

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

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

**Tuesday, May 11, 2004
Commencement: 6:30 p.m.
Adjournment: 9:10 p.m.**

COUNCILLOR REYNOLDS PRESIDING

Present Councillors Bradley (A: 6:40 p.m.), Caldarelli, Dupuis, Thompson

Staff R. Swiddle, Director of Legal Services/City Solicitor; D. Braney, Property Negotiator / Appraiser; G. Clausen, Director of Engineering Services; A. Haché, Deputy City Clerk; K. Bowschar-Lische, Planning Committee Secretary

Declarations of Pecuniary Interest None declared.

"In Camera" **Recommendation #2004-88:**

Thompson-Reynolds: 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 6:45 p.m., the Planning Committee recessed.

Reconvene At 7:10 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 Callaghan, Craig, Gasparini

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Services; D. Nadorozny, General Manager of Economic Development and Planning Services; D. Belisle, General Manager of Public Works; R. Swiddle, Director of Legal Services/City Solicitor; G. Clausen, Director of Engineering Services; G. Mazza, Chief Building Inspector; R. Norton, Superintendent of Physical Services; R. Irwin, Planner; A. Haché, Deputy City Clerk; K. Bowschar-Lische, Planning Committee Secretary; M. Burtch, Licensing & Assessment Clerk

News Media MCTV; Sudbury Star

Declarations of Pecuniary Interest None declared

OPENING REMARKS BY COMMITTEE CHAIR

The Chair welcomed everyone in attendance to the Special Planning Committee meeting. He explained the purpose of the meeting was to seek input from the development community on issues or concerns, as well as problems encountered when undertaking development applications or when completing required works. Actions to address these issues will be followed up by the Planning Committee through actions undertaken by the General Managers, Development Staff or the Development Liaison Advisory Committee.

PRESENTATIONS

Item 1 Bill Lautenbach, Director of Planning Services/Chair of DLAC, gave an Overview of Development Expediting Initiatives Undertaken by the City of Greater Sudbury/Development Liaison Advisory Committee (DLAC).

The Director of Planning Services/Chair of DLAC explained that the purpose of the presentation was to bring the Committee up-to-date on DLAC. He outlined the following:

- DLAC is an Advisory Committee to the City comprised of community partners which include representatives from the construction associations, development consultants, developers and approval authorities
- the purpose of DLAC includes increased interaction between the City and the development community, providing a forum to explore development issues of mutual interest and concern, etc.
- their tasks include identifying development processes which are impediments to the establishment of quality developments
- membership is open to anyone and they meet 6 - 8 times per year
- accomplishments include facilitating process improvements; developing building permit benchmarks; initiating a site plan process review; developing applicants/homeowners guides; eliminating or rectifying with Council's approval development impediments such as road levies, road widening policy test manholes and fees and developing and implementing site plan recommendations approved by Council
- currently they are working on parkland dedication policy, lot grading policy and fire flow requirements and the subdivision process review to be undertaken in the future
- future objectives include continuing with tasks; recommending and implementing best practices; evaluating input from special input sessions and development community and incorporating input into action tasks and agendas; and expanding community awareness of DLAC

PRESENTATIONS (cont'd)

Item 1 Overview of Development Expediting Initiatives Undertaken by the City of Greater Sudbury / Development Liaison Advisory Committee (DLAC) <u>(cont'd)</u>	<p>Councillor Dupuis suggested that DLAC make a presentation to the Priorities Committee in order to inform all Members of Council of DLAC's initiatives.</p> <p>The Director of Planning Services advised that DLAC does provide Council with reports on building benchmarks and fees. As well, if there are issues which should be brought forward those are reported to Council.</p> <p>Councillor Caldarelli recommended that DLAC Minutes be provided to Members of Council. The Director of Planning Services indicated that this would be undertaken.</p>
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DELEGATIONS

Item 1 Input from the Development Community on Development Issues or Problems Encountered and Proposed Solutions	<p>Input was received from the development community on development Issues or problems encountered and proposed solutions.</p> <p>Those persons who contacted the City Clerk's Office to have their names placed on the Speaker's List addressed the Committee in the order they appeared on the List as follows:</p> <p>Denise Lafond, Executive Director, Sudbury and District Home Builders Association advised that they have been members of DLAC since 1995. When DLAC were advised of this Special Meeting, they requested to meet with the Planning Committee in another forum to inform them of issues, what they have been working on, their accomplishments, etc. and that request was refused. She stated they are proud of DLAC's accomplishments and advised that by working together DLAC has resolved many problems. She indicated that the Home Builders Association is well represented this evening and have provided a list of speakers to the Clerk.</p> <p>Committee Members noted that DLAC had never made a presentation to the Planning Committee or Council and that the purpose of the meeting was to seek input from the development community on issues and concerns.</p>
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DELEGATIONS (cont'd)

