hill Street and Riverside Drive, Wahnapiatae, Jean Charles Labonte.

Andre Lacroix, Elgin Street, Sudbury, Counsel for the applicant, was present. He indicated that the property was purchased from the school board and at that time there were five lots on the property. All lots are fully serviced. He indicate that building permits are being issued for existing lots in Wahnapiatae notwithstanding the fire flow requirements. He stated he does not disagree with the policy; however, he feels an exception can be made in this instance as there were five lots at the time of purchase.

Recommendation #2006-150:

Thompson-Caldarelli: THAT Consent Applications B0029/2006 to B0031/2006 with respect to Parcels 17691 & 7481 S.E.S. in Lot 5, Concession 3, Township of Dryden, be allowed to proceed by way of the Consent process.

CARRIED

Recess At 12:54 p.m., the Planning Committee recessed.

Reconvene At 1:00 p.m., the Planning Committee reconvened for the in camera session of the meeting.

COUNCILLOR RUSS THOMPSON PRESIDING

Present Councillors Caldarelli, Reynolds

Staff D. Nadorozny, General Manager of Growth and Development;
D. Braney, Acting Director of Assets and Solid Waste; E. Labelle,
Clerk Designate; F. Bortolussi, Planning Committee Secretary

Declarations of None declared
Pecuniary Interest

"In Camera"

Recommendation #2006-151:

Reynolds-Thompson: That we move "In Camera" to deal with property 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 1:22 p.m., the Planning Committee recessed.

Reconvene

At 2:15 p.m., the Planning Committee reconvened for the regular meeting.

MATTERS ARISING FROM THE "IN CAMERA" SESSION

Rise and Report

Councillor Thompson reported the Committee met in closed session to deal with property matters and the following recommendations emanated therefrom:

Item C-1
Purchase of Land,
Lasalle Boulevard
Road Improvement
133 Lasalle
Boulevard,
Sudbury

Report dated June 28th, 2006 was received from the General Manager of Infrastructure and Emergency Services regarding Purchase of Land, Lasalle Boulevard Road Improvements, 133 Lasalle Boulevard, Sudbury.

Recommendation #2006-152:

Thompson-Reynolds: THAT Council of the City of Greater Sudbury authorize the purchase of 133 Lasalle Boulevard, Sudbury, legally described as PIN 02127-0292 (LT), Lot 1, Plan M-172, Sudbury, from John and Karen McLaren;

AND THAT a By-law be passed authorizing the execution of the documents required to complete the real estate transaction;

AND THAT the acquisition be funded from the 2006 Capital Roads Project Budget.

CARRIED

Item C-2
Purchase of Land,
Lasalle Boulevard
Road
Improvements,
154 Lasalle
Bldv, Sudbury

Report dated June 28th, 2006 was received from the General Manager of Infrastructure and Emergency Services regarding Purchase of Land, Lasalle Boulevard Road Improvements, 154 Lasalle Boulevard, Sudbury.

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

Item C-2
Purchase of Land,
Lasalle Boulevard
Road
Improvements,
154 Lasalle Blvd,
Sudbury (cont’d)

Recommendation #2006-153:

Thompson-Reynolds: THAT Council of the City of Greater Sudbury authorize the purchase of 154 Lasalle Boulevard, Sudbury, legally described as PIN 73601-0102 (LT), Lot 10, Plan 1B, Sudbury, from Rudolph Predon and Catherine Ann Williams;

AND THAT a by-law be passed authorizing the execution of the documents required to complete the real estate transaction;

AND THAT the acquisition be funded from the 2006 Capital Roads Project Budget.

CARRIED

Item C-3
Purchase of Land,
Lasalle Boulevard
Road
Improvements,
163 Lasalle
Blvd, Sudbury

Report dated June 28th, 2006 was received from the General Manager of Infrastructure and Emergency Services regarding Purchase of Land, Lasalle Boulevard Road Improvements, 163 Lasalle Boulevard, Sudbury.

Recommendation #2006-154:

Thompson-Reynolds: THAT Council of the City of Greater Sudbury authorize an application for approval to expropriate 163 Lasalle Boulevard, Sudbury, legally described as PIN 02127-0331 (LT), Part of Lot 4, Concession 5, Township of McKim, for the Lasalle Boulevard reconstruction project;

AND FURTHER THAT staff be authorized to proceed with the expropriation and continue to negotiate a settlement with Jeston Hawes and Lise Hawes.

CARRIED

Item C-4
Purchase of Land,
Lasalle Boulevard
Road
Improvements,
1157 O’Grady
Street, Sudbury

Report dated June 28th, 2006 was received from the General Manager of Infrastructure and Emergency Services regarding Purchase of Land, Lasalle Boulevard Road Improvements, 1157 O’Grady Street, Sudbury.

Recommendation #2006-155:

Reynolds-Thompson: THAT Council of the City of Greater Sudbury authorize the purchase of 1157 O’Grady Street, Sudbury, legally described as PIN 73601-0103 (LT), Lot 11, Plan 1B, Sudbury, from John Libochan;

MATTERS ARISING FROM THE "IN CAMERA" SESSION (cont'd)

Item C-4
Purchase of Land,
Lasalle Boulevard
Road
Improvements,
1157 O'Grady St.,
Sudbury (cont'd)

Recommendation #2006-155 (cont'd):

AND THAT a By-law be passed authorizing the execution of the documents required to complete the real estate transaction;

AND THAT the acquisition be funded from the 2006 Capital Roads Project Budget.

