

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

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

**Tuesday, September 21st, 2004
Commencement: 5:05 p.m.
Adjournment: 8:00 p.m.**

COUNCILLOR LYNNE REYNOLDS PRESIDING

Present Councillors Bradley, Caldarelli, Thompson

Staff A. Potvin, Manager of Development Services, D. Braney, Property Negotiator / Appraiser; G. Clausen, Director of Engineering Services; A. Haché, Deputy City Clerk; F. Bortolussi, Planning Committee Secretary

Declarations of Pecuniary Interest None declared.

"In Camera" **Recommendation #2004-216:**

Caldarelli-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 5:10 p.m., the Planning Committee recessed.

Reconvene At 5:35 p.m., the Planning Committee reconvened in the **Council Chamber** for the regular meeting.

COUNCILLOR RUSS THOMPSON PRESIDING

Present Councillors Bradley, Caldarelli, Dupuis, Reynolds
Councillor Craig

Staff A. Potvin, Manager of Development Services, G. Clausen, Director of Engineering Services; D. Nadorozny, General Manager of Economic Development and Planning Services; A. Haché, Deputy City Clerk; F. Bortolussi, Planning Committee Secretary; M. Burtch, Licensing & Assessment Clerk

News Media Sudbury Star

Declarations of Pecuniary Interest None declared

MATTERS ARISING FROM THE “IN CAMERA” SESSION

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

Sale of Surplus Land, Lot 19, Plan M-1049, O’Neil Drive, Garson **Recommendation #2004-217:**

Caldarelli-Bradley: THAT the property legally described as Lot 19, Plan M-1049, O’Neil Drive, be sold to Mary Elizabeth Laronde for \$60,000, and

THAT the Property Negotiator / Appraiser be authorized to execute the required document to complete this transaction.

CARRIED

PUBLIC HEARINGS

APPLICATIONS FOR A PLAN OF SUBDIVISION AND REZONING TO SUBDIVIDE THE PROPERTY INTO 89 LOTS FOR SINGLE RESIDENTIAL USE, 1439 DOMINION DRIVE, VAL THERESE - C. PAQUETTE (AGENT: DALRON CONSTRUCTION LIMITED)

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

Report dated September 10th, 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 89 lots for single residential use, 1439 Dominion Drive, Val Therese - C. Paquette (Agent: Dalron Construction Limited).

Celia Teale, Planner with Dalron Construction Limited, the agent, 230 Elm Street, Sudbury was present.

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

Councillor Dupuis, Ward Councillor, stated he is pleased that a Traffic Impact Study will be undertaken. He questioned Canada Post’s requirement for the concrete pads.

APPLICATIONS FOR A PLAN OF SUBDIVISION AND REZONING TO SUBDIVIDE THE PROPERTY INTO 89 LOTS FOR SINGLE RESIDENTIAL USE, 1439 DOMINION DRIVE, VAL THERESE - C. PAQUETTE (AGENT: DALRON CONSTRUCTION LIMITED) (Cont'd)

The Manager of Development Services stated that it has been the policy of Canada Post for some time that, in new subdivisions, the developer be required to provide the concrete pads and Canada Post install the community mailboxes.

Celia Teale indicated there has been a history of flooding in this area for years and it is an ongoing problem in the Valley. A portion of their lands are in the flood plain and they are open to working with Nickel District Conservation Authority and City staff to find a solution. They believe that it is doable and a Mallard's Green in Valley East is possible with greenspace, a small pond, passive park incorporated as part of storm water management facilities.

Celia Teale advised that they concur with the majority of the conditions in the recommendation; however, they are not pleased with the loss of one cul-de-sac. The 77 feet of road to link to Campeau Street would not be as nice as a cul-de-sac and would cost \$170,000.00. She stated that from a marketing point of view, prospective purchasers like cul-de-sacs. Areas with cul-de-sacs are more valuable and generate greater tax revenue. People like to move into areas with cul-de-sacs as they are safer for children and are great places to raise families. She further stated that cul-de-sacs create a great environment for a community.