Arnel Michel, Ludger Michel Estates, advised that he started in the development business 35 years ago beginning with the Moonglo Subdivision. He indicated they have a relatively good working relationship with the City and found that in the past subdivision plans went well with no great hitches. Now they find there are conditions, mostly from the Engineering Department, that hold up development. Before it would take three to four months to receive approval and now they are being told they would be lucky if they can get it through in one year. He pointed out that he has used engineering firms for his plans of subdivision for many years and there were no major glitches, however, now the Engineering Department has come up with new ideas and don't follow a solid plan. These new ideas result in the plans being sent back to the engineering firms which is costly. Before they had standards to follow and now they have standards but they are in the middle of nowhere. He indicated there is currently a demand for properties. He realizes there is a shortage of staff, particularly in the Engineering Department. He thinks the plans prepared by engineers hired by the development community should be accepted and if there is a problem it can be worked out. He feels that when there are problems, on-site meetings with planners and engineers would quickly resolved the problems. He stated that if we are prepared to use common sense the problem can be solved quickly.

Gord Hope, Dominion Park Developments, Valley East, indicated he would like to see an open-arms, pro-development approach coming from the City. He finds it takes a lot of time to get plans reviewed and approved. He pointed out that some changes being requested are sort of irritating. He would generally like to see the process move a little faster and easier. He does not think it should take a year to process a subdivision agreement. He thinks the Engineering Department is somewhat over taxed. He commented on backyard swale situation in Dominion Park. He indicated that perhaps not enough emphasis was placed on swales before and now it seems that swales have become a major issue. He does not agree with sodding of swales. He would like to see applications flow through the system a little quicker.

Terry DelBosco, DelBosco Surveying, was present representing himself, other professionals and the Sudbury & District Home Builders Association. He pointed out that there have been a number of positive changes which have taken place through DLAC such as improvements in site plan and building processes. He indicated currently they are experiencing time delays because of conditions and policies in getting applications through the Engineering Department and Technical Services. There are bottlenecks which are slowing down development such as the policy on lot grading. He indicated it appears some policies have come from other communities that are different in terms of terrain, climate, etc. Problems are also being experienced with the redesign of plans which are submitted by qualified engineers. He pointed out that other City departments will wish applicants luck in getting through Technical Services.

DELEGATIONS (cont'd)

Rene Lefebvre, Perfect Choice Developments, advised that he started his small development company in 1990 and has developed 6 subdivisions and approximately 144 lots. Prior to amalgamation, he used to hire qualified engineers and they would deal with each town. Currently, since the creation of the City of Greater Sudbury, they are dealing with one engineer, where before there were six. Last year, only 200 lots were approved by the City. During his first 10 years in the development business, it would take 3 months for approval of a subdivision, now it takes 12 to 16 months. As well, developers hire professional engineers to prepare subdivision plans, however, it seems the engineers don't do the work to the satisfaction of the Engineering Department. There is always something wrong.

JoAnne Caouette, Lifestyle Homes, was present. She indicated that she is a second generation builder and developer. She is trying to develop her first subdivision, with the assistance of her father, who has been in the development business his entire life. She made application for the subdivision in July, 2003 and nothing has taken place. The subdivision contains 100 lots and she would like to develop Phase 1 which is 13 lots. The City has requested a \$600,000 Letter of Credit for Phase 4, however, she requires this money to start Phase 1.

The Director of Engineering Services advised that the Letter of Credit is for construction of sewer and water services that would be required for this development. Because of the method in which the subdivision is being proposed, it is necessary for sewer and water services to go into the entire development and in order to ensure that there must be securities in place.

