

**THE THIRTY-THIRD MEETING OF THE PLANNING COMMITTEE  
OF THE CITY OF GREATER SUDBURY**

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

**Tuesday, August 9th, 2005  
Commencement: 4:45 p.m.  
Adjournment: 7:35 p.m.**

**COUNCILLOR LYNNE REYNOLDS PRESIDING**

Present Councillors Bradley, Caldarelli, Dupuis, Thompson

Staff D. Braney, Assets Manager & Property Negotiator / Appraiser;  
B. Lautenbach, Director of Planning Services; G. Clausen, City  
Engineer; A. Haché, Acting City Clerk; F. Bortolussi, Planning  
Committee Secretary

Declarations of  
Pecuniary Interest None declared.

"In Camera" **Recommendation #2005-143:**

Dupuis-Bradley: That we move "In Camera" to deal with a property matter in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2002-202 and the Municipal Act, 2001, s.239(2)(f).

**CARRIED**

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

Reconvene At 5:33 p.m., the Planning Committee reconvened in the **Council Chamber** for the regular meeting.

**COUNCILLOR RUSS THOMPSON PRESIDING**

Present Councillors Bradley, Caldarelli, Dupuis, Reynolds

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Approvals; G. Clausen, City Engineer;  
D. Donaldson, Fire Chief; A. Haché, Acting City Clerk; M. Laalo, Licensing & Assessment Clerk; F. Bortolussi, Planning Committee Secretary

News Media Sudbury Star; Northern Life

Declarations of Pecuniary Interest      None declared

### **MATTERS ARISING FROM THE "IN CAMERA" SESSION**

Rise and Report      Councillor Reynolds reported the Committee met in closed session to deal with a property matter and the following recommendation emanated therefrom:

Sale of Land Valley East Industrial Park

**Recommendation #2005-144:**

Dupuis-Bradley: THAT the Council of the City of Greater Sudbury authorize the sale of part of Parcel 9953, S.E.S., being Parts 62 and 63 on Plan 53R-9397, part of Lot 9, Concession 5, Township of Blezard, to Larry Wickham.;

THAT the Property Negotiator / Appraiser be authorized to execute the required documents,

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

**CARRIED**

### **PUBLIC HEARINGS - PLANNING ACT**

#### **APPLICATION TO REZONE AN AREA REPRESENTING ABOUT 15 PROPOSED LOTS FROM "R2, DOUBLE RESIDENTIAL TO "R1", SINGLE RESIDENTIAL, CORSI HILL, SUDBURY - J. CORSI DEVELOPMENTS INC.**

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

Report dated July 29th, 2005, was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application to rezone an area representing about 15 proposed lots from "R2, Double Residential to "R1", Single Residential, Corsi Hill, Sudbury, J. Corsi Developments Inc.

Dave Dorland, 298 Larch Street, Sudbury, agent for the applicant, was present.

The Director of Planning Services 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:

**PUBLIC HEARINGS - PLANNING ACT (cont'd)**

**APPLICATION TO REZONE AN AREA REPRESENTING ABOUT 15 PROPOSED LOTS FROM "R2, DOUBLE RESIDENTIAL TO "R1", SINGLE RESIDENTIAL, CORSI HILL, SUDBURY - J. CORSI DEVELOPMENTS INC. (cont'd)**

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**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 #2005-145:**

Bradley-Dupuis: THAT the application by J. Corsi Developments Inc. to amend By-law 95-500Z being the Zoning By-law for the former City of Sudbury by changing the zoning classification of that Part of Plan 53R-12595 not contained in either Plan 53M-1245 or Plan 53M-1295, Lot 8, Concession 2, McKim Township from "R2", Double Residential to "R1", Single Residential, be approved.

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

**CARRIED**

**APPLICATION FOR OFFICIAL PLAN AMENDMENT TO ESTABLISH A SITE SPECIFIC POLICY EXEMPTION FROM THE POLICIES OF THE OFFICIAL PLAN FOR THE SUDBURY PLANNING AREA TO PERMIT THE CREATION OF ONE RESIDENTIAL LOT, BRADLEY STREET, CHELMSFORD - FALCONBRIDGE LIMITED (AGENT: CAROLE FRASER)**

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

Report dated July 29th, 2005, was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for Official Plan amendment to establish a site specific policy exemption from the policies of the Official Plan for the Sudbury Planning Area to permit the creation of one residential lot, Bradley Street, Chelmsford, Falconbridge Limited (Agent: Carole Fraser).

Carole Fraser, Bradley Street, Chelmsford, agent for the applicant, was present.

