THE TENTH MEETING OF THE PLANNING COMMITTEE OF THE CITY OF GREATER SUDBURY

Committee Room C-11 Tom Davies Square

Tuesday, May 15th, 2007 Commencement: 4:34 p.m. Adjournment: 7:25 p.m.

COUNCILLOR ANDRÉ RIVEST PRESIDING

<u>Present</u> Councillors Berthiaume, Dutrisac

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager

of Development Approvals; K. Forrester, Real Estate Co-ordinator; P. Reid, Business Development Officer, T. Lamarche, Deputy Clerk

Declarations of Pecuniary Interest

None declared.

Closed Session Recommendation #2007-139:

Rivest-Berthiaume: That we meet in closed session to deal with four disposition of land matters in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2006-100 and the

Municipal Act, 2001, s.239(2).

CARRIED

Recess At 4:55 p.m., the Planning Committee recessed.

Reconvene At 5:37 p.m., the Planning Committee reconvened in the Council

Chamber for the regular meeting.

COUNCILLOR FRANCES CALDARELLI PRESIDING

<u>Present</u> Councillors Cimino (A.5:55pm), Berthiaume, Dutrisac, Rivest

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager

of Development Approvals; R. Webb, Supervisor of Development Engineering; K. Forrester, Real Estate Co-ordinator; T. Lamarche,

Deputy Clerk; M. Laalo, Licensing & Assessment Clerk;

F. Bortolussi, Planning Committee Secretary

Declarations of

None declared

Pecuniary Interest

MATTERS ARISING FROM THE CLOSED SESSION

Rise and Report

Councillor Rivest reported the Committee met in closed session to deal with four disposition of land matters and the following recommendations emanated therefrom:

Sale of Vacant Land, Woodbine Avenue, Sudbury

Recommendation #2007-140:

Berthiaume-Rivest: THAT the property legally described as PIN 02118 - 0092 (LT), formerly Parcel 39413 S.E.S., Block E, Plan M-1014, being part of Lot 2, Concession 6, Township of McKim, City of Greater Sudbury, Woodbine Avenue, Sudbury, be sold pursuant to the procedures governing the disposal of limited marketability property as set out in By-Law 2003-294;

AND THAT an appropriate by-law be passed authorizing the execution of the documents necessary to complete the real estate transaction.

CARRIED

Sale of Land, Valley East Industrial Park, Belisle Drive, Val Caron

Recommendation #2007-141:

Rivest-Berthiaume: THAT the Council of the City of Greater Sudbury authorize the sale of part of PIN 73501 - 1890 (LT), being Part 7, Plan 53R-16329, Part of Lot 9, Concession 5, Township of Blezard, City of Greater Sudbury, Belisle Drive, Valley East Industrial Park to 1141450 Ontario Limited;

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

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

CARRIED

Sale of Land, Valley East Industrial Park, Belisle Drive, Val Caron

Recommendation #2007-142:

Berthiaume-Rivest: THAT the Council of the City of Greater Sudbury authorize the sale of part of PIN 73501 - 1890 (LT), being Part 8, Plan 53R-16329, part of Lot 9, Concession 5, Township of Blezard, City of Greater Sudbury, Belisle Drive, Valley East Industrial Park to 1124974 Ontario Inc.;

MATTERS ARISING FROM THE CLOSED SESSION (cont'd)

Sale of Land, Valley East Industrial Park, Belisle Drive, Val Caron (cont'd)

Recommendation #2007-142 (cont'd):

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

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

CARRIED

Sale of Land, Valley East Industrial Park, Lamondin Street, Val Caron

Recommendation #2007-143:

Rivest-Berthiaume: THAT the Council of the City of Greater Sudbury authorize the sale of PIN 73501 - 0033 (LT), being Parts 1 to 6, Plan 53R-16329, part of Lot 9, Concession 5, Township of Blezard, City of Greater Sudbury, Lamondin Street, Valley East Industrial Park to 436024 Ontario Limited;

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

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

CARRIED

PUBLIC HEARINGS

APPLICATION FOR A TEMPORARY USE BY-LAW IN ORDER TO PERMIT THE USE OF A PORTABLE LIVING UNIT FOR SENIORS (PLUS) AS A GARDEN SUITE, 4514 CARL STREET, HANMER - DOUGLAS AND PATRICIA MOORE

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

Report dated May 1st, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for a temporary use by-law in order to permit the use of a portable living unit for seniors (PLUS) as a garden suite, 4514 Carl Street, Hanmer, Douglas and Patricia Moore.

Douglas Moore, one of the applicants, was present.

APPLICATION FOR A TEMPORARY USE BY-LAW IN ORDER TO PERMIT THE USE OF A PORTABLE LIVING UNIT FOR SENIORS (PLUS) AS A GARDEN SUITE, 4514 CARL STREET, HANMER - DOUGLAS AND PATRICIA MOORE (cont'd)

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

Douglas Moore advised that he spoke to neighbours and no one had any objections to this application.

Councillor Rivest, Ward Councillor, stated he has received no objections or complaints regarding this application and requested the support of the Committee.

