

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

Committee Room C-11
Tom Davies Square

Tuesday, July 13th, 2004
Commencement: 8:30 a.m.
Adjournment: 4:25 p.m.

COUNCILLOR REYNOLDS PRESIDING

Present Councillors Bradley; Caldarelli; Dupuis; Thompson (A: 8:40 a.m.)
Councillor Craig

Staff D. Braney, Property Negotiator/Appraiser; D. Belisle, General Manager of Public Works; R. Swiddle, Director of Legal Services/City Solicitor; Angie Haché, Deputy City Clerk; K. Bowschar-Lische, Planning Committee Secretary

Declarations of Pecuniary Interest None declared.

"In Camera" **Recommendation #2004-150:**
Bradley-Dupuis: 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 2002-202 and the Municipal Act, 2001, s.239(2)(f).

CARRIED

Recess At 10:00 a.m., the Planning Committee recessed.

Reconvene At 10:15 p.m., the Planning Committee reconvened in the **Council Chambers** for the regular meeting.

COUNCILLOR RUSS THOMPSON PRESIDING

Present Councillors Bradley, Caldarelli, Dupuis, Reynolds
Councillors Craig, Gasparini

Staff B. Lautenbach, Director of Planning Services; B. Tanos, Cartographer; G. Clausen, Director of Engineering Services; R. Irwin, Planner; D. Braney, Property Negotiator/Appraiser; D. Wuksinic, General Manager of Corporate Services; D. Belisle, General Manager of Public Works; C. Mahaffy, Supervisor of Accounting Services; A. Haché, Deputy City Clerk; K. Bowschar-Lische, Planning Committee Secretary; J. Godfrey, Document Imaging Student

News Media MCTV; Channel 10 News

MATTERS ARISING FROM THE "IN CAMERA" SESSION

Declarations of Pecuniary Interest None declared

Rise and Report Councillor Reynolds, reported the Committee met in closed session to deal with property matters and the following resolutions emanated therefrom:

Sale of Vacant Land The following recommendation was presented:

Hwy. 69 N.

Valley East **Recommendation #2004-151:**

Abutting Val Therese

Fire Station

Dupuis-Thompson: THAT the City of Greater Sudbury sell to 996465 Ontario Limited O/A Dominion Park Developments, part of Part 4, Plan 53R-14476, being Part of Parcel 6592 for the sum of \$90,000.00.

CARRIED

City Purchase of 37 Walford Road Sudbury for the South End Rock Tunnel Project The following recommendation was presented:

Recommendation #2004-152:

Bradley-Dupuis: THAT the City of Greater Sudbury purchase from Catherine McBride the property located at 37 Walford Road under the terms and conditions outlined in the report dated July 7th, 2004, and

THAT the Clerk and the Property Negotiator/Appraiser be authorized to execute all documents required to complete the transaction.

CARRIED

Sale of Land Jesuites Lane Parts 1 & 2 The following recommendation was presented:

Plan 53R-13877 Sudbury

Recommendation #2004-153:

Dupuis-Bradley: THAT part of Jesuites Lane closed by By-Law 89-68, being Parts 1 and 2, Plan 53R-13877, be sold to the abutting land owner, 1311928 Ontario Inc., for the price of \$7,200.00 pursuant to the procedures governing the disposal of limited marketability property set out in the City's Property By-Law;

That the transfer of the said lands be conditional upon:

- a) the City reserving or granting any necessary easements for public utilities or for municipal purposes;

Cont'd.

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

Sale of Land
Jesuites Lane
Parts 1 & 2
Plan 53R-13877
Sudbury (Cont’d)

Recommendation #2004-153 (Cont’d)

- b) the lands being consolidated with any abutting lands owned by the Transferee and the Transferee delivering on closing, a Lot Consolidation agreement in the City’s standard form, if appropriate, and bearing the cost of registration of same on title to the lands, in priority to any mortgage or other similar encumbrance;
- c) the Transferee paying on closing, the transfer price for the land;
- d) the Transferee paying any applicable Goods and Services Tax, or, if a GST registrant, delivering appropriate evidence of registration and an undertaking to indemnify the City;

_____ That the Property Negotiator/Appraiser and Clerk be authorized to execute the required documents to complete the transaction.

That a By-Law be passed to authorize the Property Negotiator/Appraiser and Clerk to sign the required documents to complete the transaction.

CARRIED

Sale of Property
61 First Avenue
Coniston
- Coniston Medical
Centre

The following recommendation was presented:

Recommendation #2004-154:

Bradley-Dupuis: THAT the property known as 61 First Avenue, Coniston (Coniston Medical Centre) legally described as Part of Parcel 40319 S.E.S., Part 2, Plan 53R-8591, Lot 3, Conc. 3, Township of Neelon be sold to Dr. Ardyth Ann Wells Dentistry Professional Corporation subject to the terms and conditions outlined in the report dated July 7th, 2004; and

THAT Council dispense from Section 13 of By-law 2003-294 governing procedures for the acquisition and sale of land, which requires that fully marketable land be marketed to the general public, and

THAT the Clerk and Property Negotiator/Appraiser be authorized to execute all documents necessary to complete the real estate transaction.

CARRIED

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

Land Acquisition The following recommendation was presented:
Radisson Park
Chelmsford **Recommendation #2004-155:**

Dupuis-Bradley: THAT the City of Greater Sudbury purchase from Northland Engineering (1987) Limited Lot 3, Plan M-956, Part of Block B on Plan M-956 designated as Part 1 on Plan 53R-10627 and Part of Lot 11, Concession 3, designated as Part 2 on Plan 53R-10627 all in the Township of Rayside under the terms and conditions outlined in the report dated July 6th, 2004;

THAT the acquisition be funded from the Transition Board Budget; and

THAT the Property Negotiator/Appraiser and the Clerk be authorized to execute the required documents.

CARRIED

PUBLIC HEARINGS

APPLICATION FOR DRAFT PLAN OF SUBDIVISION APPROVAL TO SUBDIVIDE THE PROPERTY INTO 26 LOTS FOR SINGLE RESIDENTIAL USE ABUTTING MERRYGALE DRIVE, SUDBURY - 823616 ONTARIO LIMITED

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

Report dated June 28th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services for a plan of subdivision to permit the creation of 26 lots for single residential use, Merrygale Drive, Sudbury - 823616 Ontario Limited.

Letter of concern dated July 8th, 2004 was received from Anne Long, Sudbury in opposition to the above-noted application

Letter dated July 11th, 2004, from Desmond Rainsford, Sudbury, in opposition to the above application was distributed to Committee Members at the meeting.