Councillor Dupuis asked how adamant the Public Works Department was in requiring the removal of one cul-de-sac. He also asked whether or not a crescent or court was considered and was advised that a crescent was considered.

The Director of Engineering Services advised that, from a Public Works perspective, they prefer not to have cul-de-sacs as they are high maintenance. In working with developments, the Public Works Department concedes to cul-de-sacs in areas where it is not feasible to have a through street. In this proposal, the Public Works Department feels it is best to link with Campeau Street and the existing water system. Also, winter maintenance would be easier.

The Chair asked whether anyone in the audience wished to speak in favour or against this application and seeing none:

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

APPLICATIONS FOR A PLAN OF SUBDIVISION AND REZONING TO SUBDIVIDE THE PROPERTY INTO 89 LOTS FOR SINGLE RESIDENTIAL USE, 1439 DOMINION DRIVE, VAL THERESE - C. PAQUETTE (AGENT: DALRON CONSTRUCTION LIMITED) (Cont'd)

The following recommendation was presented:

Recommendation #2004-218:

Dupuis-Caldarelli: THAT the application by C. Paquette (Agent: Dalron Construction) to amend By-law 83-300 being the Zoning By-law for the former Town of Valley East by changing the zoning classification of Part of PIN 73504-0953 (formerly Parcel 709 SES) in Lot 6, Concession 1, Hanmer Township from "RU", Rural to "R1.D18", Single Residential to permit the creation of 89 lots for single residential use be approved subject to the following:

- a) That the applicant provide the Development Services Section with a registered survey plan outlining the part of the subject property to be rezoned to enable the preparation of an amending zoning by-law.

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

CARRIED

The following recommendation was presented:

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

- a) That this draft approval applies to the draft plan of subdivision of Part of PIN 73504-0953 (formerly Parcel 709 SES) in Lot 6, Concession 1, Hanmer Township as shown on a plan of subdivision prepared by T. Del Bosco, O.L.S. and dated May 5, 2004.
- b) That the standard conditions of draft approval be imposed.
- c) The owner shall ensure that the corner radii for all intersecting streets is 9.0m.
- d) The owner shall provide a detailed lot grading plan prepared by a consulting civil engineer with a valid certificate of authorization for the proposed lots as part of the submission of servicing plans. This plan must show finished grades around new houses, retaining walls, sideyards, swales, slopes and lot corners. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties.

APPLICATIONS FOR A PLAN OF SUBDIVISION AND REZONING TO SUBDIVIDE THE PROPERTY INTO 89 LOTS FOR SINGLE RESIDENTIAL USE, 1439 DOMINION DRIVE, VAL THERESE - C. PAQUETTE (AGENT: DALRON CONSTRUCTION LIMITED) (Cont'd)

Recommendation (Cont'd)

- e) 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 licenced 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, stormwater management facilities, watermain, roads, the mass filling of land, surface drainage works erosion control, slope stability, slope treatment and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official.
- f) The applicant will be required to dedicate rear lot easements to the City of Greater Sudbury for municipal purposes.
- g) The owner shall be required to cost share in the construction of stormwater management facilities as required by the General Manager of Public Works. The owner shall provide lands for said facilities as required by the General Manager of Public Works.
- h) The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, storm sewers and related appurtenances.
- i) 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, storm water management facilities and surface drainage facilities.
- j) Draft approval does not guarantee the allocation of either sewer or water capacity. Prior to the signing of the final plan, clearance is required from the General Manager of Public Works that sufficient sewage treatment capacity exists to service this development.
- k) The owner shall provide a 1.5 metre concrete sidewalk on the west side of Street A from Dominion Drive to the southerly limit of the draft plan and to the end of the existing Campeau Street.
- l) The owner shall extend the southerly end of Street C to Campeau Street.
- m) The owner shall ensure that lots 30 and 31 are developed with access off of Campeau Street.