Boris Nanef, Nanef Gardens, indicated that focus should be placed on practicality since practicality is missing and this is delaying development. Over a year ago he began developing his first subdivision, Albona Investments. When the development was launched, he proposed a precast sound wall on Falconbridge Road and was told that the only way to do that was to commission an engineering study which study would cost \$2,500. He felt the study was not necessary as he had proposed the precast sound wall. He also advised that last fall he was driving by Donnelly Drive and noted that a paving crew was present to resurface the road. As part of his subdivision agreement, he was required to put laterals on Donnelly Drive and in the process would need to dig up the road. A lot of unnecessary expense would have occurred if he had not brought this to the City's attention. Albona is his first subdivision and additional requirements were requested by the Engineering Department. He hired professional engineers, had them design the plan of subdivision in conjunction with the City and a preliminary tender was called. Following this, the City requested a stormwater engineering study. He does not feel it was practical for this application as the subdivision is on high ground. He indicated the subdivision does not make sense with all these additional costs. These are a couple of examples of practicality that need to be reviewed to work with development projects to enhance projects and make them move forward. He requested that a common sense approach be used.

DELEGATIONS (cont'd)

John Zulich, Zulich Enterprises, was present. He indicated he is a new developer in Sudbury and is working on a development that his family has been trying to do for 12 years in the Minnow Lake Area. He indicated that the building permit process has been sped up. With respect to trying to do development right now, he indicated that staff has been excellent and helped them with the entire process, however, it is slow. He reiterated a statement made by Mr. Michel with respect to the City making use of the plans of professional engineers which developers must hire to prepare. By using this expertise, City staff can get the job done faster. He recently went through a consent application for two lots which required a lot drainage plan designed by an engineer. He was required to register the Lot Drainage Plan on title and when you apply for a building permit you also have to provide a lot drainage plan. He questioned if you need it for the building permit why do you need to register it on title at the consent stage. He suggested that the cost of engineering a Lot Drainage Plan and registering it on title be moved from the development stage to the construction stage.

The Chief Building Official advised that for a severance, Building Controls look to what is registered on title with respect to the Lot Drainage Plan. At that point in time, some lot drainage plans may require certification after the drainage plan is put in place. If it is a requirement of severance, there is very little review by Building Controls.

The Superintendent of Physical Services indicated that the requirement for a lot grading plan at severance stage is to try to deal with lot grading problems at the beginning of the development. Once the Plan is engineered, it forms part of the Lot Grading Agreement registered on title. It follows the land for each subsequent owner so if a subsequent owner comes in for a building permit, the lot grading plan is finished.

Celia Teale, Planner, Dalron Construction addressed the Committee. She indicated that there is a perception that once the application goes before the Planning Committee it can go through immediately. Before and after the Planning Committee there are many concerns/requirements to address. In terms of approval of engineering drawings, this occurs after Planning Committee and they take a lot of time. Now it is taking many months to review the engineering drawings, instead of two to three weeks as in the past. Revisions are being requested on engineering drawings and she suggested that all revisions be done on first submission. Engineering drawings are prepared by professional engineering firms, hired by developers, and the City should be reviewing not redesigning the drawings. She indicated that changes to standards should be communicated to the construction industry before the season begins. She suggested that the approval process for comments for applications should be benchmarked. Staffing levels should be looked at to ensure applications go through in a timely process and calls should be responded to immediately. DLAC should be used as the vehicle to determine benchmarks and issues. A Best Practice Guide should be developed.

DELEGATIONS (cont'd)

Al Harrigan, Harrigan Builders and President, Sudbury and District Home Builders Association was present. He indicated he has some issues as a builder with Lot Grading Plans. When he builds a house in an area where houses were built 30 years ago, he has to do a Lot Grading Plan to drain water for other people's property. He feels he should not be required to do this and if there is an existing problem with drainage, it should be rectified by the City. He has built quite a few homes in Dominion Park and put swales in the backyard that are five feet higher than existing ground. He had to bring in extra fill that he feels was not required for Hanmer which is another cost he incurred and passed on to the customer. Hanmer is a flat area and he had been building there since 1996. It is his responsibility to grade water away from the house and not affect neighbouring properties. He said that it looks like duck ponds are being built in Hanmer right now. He advised that he built a property on Attlee and there was a Lot Grading Plan registered on title for the property. When he applied for a building permit he was asked to do another Lot Grading Plan. He does not feel a Lot Grading Plan was required as the house on "Mount" Attlee is 30 feet higher than houses below. Last year 200 lots were approved by the City and if this community is going to build and grow many more lots will need to be approved in a one year period. It is very expensive to build right now because of Lot Grading Plan.