Mr. Rejean Parise, counsel for the applicant, Mr. Cotesta, the principal of the corporation, Mr. Paquette, Geotechnical Engineer and Mr. Laframboise, Surveyor, were present.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR DRAFT PLAN OF SUBDIVISION APPROVAL TO SUBDIVIDE THE PROPERTY INTO 26 LOTS FOR SINGLE RESIDENTIAL USE ABUTTING MERRYGALE DRIVE, SUDBURY - 823616 ONTARIO LIMITED (cont'd)

The Director of Development Services outlined the application to the Committee. He advised that the subject property abuts Harbour Park Subdivision and will require sewer, water and road linkages to the Harbour Park lands. In February 2004, City staff met with the applicant to discuss the implications of this proposal within the context of the known "poor soil conditions". It was the conclusive recommendation of City Staff that the design of the subdivision be modified such that all areas where poor soil conditions occur be avoided. Staff explored a subdivision design alternative for the developer's consideration (Sketch 2) and offered to consider any other alternative which would achieve a similar result (avoiding construction in poor soils). The project will have significant construction activity and short term disruptions and/or nuisance will occur. The volume of truck traffic to remove and replace the soils, (hundreds of truck trips) will exceed those disturbances residents would normally anticipate. Planning Services cannot support the application as submitted, however, would support an alternative provided the applicant stays out of the poor soils. Review of the revised plan of subdivision would be required. Because application fees have been paid and staff will entertain an alternative or option, it is being recommended that the fees be waived for the revised application, save and except public notice fees.

Mr. Parise advised that what has to be looked at when dealing with the proposal is the context of the process. He advised that in 1994 a draft plan of subdivision for the subject property was considered by Council which involved the use of Secondary Plan policies which recognized land constraints and integrated greenspace into the development. There has been dialogue between the developer and staff for over a year and in response to the concerns from Planning and Engineering staff the development has been shifted to the north. A public meeting was held last Wednesday with the area residents. Concerns expressed by residents relate to Harbour Park in terms of access to the greenspace area adjacent to Bethel Lake. Charging the soil is not a solution being looked at by the applicant. They are taking a different method and that is to remove the poor soil and replacing it. The option presented by staff avoids development on the poor soil. He believes they have an engineering solution which will resolve the poor soil entirely and referred to a report prepared by Terraprobe. He circulated a subdivision plan to the Committee for their consideration which reduced the number of lots from 26 to 21 and indicated that the proposal has its advantages and contrasts. He pointed out that this subdivision plan is in keeping with the character of the area, creates more greenspace and the buffer to the lake has now moved from adequate to substantial distance. He advised that they have a process to seal the tandem trucks so there will be no leakage during transportation. They plan to create a pit with rocks which the tandem trucks would drive over to remove the clay from the tires minimizing dirt in the area. They have selected a site for the clay being removed from the property that being Good Neighbour Salvage location on Highway 69S.

Recess _____ At 11:33 a.m., the Planning Committee recessed.

Reconvene _____ At 11:41 a.m., the Planning Committee reconvened.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR DRAFT PLAN OF SUBDIVISION APPROVAL TO SUBDIVIDE THE PROPERTY INTO 26 LOTS FOR SINGLE RESIDENTIAL USE ABUTTING MERRYGALE DRIVE, SUDBURY - 823616 ONTARIO LIMITED (cont'd)

Mr. Parise stated that the cost of the lots will be whatever the market can bear at the time. In the City of Greater Sudbury in 2005, the cost will probably range between \$60,000 - \$80,000.00.

Mr. Paquette explained that the clay will not drip water and retains water for a long time. He said that there is always a disruption to the neighbourhood with any new subdivision. They are presently looking for an agreement with Harbour Park regarding the extra buffer zone. Excavation will take approximately 1 ½ to 2 months. No hazardous material will be brought on site. The shortest distance is 160 feet between where they will be working and the water.

Councillor Caldarelli, Ward Councillor, indicated that she was not aware of the public meeting. She questioned how far down they would need to dig before they got to the bedrock and how much it would cost to remove the clay and put in the fill. She also indicated that the Good Neighbour Salvage property at one time had MOE orders to clean up the property and would not like to see the clay placed in contaminated soil.

With respect to how far down they would need to dig before they got to bedrock, Mr. Parise responded that it would be different for every lot and is a significant engineering challenge. To remove the clay and replace it with fill would be hugely expensive and he is not aware of any environmental issues with the Good Neighbour Salvage yard.

Councillor Craig, Ward Councillor indicated that he attended the public meeting held on Wednesday of last week. It is not uncommon for a lot in the Southend to be worth \$80,000 to \$100,000.00 and there are people who are interested in purchasing. The public meeting was very well attended with approximately 15 people in attendance. There were many good questions asked. He advised there no aggressive opposition at the meeting. Since the meeting, he has had one telephone call in opposition to the application. He advised the applicant has made a valiant effort to address the concerns raised in the staff report. He supports the application for 21 lots based on the public meeting and the meeting today.

Vanda Cooper, 106 Merrygale Drive, indicated that she does support development of the Merrygale area and was aware when she purchased her property that future development was planned. She questioned if the soil is bad, why is there discussion about building a subdivision on it? She has concerns regarding the backfill, increased truck traffic, the hours of operation during the removal and hauling of fill and the safety of children in the area. Traffic in the area is heavy between 8:00 - 9:00 a.m. because of Laurentian University and the new medical school so if Ramsey Lake Road is closed then residents would be shut out. She is also concerned regarding access to the marsh and the leisure and recreational area being inadequate. If Council supports Option "B", then the walkway should be discussed.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR DRAFT PLAN OF SUBDIVISION APPROVAL TO SUBDIVIDE THE PROPERTY INTO 26 LOTS FOR SINGLE RESIDENTIAL USE ABUTTING MERRYGALE DRIVE, SUDBURY - 823616 ONTARIO LIMITED (cont'd)

Mr. Parise advised that their goal is to minimize disruption to area residents. The process to remove and replace the soil will not be done in July or August when children are out of school. It would likely start in September. With respect to the issues around leisure and recreation he advised that he is not able to respond today and may require further discussion at some point. There will be a Lot Grading Agreement entered into to the satisfaction of the City to ensure proper drainage and levelling of land. They would work to develop a walkway. They do not have a final plan and a walkway would be the kind of issue they would address at that time.

Margaret Sun, 709 Bedford Court, indicated that she is not opposed to development and would like to see residential development. She stated that this is a beautiful area and is something Sudbury has that other places do not. She indicated that looking at the City By-law there is a designated flood plain that runs through the subject area. The flood plain serves a function, to filter the water going into Lake Ramsey. She questioned how much work would need to be done to ensure issues don't arise from that. She can see why the City would be concerned about building sewers, streets, etc. in the area. She was not at the public meeting when the modified plan was presented but she still sees a number of lots in the in the flood area. She is also concerned about potential damage to Bethel Lake.

Rob Poplin, 118 Merrygale Drive, was present in opposition to the application. The plan does not show any access to greenspace. He questioned if there was anyway the amount of traffic to Merrygale Drive could be reduced as there are numerous children in the area.

Joan Rabsky, 696 Bedford Court, advised that there were 10 people in attendance at the public meeting which was mainly for information only and she does not believe they left the meeting particularly happy or agreeable. She referred to Dr. Desmond Rainsford's letter of July 11th, 2004 stating that 13 lots are in a designated flood plain...and that the City By-law should be upheld and no lots considered in the flood plain area. She indicated that the soil to be removed from Lot 9 will take longer than the applicant thinks and she believes it would fill one-half of the Council Chambers. The method of sheet piling has never been done in this area and there is no local expertise and no precedence, so there is no guaranty that this will work. There is no guaranty that there will be no environmental damage to Bethel Lake.