APPLICATIONS FOR A PLAN OF SUBDIVISION AND REZONING TO SUBDIVIDE THE PROPERTY INTO 89 LOTS FOR SINGLE RESIDENTIAL USE, 1439 DOMINION DRIVE, VAL THERESE - C. PAQUETTE (AGENT: DALRON CONSTRUCTION LIMITED) (Cont'd)

Recommendation (Cont'd)

- n) The owner shall provide a land block to the City along the easterly side of the draft plan to accommodate a walkway and 50 percent of the land required for a realigned drainage channel with 3:1 slopes.
- o) The owner shall be responsible for the cost of a 50 mm asphalt overlay along the north side of Dominion Drive and the subdivision frontage.
- p) The owner shall be responsible for upgrading the south side of Dominion Drive to urban standard including storm drainage facilities as required.
- q) The owner shall be required to provide a 3.0 metre road widening along the frontage of lots 1 to 10 inclusive.
- r) The owner shall ensure that the underside of footing elevations for new homes along lots 1, 38, 39 and 61 to 73 inclusive are not affected by flood waters in the new drainage channel. This requirement shall be completed to the satisfaction of the Chief Building Official, Nickel District Conservation Authority and the General Manager of Public Works.
- s) The owner shall be responsible for the construction of Campeau Street from the easterly limit of the subject draft plan to the existing end of Campeau Street to a collector standard including a 1.5 metre sidewalk.
- t) Lots 72 to 79 on Streets A and B are renumbered to Lots 82 to 89.
- u) The owner shall construct a walkway on block 83 to the satisfaction of the General Manager of Public Works.
- v) That 5% of the land included in the plan of subdivision be deeded to the City of Greater Sudbury for parks purposes in accordance with Section 51.1 (1) of the Planning Act.
- w) That prior to the signing of the final plan the owner shall undertake a traffic impact analysis to determine what local road improvements are made necessary by the proposed subdivision and the owner shall agree to undertake the improvements identified, all to the satisfaction of the General Manger of Public Works.
- x) That the final plan of subdivision be integrated with the City of Greater Sudbury Control Network. Final plan coordindate 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.

APPLICATIONS FOR A PLAN OF SUBDIVISION AND REZONING TO SUBDIVIDE THE PROPERTY INTO 89 LOTS FOR SINGLE RESIDENTIAL USE, 1439 DOMINION DRIVE, VAL THERESE - C. PAQUETTE (AGENT: DALRON CONSTRUCTION LIMITED) (Cont'd)

Recommendation (Cont'd)

- y) Prior to the registration of any part of the subdivision which includes any part of Lot 1 or Lots 17 to 83 the Planning Services Division is to be advised by the Nickel District Conservation Authority that their requirements under Ontario Regulation 161/90 have been satisfied.
- z) That prior to the signing of the final plan the owner shall satisfy Canada Post with respect to mail delivery facilities for the site.
- aa) The owner shall provide an upgraded watermain from the end of the existing watermain on Campeau Street through to the subject subdivision to the satisfaction of the General Manager of Public Works.

The following amendment to the recommendation was presented:

Recommendation #2004-219:

Dupuis-Caldarelli: That Condition "I" be deleted.

CONCURRING MEMBERS: Councillors, Caldarelli, Dupuis, Reynolds

NON-CONCURRING MEMBERS: Councillors Bradley, Thompson

CARRIED

The main motion as amended was presented:

Recommendation #2004-220:

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

- a) That this draft approval applies to the draft plan of subdivision of Part of PIN 73504-0953 (formerly Parcel 709 SES) in Lot 6, Concession 1, Hanmer Township as shown on a plan of subdivision prepared by T. Del Bosco, O.L.S. and dated May 5, 2004.
- b) That the standard conditions of draft approval be imposed.