Fred Mens, small business entrepreneur was present. He indicated that he redeveloped a former motel building into small business incubator spaces. He is taking that idea and applying it to the industrial sector. He hopes to create micro industrial spaces of approximately 1,000 square feet and has been in negotiations for seven weeks with the City's Legal Department for property in the Walden Industrial Park. It is a complicated and expensive project. He obtained information from the Engineering Department on what was required and hired J. L. Richards to prepare the preliminary site plan. He met with the Superintendent of Physical Services who suggested that for 10 units there be 5 separate water and sewer main trenches. This would cost \$10,000 per crossing and to service 9 micro industrial lots he is faced with a \$50,000 cost of extra servicing costs before permits. The project is starting to get expensive and requested that other options be explored in order to make it less expensive. He thought Mr. Zulich's idea regarding registering the Lot Grading Plan at the building permit stage might be a practical idea.

Gilles Caouette, father of JoAnne Caouette from Lifestyle Homes, addressed the Committee regarding the \$600,000 Letter of Credit that was being requested. He asked why the Engineering Department were requesting Phase 4 before Phase 1.

The Director of Engineering Services advised that he could not provide an answer at the meeting. He is aware a letter was sent out to the applicant. He would need to review the file and call Mr. Caouette tomorrow with the information.

DELEGATIONS (cont'd)

Daniel Bouchard, small developer, advised that in 1989 he purchased land to develop. He completed Phase 1 and spent a lot of money for nothing. He stopped developing that property after 35 lots even though 300 lots were possible. He just recently bought another piece of property with a possibility of 70 lots. He is not here to solve 50 year old problems and stated lot grading plans cost a lot of money. He questioned whether he wants to invest in Sudbury compared to Barrie or Ottawa. He pointed out that buying the land is a drop in the bucket compared to development costs. He does not think there is enough staff to take care of potential development.

Councillor Thompson, Chair of the Planning Committee, advised that staff will look into these issues and concerns raised by the development community this evening. Actions to address these issues will be followed up by the Planning Committee through actions undertaken by the General Managers, Development Staff or the Development Liaison Advisory Committee.

Letter dated May 11, 2004 from D. S. Dorland, Ontario Land Surveyor offering three suggestions was submitted at the meeting. Mr. Dorland recommended that Planning Committee meetings be lengthened or that the regular meeting schedule be maintained during the critical months of July and August. He suggested that additional Planning Staff be hired to perform present or additional workloads and the Planning Committee reports and recommendations be available one week early than they are presently.

Recess At 8:50 p.m., the Planning Committee recessed.

Reconvene At 9:05 p.m., the Planning Committee reconvened.

MATTERS ARISING FROM THE "IN CAMERA" SESSION

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

Sale of Land Report dated May 5th, 2004, was received from the General Manager, Corporate Services regarding Sale of Land - Walden Industrial Park - Waters Twp. Waters Township, Concession 5, Lot 4, Parcel 31091 S.W.S. and Parcel 31092 S.W.S.

Pcl. 31091 & 31092 S.W.S. The following recommendation was presented:

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

Sale of Land
-Walden Industrial
Park - Waters Twp.
Conc.5, Lot 4,
Pcl. 31091 & 31092
S.W.S. (cont'd)

Recommendation #2004-89:

Reynolds-Thompson: THAT the Council of the City of Greater Sudbury authorize the sale of Parcels 31091 S.W.S., being Parts 1, 2, 3, 4 and 5, Plan 53R-12125 and Parcels 31092 S.W.S., being Parts 6, 7 and 8, Plan 53R-12125 to 128425 Canada Inc. subject to the terms and conditions outlined in the report dated May 5th, 2004, from the General Manager of Corporate Services,

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

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

CARRIED

Sale of Land
-Walden Industrial
Park - Waters Twp.
Conc.5, Lot 5,
Pcl. 31076 S.W.S.

Report dated May 5th, 2004, was received from the General Manager, Corporate Services regarding Sale of Land - Walden Industrial Park - Waters Township, Concession 5, Lot 5, Parcel 31076 S.W.S.

The following recommendation was presented:

Recommendation #2004-90:

Reynolds-Thompson: THAT the Council of the City of Greater Sudbury authorize the sale of Part of Parcel 31076 S.W.S., Township of Waters to 1168031 Ontario Inc., subject to the terms and conditions outlined in the report dated May 5th, 2004, from the General Manager of Corporate Services,

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

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

CARRIED

Sale of Land
-Walden Industrial
Park - Waters Twp.
Conc.5, Lot 5,
Pcl.29241
S.W.S.