Al Rabsky, 696 Bedford Court, a resident since 1965, advised that he used Bethel Lake since the 1940's, which was then pristine. He indicated that Bethel Lake will continue to be a stressed lake if the Committee accepts the initial proposal or the subsequent one. Bethel Lake does feed into Lake Ramsey, which supplies our drinking water. He would support Sketch 2, the City's proposal, wherein no soils are to be removed. He requested that building be prohibited on the lots with poor soil and pointed out are there for a reason – to protect the environment.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR DRAFT PLAN OF SUBDIVISION APPROVAL TO SUBDIVIDE THE PROPERTY INTO 26 LOTS FOR SINGLE RESIDENTIAL USE ABUTTING MERRYGALE DRIVE, SUDBURY - 823616 ONTARIO LIMITED (cont'd)

Mr. Parise explained that this development is occurring on lots which are in the flood plain. It is occurring on lots beyond that. In terms of comments about the buffer and ecology, there are two experts in attendance and the process of sheet piling they believe is a workable solution.

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

The following recommendation was presented:

Recommendation #2004-156:

Bradley-Dupuis: A. That the Application for Draft Plan of Subdivision Approval by 823616 Ontario Limited to permit the creation of 26 lots for single residential use with respect to those lands described as P.I.N. 73592-0137 and Part of P.I.N. 73592-0165, being formerly Part of Parcel 378 S.E.S. in Lot 2, Concession 2, Township of McKim be denied; however, in the alternative,

B. Council does recommend that the Application for Draft Plan of Subdivision Approval by 823616 Ontario Limited with respect to those lands described as P.I.N. 73592-0137 and Part of P.I.N. 73592-0165, being formerly Part of Parcel 378 S.E.S. in Lot 2, Concession 2, Township of McKim be revised such that proposed residential lots and municipal infrastructure are removed from the "Area of Weak Compressible Soft Clay" as illustrated by the Geotechnical Evaluation Proposed Glenby Manor Subdivision - Trow Consulting Engineers Ltd., January 31, 1995, and that such a revised draft plan of subdivision may be submitted for further consideration; and that the applicant upon doing so shall be exempt from further subdivision and/or rezoning application fees save and except any fee which may be required to provide public notice(s).

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

CARRIED

Recess At 1:25 p.m., the Planning Committee recessed.

Reconvene At 1:45 p.m., the Planning Committee reconvened.

PUBLIC HEARINGS (cont'd)

2004 DEVELOPMENT CHARGES BY-LAW - JOHN HUGHES, HEMSON CONSULTING LTD.

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

Report dated July 9th, 2004, was received from the General Manager of Corporate Services regarding 2004 Development Charges By-Law.

The Development Charges Background Study was circulated under separate cover.

John Hughes, Hemson Consulting Ltd., gave an electronic presentation on the 2004 Development Charges Study. He indicated that calculation of development charges involves four key steps - growth forecast over the period of the By-law; calculation of growth-related costs; calculation of unrecovered amounts and calculation of per unit charges. It is recommended that when new projects are approved, Council amend the development charges by-law. Other current policies and administrative practices would continue such as annual indexing, exemption of designated Town Centres i.e. downtown developments and credits for demolitions. He advised that projected development charge rates are 14% lower than the current development charge rates.

_____ No objectors were present.

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

The following recommendation was presented:

Recommendation #2004-157:

Bradley-Dupuis: WHEREAS the City of Greater Sudbury will continue to experience growth through development and redevelopment; and

WHEREAS development and redevelopment requires the provision of physical services by the City of Greater Sudbury; and

WHEREAS Council desires to ensure that the capital costs of the growth-related demands for, or the burden on municipal services does not place an unfair financial burden on the City or its existing taxpayers while, at the same time, ensuring new taxpayers contribute no more than the net capital costs attributable to providing the current level of municipal services; and

WHEREAS the City of Greater Sudbury has undertaken a Study of, among other matters, services, expected growth, growth related facilities and the costs thereof; and

PUBLIC HEARINGS (cont'd)

2004 DEVELOPMENT CHARGES BY-LAW - JOHN HUGHES, HEMSON CONSULTING LTD.

Recommendation #2004-157 (Cont'd):

WHEREAS the Study was disseminated to the public and a public meeting was held and Council heard comments and representations from the public;

NOW THEREFORE BE IT RESOLVED that the Council of the City of Greater Sudbury hereby determines that no further Public Hearing is required on this matter and that the proposed By-law 2004-200F as circulated be passed to come into effect on July 14, 2004.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson

CARRIED

APPLICATION FOR SUBDIVISION APPROVAL AND REZONING TO SUBDIVIDE 84 LOTS FOR SINGLE RESIDENTIAL USE, SECOND AVENUE SOUTH AND GREENWOOD DRIVE - WESMAK LUMBER CO. INC.

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

Report dated July 6th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding applications for a Plan of Subdivision and rezoning to subdivide the property into 84 lots for single residential use, Second Avenue South and Greenwood Drive - Wesmak Lumber Co. Inc.

Letter of concern dated July 5th, 2004 was received from Nicole and Jacques Guy, Sudbury in opposition to the above-noted application.

Letter of concern dated July 5th, 2004 was received from Moe and Michelle Parisotto, Sudbury, in opposition to the above-noted application.

Letter of concern dated July 5th, 2004, was received from Danielle and Michael Harrington, Sudbury, in opposition to the above-noted application.

Letter of concern dated July 5th, 2004, was received from Clermont P. Cyr, Sudbury, in opposition to the above-noted application.

Letter of concern dated July 5th, 2004, was received from Wayne Ablitt, Sudbury, in opposition to the above-noted application.

Letter dated July 9th, 2004, was received from Nicole Guy, Sudbury, in opposition to the above application was distributed to Committee Members at the meeting.

Petition dated July 9th, 2004, was received, for completion of ponds along Second Avenue South in opposition to the above application was distributed to Committee Members at the meeting.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR SUBDIVISION APPROVAL AND REZONING TO SUBDIVIDE 84 LOTS FOR SINGLE RESIDENTIAL USE, SECOND AVENUE SOUTH AND GREENWOOD DRIVE - WESMAK LUMBER CO. INC. (cont'd)

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

Councillor Reynolds, Ward Councillor, asked a question with respect to the sidewalks to be installed. She also indicated that her constituents have expressed concern regarding the sedimentation ponds not being finished, being a bit of an eyesore at this time and asked what the plans were to finish the project.

The Director of Engineering Services explained that the developer could build sidewalks along the frontage of their property. The City would prefer to receive the money, put it in the capital reserve and later use it to link up to sidewalks on Bancroft. Funds required to link up to Bancroft Drive would need to be included in roads capital budget. The sedimentation ponds are now under construction and the area will be landscaped. The ponds are designed to catch sediment before it goes into Lake Ramsey.

Mr. Sig Kirchhefer, Consulting Engineering, was present on behalf of the applicant. He advised that in 1987 an overall plan was submitted for the development of the applicants holdings. A wetland development proposal was submitted to the City and approved by City staff and various agencies. The applicant is now applying for the next phase to be developed. The wetland development fulfills three functions, - it is a recreation area, a fish habitat and treats surface run-off before it discharges to Ramsey Lake. It is the first facility of its kind in Sudbury. The wetland development is almost complete and they have done more than what they were required to do. There are minor type touch-ups and then the wetland will be considered finished. Work is planned to continue later this year and fall and finished next June/July.