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

Carole Fraser indicated that the buildings were in existence when she took over the lease and she therefore thought the previous owner had obtained building permits. She further indicated that, if this application is not approved, she will

**PUBLIC HEARINGS - PLANNING ACT (cont'd)**

**APPLICATION FOR OFFICIAL PLAN AMENDMENT TO ESTABLISH A SITE SPECIFIC POLICY EXEMPTION FROM THE POLICIES OF THE OFFICIAL PLAN FOR THE SUDBURY PLANNING AREA TO PERMIT THE CREATION OF ONE RESIDENTIAL LOT, BRADLEY STREET, CHELMSFORD - FALCONBRIDGE LIMITED (AGENT: CAROLE FRASER) (cont'd)**

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have to vacate here home of 18 years and will have to demolish all buildings by December 31st, 2005. The subject lands are owned by Falconbridge Limited and she purchased the buildings from the previous owner. She stated that a health inspector has inspected the field bed and septic system, an engineer has check the water supply and she is prepared to proceed with the Consent Application.

Councillor Bradley, Ward Councillor, stated he supports this application as the subject land is not suitable for agricultural purposes as it is too sandy.

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 #2005-146:**

Bradley-Dupuis: THAT the application by Falconbridge Limited (Agent: Carole Fraser) to amend the Official Plan for the Sudbury Planning Area by introducing a site specific exemption to the "Agricultural Reserve" policies that apply to Parcel 1675 S.W.S. in Lot 4, Concession 1, Township of Balfour to permit the creation of one (1) residential lot being a minimum of two (2) acres in size, with 200 ft. of frontage along an existing public road be approved subject to the following condition:

1. That prior to the passage of a by-law to adopt the above noted Official Plan amendment the proponent shall obtain a Building Permit with regard to existing structures which have been constructed on the subject lands to the satisfaction of the Chief Building Official.

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

**CARRIED**

## **PUBLIC HEARINGS - PLANNING ACT (cont'd)**

### **APPLICATION FOR SUBDIVISION APPROVAL AND REZONING TO PERMIT THE CREATION OF 35 LOTS FOR SINGLE RESIDENTIAL USE, TROTTIER AVENUE, CHELMSFORD - R. & D. BELANGER**

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

Report dated July 27th, 2005, was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for subdivision approval and rezoning to permit the creation of 35 lots for single residential use, Trottier Avenue, Chelmsford, R. & D. Belanger.

Letter of support dated August 9th, 2005, from Councillor Berthiaume, Ward Councillor, was distributed to Committee Members at the meeting.

Steve Gossling, Miller & Urso Surveying Inc., 957 Cambrian Heights Drive, Sudbury, agent for the applicant, was present.

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

Steve Gossling indicated that the applicants feel the recommendations are reasonable.

Ted Tkachyk, 3008 Trottier Avenue, Chelmsford, is concerned with flooding. There has been flooding in the area and the flooding problem was rectified. He is concerned the additional 35 homes may cause further flooding. He also indicated that the roads are presently eroding and chunks of the roadway are dropping into the ditches.

The City Engineer pointed out one of the conditions of the approval is that the owner is to provide a stormwater management report and plan. Drainage runoff can not be greater than it is now. The proposed subdivision can not worsen conditions.

Councillor Bradley, Ward Councillor, stated that if the main ditch was maintained and kept clean there would be no problem. He feels the road erosion and flooding problems would be resolved if the ditch is maintained. He further stated that he supports this application as there is a need for residential lots in Chelmsford.

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.**

**PUBLIC HEARINGS - PLANNING ACT (cont'd)**

**APPLICATION FOR SUBDIVISION APPROVAL AND REZONING TO PERMIT THE CREATION OF 35 LOTS FOR SINGLE RESIDENTIAL USE, TROTTIER AVENUE, CHELMSFORD - R. & D. BELANGER (cont')**

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The following recommendations were presented:

**Recommendation #2005-147:**

Bradley-Dupuis: THAT the application by R. & D. Belanger 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 of PIN 73347-1146 in Lot 11, Concession 3, Rayside Township from "A", Agricultural Reserve to "R1.D18", Single Residential to permit the subdivision of the property for single residential use be approved subject to the following:

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

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

**CARRIED**

**Recommendation #2005-148:**

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

- a) That this draft approval applies to the draft plan of subdivision of part of PIN 73347-1146 (LT) in Lot 11, Concession 3, Township of Rayside as shown on a plan of subdivision prepared by S.J. Gossling, O.L.S., and dated May 9, 2005.
- 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 pursuant to Subsection 51.1 (1) of the Planning Act.
- d) Draft Approval does not guarantee an allocation of sewer or water capacity. Prior to the signing of the final plan, the Planning Services Division is to be advised by the General Manager of Infrastructure and

## **PUBLIC HEARINGS - PLANNING ACT (cont'd)**

### **APPLICATION FOR SUBDIVISION APPROVAL AND REZONING TO PERMIT THE CREATION OF 35 LOTS FOR SINGLE RESIDENTIAL USE, TROTTIER AVENUE, CHELMSFORD - R. & D. BELANGER (cont')**

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Emergency Services that sufficient sewage treatment capacity and water capacity exists to service the development.