Report dated May 5th, 2004, was received from the General Manager, Corporate Services regarding Sale of Land - Walden Industrial Park - Waters Township, Concession 5, Lot 5, Parcel 29241 S.W.S.

The following recommendation was presented:

Recommendation #2004-91:

Reynolds-Thompson: THAT the Council of the City of Greater Sudbury authorize the sale of Part of Parcel 29241 S.W.S., being Parts 3, 4, 5, 6 & 7, Plan 53R-12780, Township of Waters to Aki Tarvudd, subject to the terms and conditions outlined in the report dated May 5th, 2004, from the General Manager of Corporate Services,

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

Sale of Land
- Walden Industrial
Park - Waters Twp.
Conc.5, Lot 5,
Pcl. 29241 S.W.S.
(cont'd)

Recommendation #2004-91 (cont'd):

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

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

CARRIED

Sale of Land
-Walden Industrial
Park - Waters Twp.
Conc.5, Lot 4,
PIN #73376-0255,
formerly Parcel
31161 S.W.S.

Report dated May 5th, 2004, was received from the General Manager, Corporate Services regarding Sale of Land - Walden Industrial Park - Waters Township, Concession 5, Lot 4, PIN #73376-0255, formerly Parcel 31161 S.W.S.

The following recommendation was presented:

Recommendation #2004-92:

Reynolds-Thompson: THAT the Council of the City of Greater Sudbury authorize the sale of P.I.N. #73376-0255 (LT), formerly Parcel 31161 S.W.S., being Parts 1 and 2, Plan 53R-16645, Township of Waters to Stephen Matusch, in trust, subject to the terms and conditions outlined in the report dated May 5th, 2004, from the General Manager of Corporate Services,

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

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

CARRIED

PART I - CONSENT AGENDA

The following recommendation was presented to adopt Item C-1 to C-3 contained in Part 1 of the Consent Agenda:

Recommendation #2004-93:

Dupuis-Reynolds: That Item C-1 to C-3 contained in Part 1, Consent Agenda, be adopted.

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

Item C-1 _____ Report dated May 3rd, 2004, was received for information from the
Advertisement of _____ General Manager, Economic Development and Planning Services
Notice of Public _____ regarding advertisement of Notice of Public Meeting.
Meeting _____

ROUTINE MANAGEMENT REPORTS

Item C-2 _____ Report dated April 30th, 2004, was received from the General Manager,
Declaration of _____ Corporate Services regarding Declaration of Surplus Property (Vacant
Surplus Property _____ Land Abutting 190 Church Street, Garson) being Part 1, Plan SR-1118,
(Vacant Land _____ Part of Lot 4, Concession 2, Township of Garson - City of Greater
Abutting 190 Church _____ Sudbury.
Street, Garson) _____
being Part 1, Plan _____ **Recommendation #2004-94:**
SR-1118, Part of _____
Lot 4, Conc. 2, _____ Reynolds-Dupuis: THAT the property owned by the City of Greater
Twp. of Garson _____ Sudbury, legally known as Part of Part 1 on Plan SR-1118, Part of Lot 4,
- City of Greater _____ Concession 2, Township of Garson, being vacant land abutting 190
Sudbury _____ Church Street, Garson, as shown on the sketch attached to the report
dated April 28th, 2004, be declared surplus to the City's needs, and be
consolidated with the property municipally known as 190 Church Street,
Garson also owned by the City of Greater Sudbury.

CARRIED

Item C-3 _____ Report dated May 5th, 2004, was received from the General Manager,
Expropriation _____ Corporate Services regarding Expropriation - Broder Township,
- Broder Township, _____ Concession 6, Lot 5, Parcel 28558 S.E.S.
Conc. 6, Lot 5, _____
Parcel 28558 S.E.S. _____ **Recommendation #2004-95:**

_____ Reynolds-Dupuis: THAT the Council of the City of Greater Sudbury
authorize the expropriation of Parcel 28558 Sudbury East Section,
Concession 6, Lot 5, Broder Township, and

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

CARRIED

Adjournment

Recommendation #2004-96:

Reynolds-Dupuis: That we do now adjourn.
Time: 9:10 p.m.

CARRIED

DEPUTY CITY CLERK

COUNCILLOR RUSS THOMPSON PRESIDING