Wayne Ablitt, 522 2nd Avenue South addressed the Committee indicating that the road he uses to drive home is not safe. There are 30 homes in the neighbourhood and with this development there will be more traffic moving up and down this unsafe road. He would like this development to be approved but also wants Council to do its part. He advised that there is a rock cut where the co-op housing is located. If this road was approved 30 years ago and it met the standards then it should meet today's standards. In conjunction with what the developer is doing, Mr. Ablitt requested the City come forward with some funding for the roadway.

The Director of Engineering Services advised that he could not provide a definite answer at this time regarding whether the road met today's standards. He advised the area has been studied and ranked and there is a report on the matter. He will need to do some research and a report would be presented to the Committee.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR SUBDIVISION APPROVAL AND REZONING TO SUBDIVIDE 84 LOTS FOR SINGLE RESIDENTIAL USE, SECOND AVENUE SOUTH AND GREENWOOD DRIVE - WESMAK LUMBER CO. INC. (cont'd)

Steve Gossling, 492 Second Avenue South, has resided in the area for 20 years. He said that the upper portion of the road between Bancroft Drive and the CP rail is not safe and can't wait for another 5 - 10 years to be upgraded. He requested that consideration be given to a three way stop sign at Second Avenue and Greenwood. He suggested blasting the rock where the two co-ops are located in order to improve sight lines north of the railway tracks. He has no problem with the pond system in terms of aesthetics

Bob Sargeant, 1879 Torbay Road, questioned whether the corner of Torbay Road and Second Avenue was not a part of the proposal.

The Director of Planning Services advised that it was not part of the application.

Councillor Gasparini, Ward Councillor, also expressed concern with the construction of sidewalks (200 feet) along the frontage of the developers property only.

Councillor Bradley expressed his concern with safety based on the comments received from the residents of the area. The Committee approved a request by Councillor Bradley that a report be prepared concerning this matter.

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

Recommendation #2004-158:

Caldarelli-Bradley: a) That the application to amend By-law 95-500Z by changing the zoning classification of Parcel 6013 S.E.S., Lots 11 & 12, Concession 3, Township of Neelon, from "R1", Single Residential Zone and "FD", Future Development Zone to "R1", Single Residential Zone be approved subject to the following condition:

1. That prior to the passing of an amending by-law, the applicant shall provide the Planning Services Division with a plan of survey, describing the property to be rezoned, with the exception of Blocks 'A' & 'B' which shall remain zoned "FD".

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson

CARRIED

PUBLIC HEARINGS (cont'd)

APPLICATION FOR SUBDIVISION APPROVAL AND REZONING TO SUBDIVIDE 84 LOTS FOR SINGLE RESIDENTIAL USE, SECOND AVENUE SOUTH AND GREENWOOD DRIVE - WESMAK LUMBER CO. INC. (cont'd)

Recommendation #2004-159:

Reynolds-Caldarelli: b) That the City of Greater Sudbury's delegated official be directed to issue draft approval for the subject subdivision not sooner than 14 days following the date of the public hearing in accordance with Section 51(20) of The Planning Act and subject to the following conditions:

1. That this approval applies to the draft plan of subdivision of Part of Parcel 6013 S.E.S., in Lots 11 and 12, Concession 3, Township of Neelon, as shown on a plan prepared by D.S. Dorland, OLS and dated March 19th, 2004.
2. That the standard conditions of draft approval be imposed.
3. Prior to the submission of servicing plans, the applicant/owner shall, to the satisfaction of the General Manager of Public Works, provide a soils report prepared by a geotechnical engineer licensed in the Province of Ontario. Said report shall, at a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommended construction procedures for the following items; storm and sanitary sewers, watermains, roads, the mass filling of land, surface drainage works including erosion control, slope stability (if applicable) and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official.
4. That the proposed internal subdivision roadways be built to an urban standard, including curbs, gutters, storm sewers and related appurtenances.
5. That Second Avenue north of Greenwood Drive and Greenwood Drive be constructed to urban collector road standards.
6. That the corner radius for all intersecting streets is to be a minimum of 9.0 metres.
- 7. That the owner provide a detailed lot grading plan for all the proposed lots as part of the submission of servicing plans. Said plan shall be designed by a civil engineer with a valid certificate of authorization in the Province of Ontario. The Plan must show finished grades around homes, side yards, swales and lot corners. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties. Suitable provisions shall be incorporated into the subdivision agreement to ensure that the lot grading is undertaken, all to the satisfaction of the General Manger of Public Works.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR SUBDIVISION APPROVAL AND REZONING TO SUBDIVIDE 84 LOTS FOR SINGLE RESIDENTIAL USE, SECOND AVENUE SOUTH AND GREENWOOD DRIVE - WESMAK LUMBER CO. INC. (cont'd)

Recommendation #2004-159 (cont'd):

8. That the owner provide underground Cable, Hydro, Telephone and Gas utility services for this subdivision.
9. That access to Torbay Road be prohibited through the placement of a 0.3 metre reserve along the entire Torbay Road frontage.
10. That the owner be required to improve sight lines at the southwest corner of Second Avenue and Torbay Road in order to provide minimum safe stopping sight distance.
11. As a condition of development, the applicant must submit an application to the Nickel District Conservation Authority for the placement of fill material in the floodplain. This must be done prior to the reconstruction of Greenwood Drive. The application must include details of lot grading plans, volumes of fill to be used, a sedimentation control plan, and stabilization methods.
12. That the final plan of subdivision be integrated with the City of Greater Sudbury Control Network. Final plan coordinate listings and an AutoCad simple line file of the resultant parcel fabric (with coordinated points labelled) are to be provided as part of this requirement. Also, the final plan must be provided in AutoCad.dwg format.

_____ CONCURRING MEMBER: Councillor Bradley, Caldarelli, Reynolds, Thompson

CARRIED

APPLICATION FOR DRAFT PLAN OF SUBDIVISION APPROVAL TO PERMIT THE DEVELOPMENT OF A 20 LOT SINGLE RESIDENTIAL SUBDIVISION, BANCROFT DRIVE, SUDBURY - TIMESTONE CORPORATION

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

Report dated July 6th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding a plan of subdivision to permit the creation of 20 lots for single residential use, Bancroft Drive, Sudbury - Timestone Corporation.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR DRAFT PLAN OF SUBDIVISION APPROVAL TO PERMIT THE DEVELOPMENT OF A 20 LOT SINGLE RESIDENTIAL SUBDIVISION, BANCROFT DRIVE, SUDBURY - TIMESTONE CORPORATION (cont'd)

Letter of concern dated July 13th, 2004 was received from Sheri Gascon, Sudbury in opposition to the above-noted application was distributed to Committee Members at the meeting.

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

_____ Councillor Reynolds, Ward Councillor, questioned if it was possible to construct a permanent cul-de-sac extending from Birmingham to hook up to Nottingham.