APPLICATIONS FOR A PLAN OF SUBDIVISION AND REZONING TO SUBDIVIDE THE PROPERTY INTO 89 LOTS FOR SINGLE RESIDENTIAL USE, 1439 DOMINION DRIVE, VAL THERESE - C. PAQUETTE (AGENT: DALRON CONSTRUCTION LIMITED) (Cont'd)

Recommendation #2004-220 (Cont'd)

- c) The owner shall ensure that the corner radii for all intersecting streets is 9.0m.
- d) The owner shall provide a detailed lot grading plan prepared by a consulting civil engineer with a valid certificate of authorization for the proposed lots as part of the submission of servicing plans. This plan must show finished grades around new houses, retaining walls, sideyards, swales, slopes and lot corners. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties.
- e) 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 licenced 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, stormwater management facilities, watermain, roads, the mass filling of land, surface drainage works erosion control, slope stability, slope treatment and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official.
- f) The applicant will be required to dedicate rear lot easements to the City of Greater Sudbury for municipal purposes.
- g) The owner shall be required to cost share in the construction of stormwater management facilities as required by the General Manager of Public Works. The owner shall provide lands for said facilities as required by the General Manager of Public Works.
- h) The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, storm sewers and related appurtenances.
- i) 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, storm water management facilities and surface drainage facilities.

APPLICATIONS FOR A PLAN OF SUBDIVISION AND REZONING TO SUBDIVIDE THE PROPERTY INTO 89 LOTS FOR SINGLE RESIDENTIAL USE, 1439 DOMINION DRIVE, VAL THERESE - C. PAQUETTE (AGENT: DALRON CONSTRUCTION LIMITED) (Cont'd)

Recommendation #2004-220 (Cont'd)

- j) Draft approval does not guarantee the allocation of either sewer or water capacity. Prior to the signing of the final plan, clearance is required from the General Manager of Public Works that sufficient sewage treatment capacity exists to service this development.
- k) The owner shall provide a 1.5 metre concrete sidewalk on the west side of Street A from Dominion Drive to the southerly limit of the draft plan and to the end of the existing Campeau Street.
- l) The owner shall ensure that lots 30 and 31 are developed with access off of Campeau Street.
- m) The owner shall provide a land block to the City along the easterly side of the draft plan to accommodate a walkway and 50 percent of the land required for a realigned drainage channel with 3:1 slopes.
- n) The owner shall be responsible for the cost of a 50 mm asphalt overlay along the north side of Dominion Drive and the subdivision frontage.
- o) The owner shall be responsible for upgrading the south side of Dominion Drive to urban standard including storm drainage facilities as required.
- p) The owner shall be required to provide a 3.0 metre road widening along the frontage of lots 1 to 10 inclusive.
- q) The owner shall ensure that the underside of footing elevations for new homes along lots 1, 38, 39 and 61 to 73 inclusive are not affected by flood waters in the new drainage channel. This requirement shall be completed to the satisfaction of the Chief Building Official, Nickel District Conservation Authority and the General Manager of Public Works.
- r) The owner shall be responsible for the construction of Campeau Street from the easterly limit of the subject draft plan to the existing end of Campeau Street to a collector standard including a 1.5 metre sidewalk.
- s) Lots 72 to 79 on Streets A and B are renumbered to Lots 82 to 89.
- t) The owner shall construct a walkway on block 83 to the satisfaction of the General Manager of Public Works.
- u) That 5% of the land included in the plan of subdivision be deeded to the City of Greater Sudbury for parks purposes in accordance with Section 51.1 (1) of the Planning Act.