- e) Prior to the submission of servicing plans, the owner shall, to the satisfaction of the General Manager of Infrastructure and Emergency Services, provide an updated geotechnical 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 recommend construction procedures for storm and sanitary sewers, stormwater management facilities, watermains, roads, 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.
- f) The owner shall provide a detailed lot grading plan 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, sideyards, 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.
- g) Prior to the submission of servicing plans, the owner shall have a stormwater management report and plan prepared 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 Technical Services prior to commencing the stormwater management report.
- h) The owner will be required to provide a drainage works branch to the Pilon Municipal Drain to the satisfaction of the General Manager of Infrastructure and Emergency Services.

## **PUBLIC HEARINGS - PLANNING ACT (cont'd)**

### **APPLICATION FOR SUBDIVISION APPROVAL AND REZONING TO PERMIT THE CREATION OF 35 LOTS FOR SINGLE RESIDENTIAL USE, TROTTIER AVENUE, CHELMSFORD - R. & D. BELANGER (cont')**

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- i) 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 General Manager of Infrastructure and Emergency Services may direct. The owner shall provide lands for said facilities as required by the City.
- j) The owner will be required to dedicate easements to the City of Greater Sudbury for municipal purposes where required.
- k) The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, storm sewers and related appurtenances.
- l) The owner agrees to provide the required soils report, stormwater, water, sanitary sewer and lot grading master planning reports and plans to the General Manager of Infrastructure and Emergency Services prior to the submission of servicing plans for any phase of the subdivision.
- m) The owner shall be required to loop the proposed subdivision watermain system to the existing Highway No. 144 watermain along Montee Genereux.
- n) The owner shall be responsible for 50 percent of the cost to upgrade Trottier Avenue from the subdivision limits to Pilon Street to a suburban section.
- o) The owner shall develop a siltation control plan for the subdivision construction period to the satisfaction of the General Manager of Infrastructure and Emergency Services, Nickel District Conservation Authority and the Department of Fisheries and Oceans.
- p) Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
- q) That the final plan of subdivision be integrated with the City of Greater Sudbury Control Network and that final plan coordinate listings and an AutoCAD simple line file of the resultant parcel fabric with coordinated points labelled is to be provided as part of this requirement. The final plan is to be provided in AutoCAD.dwg format to the satisfaction of the Coordinator of Geographic Information, Surveys and Mapping.

## **PUBLIC HEARINGS - PLANNING ACT (cont'd)**

### **APPLICATION FOR SUBDIVISION APPROVAL AND REZONING TO PERMIT THE CREATION OF 35 LOTS FOR SINGLE RESIDENTIAL USE, TROTTIER AVENUE, CHELMSFORD - R. & D. BELANGER (cont')**

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- r) That prior to the signing of the final plan the applicant shall undertake a Traffic Noise Study to the satisfaction of the Manager of Development Services and the subdivision agreement, where warranted, shall contain provisions whereby the recommendations of the Noise Study relating to effected lots will be implemented to the satisfaction of the City Solicitor.
  
- s) If final approval is not granted within three years of the date of draft approval, the draft approval shall lapse in accordance with Section 51 (32) of the Planning Act, unless an extension is granted by Council pursuant to Section 51 (33) of the Planning Act.

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

**CARRIED**

Recess At 6:37 p.m., the Planning Committee recessed.

Reconvene At 6:47 p.m., the Planning Committee reconvened.

## **PUBLIC HEARINGS - FIRE SERVICES FEES BY-LAW**

### **FIRE SERVICES PUBLIC FEES**

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

Report dated August 4, 2005, with attachments, was received from the Executive Director of Administrative Support services regarding Public Notification Procedures for Public Meetings - Fire Services Public Fees.

Letter of concern dated July 29th, 2005, from the Greater Sudbury Chamber of Commerce was distributed to Committee Members at the meeting.

The Fire Chief made a presentation regarding the proposed Fire Services Fees By-law. He explained the proposed fees and the reason for imposing said fees. He explained that currently when there is a motor vehicle collision of a provincial highway, a bill is rendered to the Province. Under the proposed by-law, the intent is to extend the charge to insurance companies for motor vehicle collisions on municipal roads. With respect to the proposed fees for false alarms, he indicated this would apply to preventable false alarms only; i.e. not notifying Fire Services when a test is conducted.

## **PUBLIC HEARINGS - FIRE SERVICES FEES BY-LAW (cont'd)**

### **FIRE SERVICES PUBLIC FEES (cont'd)**

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

The following recommendation was presented:

#### **Recommendation #2005-149:**

Reynolds-Dupuis: THAT By-law 2005-217, A By-law of the City of Greater Sudbury to establish User Fees for Services Provided by the City of Greater Sudbury Fire Services, be passed by City Council.