The Director of Planning Services indicated that no through street was possible in the area and that staff's submission was the best route. He advised that there is a family who lives where the street aligns who is opposed to a true cul-de-sac whereas another scenario would be that if there is no alignment than there would be no connection to the north.

_____ The applicant, John Zulich, 922 Roderick Avenue, was present. He advised that the in the original design of the area, a through street was intended but this application lapsed and was re-submitted with a new preferred layout. The best value for the area would be a true cul-de-sac. He requested an amendment to the application to allow a true cul-de-sac to make the area more saleable. The north part of the development will be developed in the future. The subdivision will eventually be linked up to the Kingsway.

The Director of Engineering Services advised that from a traffic engineering perspective, it is recommended that the application be approved as presented. There is a dangerous curb in the area so a true cul-de-sac is not recommended. He said that a street coming out onto the west limit would provide a better entrance from a traffic point of view.

_____ No objectors were present.

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 DRAFT PLAN OF SUBDIVISION APPROVAL TO PERMIT THE DEVELOPMENT OF A 20 LOT SINGLE RESIDENTIAL SUBDIVISION, BANCROFT DRIVE, SUDBURY - TIMESTONE CORPORATION (cont'd)

The following recommendation was presented:

Caldarelli-Reynolds: A. 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 P.I.N. 73576-0009 being Part 2, Plan SR-1386 save and except Parts 1, 3, 5 & 7, Plan 53R-15744 in Lot 10, Concession 3, Township of Neelon as shown on a plan of subdivision prepared by Terry Del Bosco, O.L.S., dated April 7th, 2004.
2. That the standard conditions of draft approval be imposed.
3. That cash in lieu of the 5% of the lands included in the plan of subdivision be dedicated to the City of Greater Sudbury for municipal parks purposes in accordance with Section 51.1 of the Planning Act.
4. 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.
5. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the General Manager of Public Works and the Chief Building Official, provide a soils report prepared by a geotechnical engineer licensed in the Province of Ontario, as described in the staff report of July 6th, 2004.
6. The owner shall provide a detailed lot grading plan for all the proposed lots as part of the submission of servicing plans, as described in the staff report of July 6th, 2004, to the satisfaction of the General Manager of Public Works. As part of the lot grading plan and 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 into the plans at locations required by the General Manager of Public Works.
7. Prior to the submission of servicing plans, the owner shall have a storm water management report and plan prepared by a consulting engineer with a valid certificate of authorization to the satisfaction of the General Manager of Public Works as described in the staff report of July 6th, 2004.
8. The owner will be required to dedicate rear lot easements to the City of Greater Sudbury for municipal purposes to the satisfaction of the General Manager of Public Works.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR DRAFT PLAN OF SUBDIVISION APPROVAL TO PERMIT THE DEVELOPMENT OF A 20 LOT SINGLE RESIDENTIAL SUBDIVISION, BANCROFT DRIVE, SUDBURY - TIMESTONE CORPORATION (cont'd)

9. The applicant will be required to enter into a written agreement to satisfy all requirements of the City of Greater Sudbury concerning the provision of roads, walkways, street lighting, sanitary sewers, watermains, storm sewers and surface drainage facilities.
10. A corner radius for all intersecting streets of 9.0 m shall be provided to the satisfaction of the General Manager of Public Works.
11. The temporary cul-de-sac shall be developed with a 17.5 metre radius, with the paved portion having a radius of 13.5 metres, to the satisfaction of the General Manager of Public Works. Further, the owner shall identify portions of Lots 11 and 12 as Blocks of land to be dedicated to the City, and held in trust, to facilitate the establishment of the temporary cul-de-sac to the satisfaction of the General Manager of Public Works and the Director of Legal Services/City Solicitor. Upon the completion of a through street, such lands shall be dedicated back to the adjoining property owner(s).
12. Prior to the signing of the final plan, Condition # 25 applying to the approval of the final plan of subdivision for the Lion's Gate Subdivision (File # 780-6/91001) shall be amended as described in the staff report of June 6th, 2004, to the satisfaction of the General Manager of Public Works and the Director of Planning Services. Prior to said undertaking, the owner shall provide to the Director of Planning Services a written authorization and acknowledgment from the owner(s) of the "Lions Gate Subdivision" which states the required modification to Condition # 25 within the "Lions Gate Subdivision" is considered to be appropriate.
13. The owner shall provide a 0.3 metre reserve along Lots 4 and 6 for the purpose of prohibiting access to Bancroft Drive, and to restrict access onto the minor roadway, to the satisfaction of the General Manager of Public Works.
14. The proposed street shall be constructed as a collector road to the satisfaction of the General Manager of Public Works.
15. Prior to the registration of the final plan the Director of Planning Services and the Director of Legal Services/City Solicitor shall be satisfied that Consent Applications B0098/2003, B0099/2003, B0044/2004 & B0045/2004 have been completed.
16. 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.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR DRAFT PLAN OF SUBDIVISION APPROVAL TO PERMIT THE DEVELOPMENT OF A 20 LOT SINGLE RESIDENTIAL SUBDIVISION, BANCROFT DRIVE, SUDBURY - TIMESTONE CORPORATION (cont'd)

17. Draft approval does not guarantee an allocation of water or sanitary sewer capacity. Prior to the signing of the final plan, the Planning Services Division is to be advised by the General Manager of Public Works that sufficient water and sanitary sewer capacity exists to service the development.

The following amendment to the recommendation was presented:

Recommendation #2004-160:

Reynolds-Caldarelli: That the following conditions be added:

18. That the plan described in tem 1 of this conditional draft plan of subdivision approval be revised to provide a full cul-de-sac design with abutting residential lots to the satisfaction of the General Manager of Public Works and the Director of Planning Services.
19. That Conditions #11 and #14 be deleted.

CONCURRING MEMBERS: Councillors Caldarelli, Reynolds, Thompson

NON-CONCURRING MEMBERS: Councillors Bradley

CARRIED

The main motion as amended was presented:

Recommendation #2004-161:

Caldarelli-Reynolds: A. 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 P.I.N. 73576-0009 being Part 2, Plan SR-1386 save and except Parts 1, 3, 5 & 7, Plan 53R-15744 in Lot 10, Concession 3, Township of Neelon as shown on a plan of subdivision prepared by Terry Del Bosco, O.L.S., dated April 7th, 2004.
2. That the standard conditions of draft approval be imposed.
3. That cash in lieu of the 5% of the lands included in the plan of subdivision be dedicated to the City of Greater Sudbury for municipal parks purposes in accordance with Section 51.1 of the Planning Act.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR DRAFT PLAN OF SUBDIVISION APPROVAL TO PERMIT THE DEVELOPMENT OF A 20 LOT SINGLE RESIDENTIAL SUBDIVISION, BANCROFT DRIVE, SUDBURY - TIMESTONE CORPORATION (cont'd)

Recommendation #2004-161 (cont'd):