APPLICATIONS FOR A PLAN OF SUBDIVISION AND REZONING TO SUBDIVIDE THE PROPERTY INTO 89 LOTS FOR SINGLE RESIDENTIAL USE, 1439 DOMINION DRIVE, VAL THERESE - C. PAQUETTE (AGENT: DALRON CONSTRUCTION LIMITED) (Cont'd)

Recommendation #2004-220 (Cont'd)

- v) That prior to the signing of the final plan the owner shall undertake a traffic impact analysis to determine what local road improvements are made necessary by the proposed subdivision and the owner shall agree to undertake the improvements identified, all to the satisfaction of the General Manger of Public Works.
- w) That the final plan of subdivision be integrated with the City of Greater Sudbury Control Network. Final plan coordindate 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.
- x) Prior to the registration of any part of the subdivision which includes any part of Lot 1 or Lots 17 to 83 the Planning Services Division is to be advised by the Nickel District Conservation Authority that their requirements under Ontario Regulation 161/90 have been satisfied.
- y) That prior to the signing of the final plan the owner shall satisfy Canada Post with respect to mail delivery facilities for the site.
- z) The owner shall provide an upgraded watermain from the end of the existing watermain on Campeau Street through to the subject subdivision to the satisfaction of the General Manager of Public Works.

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

CARRIED

APPLICATION FOR REZONING TO REMOVE THE SPECIAL EXEMPTION WHICH WOULD PERMIT "JAMBOREES" ON THIS PROPERTY FROM THE LIST OF PERMITTED USES IN A "RURAL ZONE", HIGHWAY 69 SOUTH AND SECORD ROAD, SUDBURY - GERARD & CECILE ROUSSEL

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

Report dated September 13th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for rezoning to remove the special exemption which would permit "jamborees" on this property from the list of permitted uses in a "Rural Zone", Highway 69 South and Secord Road, Sudbury - Gerard & Cecile Rousel

APPLICATION FOR REZONING TO REMOVE THE SPECIAL EXEMPTION WHICH WOULD PERMIT "JAMBOREES" ON THIS PROPERTY FROM THE LIST OF PERMITTED USES IN A "RURAL ZONE", HIGHWAY 69 SOUTH AND SECORD ROAD, SUDBURY - GERARD & CECILE ROUSSEL (Cont'd)--

Gerard Roussel, the applicant, 2239 Secord Road, Sudbury was present.

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

Gerard Roussel advised that he would like to sever the 125 acre property in order to place a mobile home on 43 acres. He plans to sell the remainder of the property which includes the buildings as he and his wife are now retired and the home is too large for them.

Councillor Caldarelli, Ward Councillor, stated that she visited the property. It is a large piece of land and indicated the severance would work well. She requested the Committee to support this application.

The Chair asked whether anyone in the audience wished to speak in favour or against this application and seeing none:

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

The following recommendation was presented:

Recommendation #2004-221:

Caldarelli-Dupuis: THAT the application by Gerard and Cecile Roussel to amend By-law 2001-24Z being the Zoning By-law for the Townships of Cleland and Scadding and Parts of Townships of Dryden and Dill, by changing the zoning classification of Parcel 4109, in Lot 2, Concession 1, Township of Dill, from "Rural Zone Exemption 195", (jamboree) to "Rural Zone", be approved.

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

CARRIED

Recess At 6:50 p.m., the Planning Committee recessed.

Reconvene At 6:55 p.m., the Planning Committee reconvened.

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, REZONING AND CONSENT REFERRAL REQUEST TO PERMIT THE CREATION OF 8 LOTS FOR FULLY SERVICED SINGLE RESIDENTIAL USE, RIVERSIDE DRIVE & HILL STREET, WAHNAPIAE - JEAN CHARLES LABONTE

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

Report dated September 10th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding applications for Official Plan Amendment, rezoning and consent referral request to permit the creation of 8 lots for fully serviced single residential use, Riverside Drive & Hill Street, Wahnapiae - Jean Charles Labonte.

Dave Dorland, agent for the applicant, 298 Larch Street, Sudbury and Jean Charles Labonte, the applicant, 18 Riverside Drive, Sudbury were present.