**CARRIED**

## **PART I - CONSENT AGENDA**

The following recommendation was presented to adopt Items C-1 to C-2 contained in Part 1 of the Consent Agenda:

#### **Recommendation #2005-150:**

Reynolds-Caldarelli: THAT Items C-1 to C-2 contained in Part 1, Consent Agenda, be adopted.

**CARRIED**

## **ROUTINE MANAGEMENT REPORTS**

Item C-1 Subdivision Request for Consent Applications, Black Lake Road, Lively, Rintala <u>Construction Ltd.</u>	Report dated July 25th, 2005, was received from the General Manager of Growth and Development regarding subdivision referral request for Consent Applications B54/2005 to B56/2005, Black Lake Road, Lively, Rintala Construction Company Ltd.  <b><u>Recommendation #2005-151:</u></b>  Reynolds-Caldarelli: THAT Consent Applications B0054/2005, B0055/2005 and B0056/2005 with respect to Part of P.I.N. 73374-0215, being Parts 6 & 8, Plan 53R-17523 together with Part of P.I.N. 73374-0215 being Parts 2 & 5, Plan 53R-17523 in Lot 5, Concessions 2 & 3, Township of Waters be permitted to proceed by way of the consent process.
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**CARRIED**

## **PART I - CONSENT AGENDA (cont'd)**

### **ROUTINE MANAGEMENT REPORTS (cont'd)**

Item C-2  
Declaration of  
Surplus Property,  
Racicot Drive,  
Garson

Report dated August 3rd, 2005, was received from the General Manager of Infrastructure and Emergency Services regarding declaration of surplus property, Block 13 & 14, Plan 53M-1241, Racicot Drive, Garson.

#### **Recommendation #152:**

Reynolds-Caldarelli: THAT The City of Greater Sudbury declare surplus and transfer to 630411 Ontario Inc., Block 13 & 14, Plan 53M-1241, fronting on Racicot Drive, Garson for the next phase of development being Cedar Green Subdivision, the extension of Racicot Drive.

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

**CARRIED**

## **PART II - REGULAR AGENDA**

### **REFERRED AND DEFERRED MATTERS**

Item R-1  
Request for  
Exemption to  
Connect to  
Existing Municipal  
Sewer and Water  
Systems, Notre  
Dame Street,  
Azilda  
Sylvio Vachon

Report dated August 3rd, 2005, was received from the General Manager of Infrastructure and Emergency Services regarding an update on request for exemption to connect to existing Municipal Sewer and Water Systems, Notre Dame Street, Azilda, Sylvio Vachon.

Sylvio Vachon indicated that he did not receive notice from the City of the paving of Notre Dame Street. He further indicated that yesterday he purchased the abutting lands to help with the cost. He requested that the deposit for the cost of resurfacing, which is between \$8,000.00 and \$10,000.00, be waived.

The City Engineer indicated that resurfacing is done after one winter as most of the settlement of granular is over the first winter. A longer waiting period would be better; however, the contractor would be responsible for temporary repairs until the final resurfacing is completed.

**PART II - REGULAR AGENDA (cont'd)**

**REFERRED AND DEFERRED MATTERS (cont'd)**

Item R-1  
Request for  
Exemption to  
Connect to  
Existing Municipal  
Sewer and Water  
Systems, Notre  
Dame Street,  
Azilda, Sylvio  
Vachon (cont'd)

The following recommendations were presented:

**Recommendation #2005-153:**

Bradley-Reynolds: THAT Sylvio Vachon's request for exemption to connect to the municipal sewer system be denied.

**CARRIED**

Bradley-Caldarelli: THAT Sylvio Vachon's request for exemption from the current three year no-pavement cut policy be approved.

The following amendment to the preceding recommendation was presented:

**Recommendation #2005-154:**

Bradley-Reynolds: THAT the payment be replaced two winters following the pavement cut.

**CARRIED**

The main motion as amended was presented:

**Recommendation #2005-155:**

Bradley-Caldarelli: THAT Sylvio Vachon's request for exemption from the current three year no-pavement cut policy be approved;

AND THAT the payment be replaced two winters following the pavement cut.

**CARRIED**

**Recommendation #2005-156:**

Bradley-Reynolds: THAT Sylvio Vachon's request that the City of Greater Sudbury provide direct financial assistance be denied.

**CARRIED**

Adjournment

**Recommendation #2005-157:**

Reynolds-Caldarelli: That we do now adjourn.  
Time: 7:35 p.m.

**CARRIED**

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DEPUTY CITY CLERK

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COUNCILLOR RUSS THOMPSON