4. 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.
5. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the General Manager of Public Works and the Chief Building Official, provide a soils report prepared by a geotechnical engineer licensed in the Province of Ontario, as described in the staff report of July 6th, 2004.
6. The owner shall provide a detailed lot grading plan for all the proposed lots as part of the submission of servicing plans, as described in the staff report of July 6th, 2004, to the satisfaction of the General Manager of Public Works. As part of the lot grading plan and 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 into the plans at locations required by the General Manager of Public Works.
7. Prior to the submission of servicing plans, the owner shall have a storm water management report and plan prepared by a consulting engineer with a valid certificate of authorization to the satisfaction of the General Manager of Public Works as described in the staff report of July 6th, 2004.
8. The owner will be required to dedicate rear lot easements to the City of Greater Sudbury for municipal purposes to the satisfaction of the General Manager of Public Works.
9. The applicant will be required to enter into a written agreement to satisfy all requirements of the City of Greater Sudbury concerning the provision of roads, walkways, street lighting, sanitary sewers, watermains, storm sewers and surface drainage facilities.
10. A corner radius for all intersecting streets of 9.0 m shall be provided to the satisfaction of the General Manager of Public Works.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR DRAFT PLAN OF SUBDIVISION APPROVAL TO PERMIT THE DEVELOPMENT OF A 20 LOT SINGLE RESIDENTIAL SUBDIVISION, BANCROFT DRIVE, SUDBURY - TIMESTONE CORPORATION (cont'd)

Recommendation #2004-161 (cont'd):

12. Prior to the signing of the final plan, Condition # 25 applying to the approval of the final plan of subdivision for the Lion's Gate Subdivision (File # 780-6/91001) shall be amended as described in the staff report of June 6th, 2004, to the satisfaction of the General Manager of Public Works and the Director of Planning Services. Prior to said undertaking, the owner shall provide to the Director of Planning Services a written authorization and acknowledgment from the owner(s) of the "Lions Gate Subdivision" which states the required modification to Condition # 25 within the "Lions Gate Subdivision" is considered to be appropriate.
13. The owner shall provide a 0.3 metre reserve along Lots 4 and 6 for the purpose of prohibiting access to Bancroft Drive, and to restrict access onto the minor roadway, to the satisfaction of the General Manager of Public Works.
15. Prior to the registration of the final plan the Director of Planning Services and the Director of Legal Services/City Solicitor shall be satisfied that Consent Applications B0098/2003, B0099/2003, B0044/2004 & B0045/2004 have been completed.
16. 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.
17. Draft approval does not guarantee an allocation of water or sanitary sewer capacity. Prior to the signing of the final plan, the Planning Services Division is to be advised by the General Manager of Public Works that sufficient water and sanitary sewer capacity exists to service the development.
18. That the plan described in Item 1 of this conditional draft plan of subdivision approval be revised to provide a full cul-de-sac design with abutting residential lots to the satisfaction of the General Manager of Public Works and the Direction of Planning Services.

CONCURRING MEMBERS: Councillors Caldarelli, Reynolds, Thompson

NON-CONCURRING MEMBERS: Councillors Bradley

CARRIED

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT MODIFIED "C2", GENERAL COMMERCIAL ZONE SIGN PROVISIONS, 1329 REGENT STREET, SUDBURY - SHELL CANADA PRODUCTS

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

_____ Report dated June 30th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding a rezoning application to permit modified "C2", General Commercial zone sign provisions, 1329 Regent Street, Sudbury - Shell Canada Products.

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

_____ Gordon Goodwin, Engineer with Shell Canada Products, was present as agent for the applicant. He advised that he was satisfied with staff's recommendation.

_____ No objectors were present.

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

The following recommendation was presented:

Recommendation #2004-162:

Reynolds-Caldarelli: That the application by Shell Canada Products to amend By-law 95-500Z with respect to Parcel 24919 S.E.S., Lot 7, Concession 1, Township of McKim, by changing the zoning classification from "C1-1", Local Commercial Zone-Special to a revised "C1-Special" be approved subject to the following:

- a) The only permitted use shall be a convenience store and an automobile service station, and this use shall not be interpreted to permit the sale of vehicles or the parking and/or storage of trucks.
- b) That the sign requirements of the "C2" zone shall apply;
- c) That the business identification ground sign on the subject property not exceed 20.96 square metres in total sign area.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson

CARRIED

Recess _____ At 3:53 p.m., the Planning Committee recessed.

Reconvene _____ At 4:00 p.m., the Planning Committee reconvened.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT THE CREATION OF THREE (3) 0.9 HA. SINGLE RESIDENTIAL LOTS ON O'NEIL DRIVE WEST, GARSON - CEDAR GREEN ENTERPRISES LTD.

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

Report dated July 5th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding applications for Official Plan Amendment and rezoning to permit the creation of three 0.9 ha single residential lots, O'Neil Drive West, Garson - Cedar Green Enterprises Ltd.

____ Letter dated July 13th, 2004, from Councillor Ted Callaghan, Ward 4, in favour of the above application was distributed to Committee Members at the meeting.

The Director of Planning Services outlined the application to the Committee. He advised the Committee that since the date of the report, staff discovered that there is sufficient fire flow.

____ Councillor Thompson questioned why the staff report stated that there was only 57.33 litres per second of fire flow and hopes that the new calculation is sufficient.

____ The Director of Engineering Services advised that notes will be made to the file to indicate that there is 75 litres per second of fire flow for the 3 lots contrary to staff's report and if the water line was extended, it would be sufficient.

____ Dave Dorland, agent for the applicant, was present. He indicated that he is satisfied with staff's recommendations. There will only be 3 lots over a large frontage and people are anxious to have this development proceed.

____ No objectors were present.

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 #2004-163:

Dupuis-Caldarelli: A. That the application by Cedar Green Enterprises Ltd. to amend the Secondary Plan for the Nickel Centre Settlements on site specific basis, by changing the land use designation from "Greenbelt to "Residential - Estate" to the permit the creation of three (3) rural estate residential lots adjacent to an existing public road with respect to those lands described as being Part of Parcel 39056 S.E.S. in Lot 9, Concession 1, Township of Garson be recommended for approval subject to the following conditions:

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT THE CREATION OF THREE (3) 0.9 HA. SINGLE RESIDENTIAL LOTS ON O'NEIL DRIVE WEST, GARSON - CEDAR GREEN ENTERPRISES LTD. (cont'd)

1. To enable preparation of an amending by-law to adopt the proposed official plan amendment, the owner shall provide the Development Services Section with a registered plan of survey which describes the lands which are to be the subject of the proposed amendment.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson

CARRIED

Recommendation #2004-164:

Caldarelli-Dupuis: B. That the application by Cedar Green Enterprises Ltd. to amend By-law 83-304 being the Comprehensive Zoning By-law for the (former) Town of Nickel Centre from "OR", Outdoor Recreation to "R1.D0.9", Single Residential in order to permit the creation of three (3) residential lots with respect to those lands described as being Part of Parcel 39056 S.E.S. in Lot 9, Concession 1, Township of Garson be recommended for approval.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson

CARRIED

Recommendation #2004-165:

Caldarelli-Dupuis: C. That the creation of three residential lots with respect to those lands generally described as being Part of Parcel 39056 S.E.S. in Lot 9, Concession 1, Township of Garson, and as shown on the "Sketch of Proposed Estate Lot Development" dated January 26th, 2004 be permitted to proceed by way of the consent process; and further,

That Lot 3 of the proposed development be exempt from the municipal water servicing policy which would require that a lot within 152.5 m of an existing service point be connected to the municipal water system.