The Director of Development Services outlined the applications to the Committee. He explained that the Public Works Department does not support the applications due to inadequate fire flow supply. He further explained that in 1997 Regional Council passed the following resolution *"That the Region adopt the Fire Underwriters guidelines for determining fire flow requirements for new developments."* Since then, this requirement has been imposed on new subdivisions in serviced areas. This requirement is not imposed on the creation of up to three lots. In non-serviced subdivisions, dry hydrants can be used to draw water from a lake or river; however, there are concerns in using this system because the lake/river freezes in the winter and the system requires high levels of maintenance.

The Director of Development Services referred to an Ontario Municipal Board decision on a rezoning which states that the municipality's fire flow requirements can be appropriately imposed for severance applications. Should this requirement be implemented, it will prevent the creation of lots by severance in large parts of the City, where fire flows are inadequate. He advised that staff met on September 20, 2004 regarding this matter and were directed to prepare a report within one month to be submitted to the Priorities Committee. In the meantime, staff will continue to implement the fire flow requirement policy on new subdivisions and severances would be allowed to proceed for up to three lots. The staff report for this application recommends that it be denied; however there are two options for the Committee to consider: one being that the applications be deferred until the matter is dealt with by the Priorities Committee and the other being to allow the rezoning and Official Plan amendment to proceed and restrict the number of severances to three until the matter is resolved by the Priorities Committee and Council.

Councillor Caldarelli, Ward Councillor, inquired what would be required to provide adequate fire flow and information on a dry hydrant. She also asked what percentage of homes in City built before 1997 met fire flow standards.

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, REZONING AND CONSENT REFERRAL REQUEST TO PERMIT THE CREATION OF 8 LOTS FOR FULLY SERVICED SINGLE RESIDENTIAL USE, RIVERSIDE DRIVE & HILL STREET, WAHNAPIAE - JEAN CHARLES LABONTE (Cont'd)

It was also explained that Wahnapiae is serviced with a 6" water line system built in the 1960s which system does not provide 75 l/sec fire flow. To provide adequate fire flow a booster pipe system would have to be installed or the size of the pipes would have to be enlarged. The Committee was informed how a dry hydrant operates. However, this is not an option for the subject property as it is in a serviced area. The Director of Engineering Services indicated he could not hazzard a guess but would research the matter and obtain the information.

Dave Dorland advised that the subject property originally consisted of 12 lots and this is really a redevelopment not a new development. He also feels this proposal will not increase the requirement for fire protection but lessen it as the school previously on the property required more fire protection than the proposed homes. He feels the 1997 resolution needs to be revisited when dealing with redevelopment and this application is a good example of why the policy needs to be revisited. He stated that the applicant has already invested \$200,000 on the property and, if Council policy denies the development or change of land use, the value of this property is zero. He stated that the current policy would not permit development or any application for change in land use for 75% of the City because we do not have adequate fire flow from piped water supplies. He also stated that the property was four houses from the fire hall and feel there is sufficient fire protection. We are satisfied with the alternate recommendation to allow us to complete the rezoning and Official Plan amendment and to proceed with three consent applications while this matter is being reviewed by Council.

Councillor Caldarelli stated she can understand the concerns of the applicant in that it is upsetting to have property but cannot develop it. She feels it is best to proceed with 3 lots because this issue is coming back to Council shortly and she is sure Council will look closely at this matter.

Councillor Craig, Ward Councillor, stated that it is opportune that we review the 1997 policy as there are examples of this situation throughout the City.

Councillor Caldarelli asked that the report to the Priorities Committee include information on how many municipalities are adhering to these standards,

The Chair asked whether anyone in the audience wished to speak in favour or against this application and seeing none:

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

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, REZONING AND CONSENT REFERRAL REQUEST TO PERMIT THE CREATION OF 8 LOTS FOR FULLY SERVICED SINGLE RESIDENTIAL USE, RIVERSIDE DRIVE & HILL STREET, WAHNAPITAE - JEAN CHARLES LABONTE

The following recommendations were presented:

Recommendation #2004-222:

Caldarelli-Dupuis: THAT the application by Jean Charles Labonte to amend the Secondary Plan for the Settlement of Wahnapiatae by changing the land use designation of Parcels 17691, 7481, 7465 and 33854 SES in Lot 9, Concession 3, Dryden Township from "Recreational/Institutional" to "Residential" be approved.