CARRIED

Item C-5
Sale of Land,
Mumford Drive,
Lively, Walden
Industrial Park

Report dated June 28th, 2006 was received from the General Manager of Infrastructure and Emergency Services regarding Sale of Land, Mumford Drive, Lively, Walden Industrial Park.

Recommendation #2006-156:

Thompson-Reynolds: THAT Council of the City of Greater Sudbury authorize the sale of part of Parcel 30457 S.W.S., part of Lot 4, Concession 5, being part of Parts 7 and 8 on Plan 53R-14004; and part of Parcel 31029 S.W.S., being Part 2 on Plan 53R-16506, Township of Waters, District of Sudbury, Mumford Drive, Lively;

AND THAT a By-law be passed authorising the execution of the documents required to complete the real estate transaction;

AND THAT the net proceeds of the sale be credited to the Industrial Park Reserve Fund.

CARRIED

Item C-6
Sale of Land,
Columbus Court,
Walden Industrial
Park

Report dated July 5th, 2006 was received from the General Manager of Infrastructure and Emergency Services regarding Sale of Land, Columbus Court, Walden Industrial Park.

Recommendation #2006-157:

Reynolds-Thompson: THAT the Council of the City of Greater Sudbury authorize the sale of Part 11, Plan 53R-6520, Part 3, Plan 53R-6538, Parts 11, 12, 13, Plan 53R-6575, and part of Parts 5, 6, 7, Plan 53R-6575 being part of Lots 3 & 4, Concession 6, Township of Waters, Columbus Court, Walden Industrial Park to Ponterio Developments Inc.;

AND THAT a By-law be passed authorising the execution of the documents required to complete the real estate transaction;

MATTERS ARISING FROM THE "IN CAMERA" SESSION (cont'd)

Item C-6
Sale of Land,
Columbus Court,
Walden Industrial
Park (cont'd)

Recommendation #2006-157 (cont'd):

AND THAT the net proceeds of the sale be credited to the Industrial Park Reserve Fund.

CARRIED

Item C-7
Sale of Land,
Vacant Land,
Pearl St, Sudbury

Report dated June 28th, 2006 was received from the General Manager of Infrastructure and Emergency Services regarding Sale of Land, Vacant Land on Pearl Street, Sudbury.

Recommendation #2006-158:

Thompson-Reynolds: THAT the property legally described as Part of PIN 02132-0025 (LT), designated as Part 20 on Plan 53R-17879, Pearl Street, Sudbury be sold;

AND THAT Council dispense with the procedures governing the sale of land as outlined in the property by-law;

AND THAT a By-law be passed authorizing the execution of the documents required to complete the real estate transaction.

CARRIED

Item C-8
Sale of Land,
Vacant Lot on
Leonard Street,
Chelmsford

Report dated June 28th, 2006 was received from the General Manager of Infrastructure and Emergency Services regarding Sale of Land, Vacant Lot on Leonard Street, Chelmsford.

Recommendation #2006-159:

Reynolds-Thompson: THAT the property legally described as Part of PIN 73350-0128(LT), Lot 42, Plan M-421, Township of Balfour, Leonard Street, Chelmsford, 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-9
Sale of Vacant
Land, Attlee
Street, Sudbury

Report dated July 5th, 2006 was received from the General Manager of Infrastructure and Emergency Services regarding Sale of Vacant Land, Attlee Street, Sudbury.

MATTERS ARISING FROM THE "IN CAMERA" SESSION (cont'd)

Item C-9
Sale of Vacant
Land, Attlee St.,
Sudbury (cont'd)

Recommendation #2006-160:

Thompson-Reynolds: THAT the Council of the City of Greater Sudbury authorize the sale of PIN 02121-0431, Part of Lot 1, Concession 6, Township of McKim, being Lot 17, Plan 53M-1249, Attlee Street, Sudbury, to Marcel Legault Construction Limited pursuant to the procedure governing the disposal of property as set out in the City's Property By-Law;

AND THAT a By-law be passed authorizing the execution of the documents required to complete the real estate transaction;

AND THAT the net proceeds of the sale be credited to the Parks Reserve Fund.

CARRIED

Item C-10
Sale of Vacant
Land, Oak
Street, Capreol

Report dated July 5th, 2006 was received from the General Manager of Infrastructure and Emergency Services regarding Sale of Vacant Land, Oak Street, Capreol.

Recommendation #2006-161:

Reynolds-Thompson: THAT the Council of the City of Greater Sudbury authorize the sale of PIN 73507-1507, formerly Parcel 53M-1211, S.E.S., Part of Lot 10, Concession 6, Township of Capreol, being Lot 42, Plan 53M-1211, Oak Street, Capreol to Jean-Marc and Jayne Bourgeault pursuant to the procedure governing the disposal of property as set out in the City's Property By-Law;

AND THAT a By-law be passed authorizing the execution of the documents required to complete the real estate transaction;

AND THAT the net proceeds of the sale be credited to the Land Acquisition Reserve Fund.

CARRIED

Adjournment

Recommendation #2006-162:

Reynolds-Thompson: That we do now adjourn.
Time: 2:20 p.m.

CARRIED

CLERK DESIGNATE

COUNCILLOR RON THOMPSON