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

CARRIED

PART I - CONSENT AGENDA

The following recommendation was presented to adopt Items C-1 to C-10 contained in Part 1 of the Consent Agenda:

Recommendation #2004-166:

Dupuis-Bradley: That Items C-1 to C-10 contained in Part 1, Consent Agenda, be adopted.

CARRIED

MINUTES

Item C-1 _____ **Recommendation #2004-167:**
Development
Liaison Advisory Committee Minutes
June 24th, 2004

Dupuis-Bradley: That the Development Liaison Advisory Committee Minutes of June 24th, 2004, be adopted.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-2 _____ Report dated June 28th, 2004, was received from the Director of Planning
Request to Remove Services and the General Manager, Economic Development and
"H" Holding Symbol Planning Services regarding Notice of Council's Intention to Pass an
M.R.#80 Amending By-law to remove the "H" Holding Symbol, such that the
Val Therese development may proceed pursuant to the requirements of the "C2"
Cerilli Group Inc. General Commercial zone, Cerilli Group Inc., Municipal Road #80, Val
Therese.

Recommendation #2004-168:

Bradley-Dupuis: That the request by Cerilli Group Inc. to remove the "H",
Holding Symbol pertaining to By-law 83-300 being the Comprehensive
Zoning By-law for the (former) City of Valley East with respect to the
"HC2", Holding General Commercial zone in order to permit
development of the subject lands described as Parts 6 & 7, Plan 53R-
6669 in Lot 4, Concession 3, Township of Hanmer be approved.

CARRIED

Item C-3 _____ Report dated July 6th, 2004, was received from the Director of Planning
Request to Remove Services and the General Manager, Economic Development and
an "H" Holding Planning Services regarding Notice of Council's Intention to Pass an
Symbol, South Bay Amending By-law to remove the "H" Holding Symbol, such that the
Road, Sudbury development may proceed pursuant to the requirements of the "PS-4",
Tim & Laurie A. Smith Private Open Space Zone - Special, which would permit the construction
of a single detached dwelling, Tim and Laurie A. Smith, west side of
South Bay Road.

Recommendation #2004-169:

Bradley-Dupuis: That the request by Tim and Laurie Smith to amend By-
law 95-500Z being the Zoning By-law for the former City of Sudbury by
removing the "H", Holding Symbol with respect to the "H19PS-4", Holding
Private Open Space Special zoning that applies to Parts 1 and 2, Plan
53R-9528, Lot 1, Concession 1, McKim Township in order to permit the
development of the subject property for a single dwelling be approved.

CARRIED

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-4
1969 Old Burwash
Road, Granting
Approval to
Expropriate

Report dated June 29th, 2004, was received from the General Manager, Corporate Services regarding 1969 Old Burwash Road, Granting Approval to Expropriate.

Recommendation #2004-170:

Bradley-Thompson: Whereas it is necessary for the municipality to expropriate the lands municipally known as 1969 Old Burwash Road, for municipal purposes; and

Whereas the approving authority has not received written notification, for a hearing, in accordance with the Expropriations Act; therefore be it resolved

That the Council of the City of Greater Sudbury, as the "Approving Authority" under the Expropriation Act, R.S.O. 1990, c. E.26, grant approval for the expropriation, by the City of Greater Sudbury of certain lands municipally known as 1969 Old Burwash Road, for the South End Rock Tunnel Project; and

That staff be authorized to proceed with the expropriations and also continue to negotiate property owner; and

That the Property Negotiator/Appraiser be authorized to execute all the required documents.

CARRIED

Item C-5
Declaration of
Surplus Land
Lot 17, Plan M-1249
Attlee Avenue
Sudbury

Report dated July 7th, 2004, was received from the General Manager, Corporate Services regarding Declaration of Surplus Land, Lot 17, Plan M-1249, Attlee Avenue, Sudbury.

Recommendation #2004-171:

Bradley-Thompson: That the property legally described as Lot 17, Plan M-1249 be declared surplus to the City's needs and be offered for sale to the general public pursuant to the procedures governing the disposal of full marketability property as set out in By-Law 2003-294;

That any agreement of purchase and sale for the said lands be conditional upon:

- (a) the City reserving an easement for municipal purposes at the expense of the Vendor;
- (b) the transferee paying any applicable Goods and Services Tax, or if a GST registrant delivering appropriate evidence of registration and an undertaking to indemnify the City;
- (c) the property being sold "as is";
- (d) approval of the sale by Council;

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-5

Declaration of
Surplus Land
Lot 17, Plan M-1249
Attlee Avenue
Sudbury

Recommendation #2004-171 (cont'd):

- (e) the Vendor, at its cost, providing a reference plan of survey to establish a legal description for the easement;
- (f) the Purchaser employing an architect or civil engineer to design a house for the lot and to complete a detailed lot grading plan. The Purchaser shall also retain a geotechnical engineer to approve the stability of slopes and any retaining walls that will be part of an engineered lot grading plan. Said plans shall be to the satisfaction of the General Manager of Public Works.

CARRIED

Item C-6

Declaration of
Surplus Land
Roseland Drive,
Wahnapiatae

Report dated July 7th, 2004, was received from the General Manager, Corporate Services regarding declaration of surplus land, Roseland Drive, Wahnapiatae.

Recommendation #2004-172:

-

Thompson-Bradley: That the property owned by the City of Greater Sudbury, and legally described as Part of Lot 8, Plan SR-2968, measuring 2820 square feet in size be declared surplus to the City's needs and offered for sale to Gerald Gaudette and Lina Genier, the owners of Lot 9, Plan SR-2968, for the price of \$1,500.00 pursuant to the procedure, governing the disposal of limited marketability property set out in City's Property By-law;

That the transfer of the said lands be conditional upon:

- (a) the lands being consolidated with any abutting lands owned by the Transferee and the Transferee delivering on closing, a Lot Consolidation agreement in the City's standard form, if appropriate, and bearing the cost of registration of same on title to the lands, in priority to any mortgage or other similar encumbrance;
- (b) the Transferee paying on closing, the transfer price for the land;
- (c) the Transferee paying any applicable Goods and Services Tax, or, if a GST registrant, delivering appropriate evidence of registration and an undertaking to indemnify the City;
- (d) the Transferee at its cost, providing a reference plan of survey to establish a legal description for the property, and securing the approval of the City to such plan prior to depositing same at its expense;

That the Property Negotiator / Appraiser and Clerk be authorized to execute the required documents to complete the transaction.

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-6
Declaration of
Surplus Land
Roseland Drive
Wahnapiatae (cont'd)

Recommendation #2004-172 (cont'd):

That a By-Law be passed to authorize the Property Negotiator / Appraiser and Clerk to sign the required documents to complete the transaction.

CARRIED

Item C-7
Declaration of
Surplus Land, Lease
of Part of Lot 104,
Plan M-95, Cross
Street, Sudbury

Report dated July 7, 2004, was received from the General Manager, Corporate Services regarding declaration of surplus land, lease of Part of Lot 104, Plan M-95, Cross Street, Sudbury.