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

CARRIED

Recommendation #2004-223:

Caldarelli-Dupuis: THAT the application by Jean Charles Labonte to amend By-law 83-304 being the Zoning By-law for the former Town of Nickel Centre by changing the zoning classification of Parcels 17691, 7481, 7465 and 33854 SES in Lot 9, Concession 3, Dryden Township from "I", Institutional to "R1.D18", Single Residential be approved.

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

CARRIED

Recommendation #2004-224:

Caldarelli-Dupuis: THAT lot creation with respect to Parcels 17691, 7481, 7465 and 33854 SES in Lot 9, Concession 3, Dryden Township (Jean Charles Labonte) be permitted to proceed by way of the consent process, but until such time as the 'fire flow' issue has been cleared by the General Manager of Public Works, a maximum of three severances shall be permitted.

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

CARRIED

APPLICATION FOR A TEMPORARY BY-LAW TO PERMIT A GARDEN SUITE FOR A FURTHER TEN-YEAR PERIOD, SOUTH SIDE OF YORKSHIRE DRIVE, VAL CARON - ROMAN KOZORIZ

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

Report dated September 13th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for a temporary by-law to permit a garden suite for a further ten-year period, south side of Yorkshire Drive, Val Caron - Roman Kozoriz.

Letter dated September 21st, 2004 was received from Roman Kozoriz, the applicant, requesting a postponement due to illness.

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

The Committee agree to defer the matter to the October 19th, 2004 meeting in order that the applicant could make arrangements for himself or an agent to attend. The Committee noted that the applicant would be requested to pay the deferral fee.

PART I - CONSENT AGENDA

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

Recommendation #2004-225:

Reynolds-Bradley: THAT Item C-1 contained in Part 1, Consent Agenda, be adopted.

CARRIED

MINUTES

Item C-1
Report #6
VETAC Minutes
June 2nd, 2004

Recommendation #2004-226:

Bradley-Reynolds: That Report #6, Vegetation Enhancement Technical Advisory Committee Minutes of June 2nd, 2004, be received.

CARRIED

REFERRED AND DEFERRED MATTERS

Item R-1
Rezoning
Application,
Newgate Avenue,
Sudbury

Report dated August 27th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for rezoning to permit a consolidation of additional lands with the Bingo One Limited site, Newgate Avenue, Sudbury - Newgate Sudbury (1980) Inc.

The public hearing for the above application was held by the Planning Committee at their September 7th, 2004 meeting. The Committee deferred the application in order that further discussions could be held with the Nickel District Conservation Authority with respect to concerns expressed by an adjacent property owner. Attached is the response from the Nickel District Conservation Authority concerning this matter. As the public hearing has been held, this matter was before the Committee for decision only.

Recommendation #2004-227:

Reynolds-Bradley: THAT the application by Newgate Sudbury (1980) Inc. to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury from "FD", Future Development to a *revised* "M1-14", Special Mixed Light Industrial/Service Commercial with respect to those lands described as Part of P.I.N. 02123-0006 being Parcel 262 S.E.S. in Lot 4, Concession 5, Township of McKim be recommended for approval subject to the following condition:

1. The amending zoning by-law shall specify that on those lands described as Parcel 262 S.E.S. the only permitted use shall be an accessory parking area.

CARRIED

Adjournment

Recommendation #2004-228:

Bradley-Reynolds: That we do now adjourn.
Time: 8:00 p.m.

CARRIED

DEPUTY CITY CLERK

COUNCILLOR RUSS THOMPSON PRESIDING