Recommendation #2004-173:

Thompson-Bradley: THAT the property owned by the City of Greater Sudbury, legally described as Part of Lot 104, Plan M-95, be declared surplus to the City's needs and leased to 3336263 Canada Ltd., at a rental rate of \$2,000 per year and the rental rate shall be adjusted annually to reflect the annual increase in the Consumer Price Index and that the lease be subject to the following terms:

- (a) that the lands be leased for a period of 30 years and provide for 2 ten-year extensions to the term;
- (b) that the lands be leased for parking purposes and that the parking lot be constructed to the satisfaction of the General Manager of Public Works and the Director of Planning Services;
- (c) that a By-Law be passed to authorize the Property Negotiator / Appraiser to sign a Lease Agreement with 3336263 Canada Ltd., permitting the construction and maintenance of a parking lot on part of Lot 104, Plan M-95.

CARRIED

Item C-8
Extension to Draft
Approval - Dalron
Construction Ltd.
Part of Registered
Plans M-1044 &
M-1045, Lots 2 & 3,
Conc. 6, Twp. McKim
Royal Oaks
Subdivision

Report dated July 5th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding extension to draft approval - Dalron Construction Ltd. - Part of Registered Plans M-1044 & M-1045, Lots 2 & 3, Concession 6, Township of McKim - Royal Oaks Subdivision

Recommendation #2004-174:

Bradley-Thompson: That upon payment of Council's extension fee of \$1,666.66 prior to the August 20, 2004 lapsing date, the conditions of draft approval for the plan of subdivision of Part of Registered Plans M-1044 & M-1045 in Lots 2 & 3, Concession 6, Township of McKim, File #RP780-6/89023 be amended as follows:

- a) By deleting conditions #9, 10, 11, 14, 15 & 16.

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-8
Extension to Draft
Approval - Dalron
Construction Ltd.
Part of Registered
Plans M-1044 &
M-1045, Lots 2 & 3
Conc. 6,
Twp. of McKim
Royal Oaks
Subdivision (Cont'd)

Recommendation #2004-174 (cont'd):

- b) By deleting condition #22 and replacing it with the following:
- “22. That this draft approval shall lapse on February 24, 2006.”
- c) By adding the following conditions:
- “24. The owner shall provide a 150 mm diameter watermain connected to the Montrose Booster Pump to provide adequate water pressure to Lots 167 to 170 inclusive and Lots 250 to 255 inclusive.”
- “25. The owner agrees to provide Lot 255 to the City for the construction of a future upgraded Water Booster Station by the City. The owner shall install supply and outlet piping for said station to the satisfaction of the General Manager of Public Works.”
- “26. The owner agrees to direct all future sanitary sewage for the subdivision to the existing Nickeldale Trunk Sanitary Sewer.”
- “27. Prior to the submission of servicing plans, the applicant/owner shall, to the satisfaction of the General Manager of Public Works, provide a soils report prepared by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommended construction procedures for the following items: storm and sanitary sewers, watermain, roads, the mass filling of land, surface drainage works including erosion control, slope stability (if applicable) and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official.”
- “28. Prior to the submission of servicing plans, the applicant/owner shall have a stormwater management report and plan prepared by a consulting engineer with a valid certificate of authorization. Said report shall establish the drainage area upstream of this proposed subdivision and how stormwater will be managed both upstream and within the subdivision development in order to limit the impact of stormwater both within the subdivision and on downstream receiving storm sewers, drainage channels and creeks. The report shall deal with sediment control and the control of both the 1:5 and regional storm events. The Regional storm flow path is to be set out on the plan. The report and plan shall be to the satisfaction of the General Manager of Public Works. The owner shall be responsible for the design and construction of any required stormwater management facility as part of the servicing plans for the subdivision and the owner shall dedicate the lands for the stormwater management facility as a condition of this development.”

CARRIED

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-9
Extension to Draft
Approval - Draft Plan
of Subdivision
Perfect Choice
Developments Inc.
Twp. of Blezard
Confederation
Subdivision

Report dated July 5th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding extension to draft approval - draft plan of subdivision - Perfect Choice Developments Inc. - Parcels 33648, 31091, 31092 & 49635, Part of Lot 8, Concession 6, Township of Blezard - Confederation Subdivision.

Recommendation #2004-175:

Bradley-Thompson: That upon payment of Council's processing fee of \$833.33 prior to the lapsing date of August 26, 2004, the conditions of draft approval for the draft plan of subdivision of Parcels 33648, 31901, 31902 and 49635, Part of Lot 8, Concession 6, Township of Blezard, File #780-7/95001 shall be amended as follows:

- a) By deleting condition #10 and replacing it with the following:

"10. That this draft approval shall lapse on April 26, 2005."
- b) By deleting conditions #13 & 14.
- c) That the following conditions be added:

"26. Prior to the submission of servicing plans, the applicant/owner shall, to the satisfaction of the General Manager of Public Works, provide a soils report prepared by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommended construction procedures for the following items: storm and sanitary sewers, watermain, roads, the mass filling of land, surface drainage works including erosion control, slope stability (if applicable) and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official."

"27. Prior to the submission of servicing plans, the applicant/owner shall have a stormwater management report and plan prepared by a consulting engineer with a valid certificate of authorization. Said report shall establish the drainage areas draining to and within this proposed subdivision and how stormwater will be managed within the subdivision development in order to limit the impact of stormwater both within the subdivision and on the Whitson River. The report shall deal with sediment control and the control of both the 1:5 and regional storm events. The Regional storm flow path is to be set out on the plan. The report and plan shall be to the satisfaction of the General Manager of Public Works. The owner shall be responsible for the design and construction of any required stormwater management facility as part of the servicing plans for the subdivision and the owner shall dedicate the lands for the stormwater management facility as a condition of this development."

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

Item C-10 Report dated July 6th, 2004, was received for information from the
Temporary Extension Director of Planning Services and the General Manager, Economic
Council's Conditions Development and Planning Services regarding Temporary Extension,
for Approval Council's Conditions for Approval Recommendations #2003-200 and
OP Amendment 2003-201, Official Plan Amendment and Rezoning, Richard D. Toulouse,
& Rezoning Falconbridge Road, Garson.
Falconbridge Road,
Garson

REFERRED AND DEFERRED MATTERS

Item R-1 Report dated June 9th, 2004, was received for direction only from the
Issues Follow-up Director of Planning Services and the General Manager, Economic
Raised at the Special Development and Planning Services regarding issues follow-up raised at
Planning Meeting of the Special Planning Meeting of May 11th, 2004.
May 11, 2004

The Committee agreed by a show of hands that Planning Committee Meetings starting in September would start at 5:30 p.m.

The Committee agreed to defer the remaining items regarding this matter to their next regular meeting in August.

Other Matters

The Committee discussed the next meeting of the Planning Committee to be held on August 10th. They noted that Committee Members would be in meetings for the entire day with Planning Committee meeting being held during the day followed by the City Council meeting.

The Committee agreed to leave the meeting schedule at it was and hold both meetings on one day.

Adjournment

Recommendation #2004-176:

Bradley-Thompson: That we do now adjourn.
Time: 4:25 p.m.

CARRIED

DEPUTY CITY CLERK

COUNCILLOR RUSS THOMPSON PRESIDING