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

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 #2007-144:

Berthiaume-Rivest: THAT the application by Douglas and Patricia Moore to amend By-law 83-300 being the Comprehensive Zoning By-law for the (former) Towns of Valley East and Onaping Falls in order to permit the use of a portable living unit for seniors (PLUS) as a garden suite on lands described as Parcel 28482 S.E.S., Lot 14, Plan M-638 in Lot 12, Concession 3, Township of Capreol, City of Greater Sudbury for a maximum temporary period of ten (10) years, be approved.

<u>CONCURRING MEMBERS</u>: Councillors Berthiaume, Dutrisac, Rivest, Caldarelli

CARRIED

APPLICATION FOR REZONING IN ORDER TO ELIMINATE A SPLIT ZONING AS A RESULT OF A SEVERANCE PROPOSAL, GORDON STREET, GARSON - LISA ROLLINS

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

APPLICATION FOR REZONING IN ORDER TO ELIMINATE A SPLIT ZONING AS A RESULT OF A SEVERANCE PROPOSAL, GORDON STREET, GARSON - LISA ROLLINS (cont'd)

Report dated May 1st, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning in order to eliminate a split zoning as a result of a severance proposal, Gordon Street, Garson, Lisa Rollins.

Dennis Rollins, agent for the applicant, was present.

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

Dennis Rollins indicated some neighbours are interested in additional land at the rear of their properties as their lots are small leaving them with little space for rear yards.

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

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

The following recommendation was presented:

Recommendation #2007-145:

Rivest-Berthiaume: THAT the application by Lisa Rollins to amend By-law 83-304 being the Comprehensive Zoning By-Law for the former Town of Nickel Centre as it applies to part of Parcel 29090 'A' S.E.S., part of Part 2, Plan 53R-6182, Lot 3, Concession 4, Township of Garson, City of Greater Sudbury by changing the zoning classification from "RU", Rural Zone to "R1.D7.5", Single Residential zone be approved subject to the following:

1. That the applicant provide the Development Services Section with a registered plan of survey in order to enable the preparation of the amending by-law.

<u>CONCURRING MEMBERS</u>: Councillors Cimino, Berthiaume, Dutrisac, Rivest, Caldarelli

CARRIED

APPLICATIONS FOR REZONING AND SUBDIVISION APPROVAL IN ORDER TO CREATE 117 LOTS FOR SINGLE RESIDENTIAL USE, KENWOOD STREET, SUDBURY - VYTIS LANDS (KAGAWONG) LIMITED

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

Report dated May 4th, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding applications for rezoning and subdivision approval in order to create 117 lots for single residential use, Kenwood Street, Sudbury, Vytis Lands (Kagawong) Limited.

Denis Michel, Counsel for the applicant, was present.

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

Denis Michel indicated that public meetings were held to address the issues of the area residents which included pedestrian walkways, traffic study and negotiations regarding the park lands.

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

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

The following recommendations were presented:

Recommendation #2007-146:

Berthiaume-Rivest: THAT the application by Vytis Lands (Kagawong) Limited to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury by changing the zoning classification of lands described as part of PIN 73572 - 0249, part of Parcel 39836 S.E.S. in Lot 11, Concession 4, Township of Neelon, City of Greater Sudbury from "FD", Future Development to "R1", Single Residential in order to permit the creation of 117 lots for single residential use as outlined in the report from the General Manager of Growth and Development dated May 4th, 2007 be approved subject to the following condition:

APPLICATIONS FOR REZONING AND SUBDIVISION APPROVAL IN ORDER TO CREATE 117 LOTS FOR SINGLE RESIDENTIAL USE, KENWOOD STREET, SUDBURY - VYTIS LANDS (KAGAWONG) LIMITED (cont'd)

Recommendation #2007-146 (cont'd):

1. That the applicant provide the Development Approvals Section with a registered survey plan outlining the parts of the subject property to be zoned "R1", Single Residential to enable the preparation of an amending by-law.

<u>CONCURRING MEMBERS</u>: Councillors Cimino, Berthiaume, Dutrisac, Rivest, Caldarelli

CARRIED

Recommendation #2007-147:

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

- 1. That this draft approval applies to the draft plan of subdivision of part of PIN 73572 0249, part of Parcel 39836 S.E.S. in Lot 11, Concession 4, Township of Neelon, City of Greater Sudbury as shown on a plan of subdivision prepared by Terry Del Bosco, O.L.S., and dated November 22, 2006.
- 2. That the standard conditions of draft approval be imposed.
- 3. That the owner undertake a Traffic Impact Study and agree to participate in the cost of the changes, upgrading, or improvements to roadways or traffic control identified in the study, all to the satisfaction of the General Manager of Infrastructure Services.
- 4. That Redwood Drive be constructed to an urban collector standard complete with a sidewalk on one side.
- 5. That a sidewalk be constructed on the north side of Kenwood Street from Third Avenue to Redwood Drive.
- 6. That a sidewalk be constructed on one side of Street Two from Redwood Drive to the parkland dedication.

APPLICATIONS FOR REZONING AND SUBDIVISION APPROVAL IN ORDER TO CREATE 117 LOTS FOR SINGLE RESIDENTIAL USE, KENWOOD STREET, SUDBURY - VYTIS LANDS (KAGAWONG) LIMITED (cont'd)

Recommendation #2007-147 (cont'd):

- 7. That 5% of the land included in the plan of subdivision be dedicated to the City for parks purposes to the satisfaction of the City Solicitor in accordance with Section 51.1 (1) of the Planning Act.
- 8. 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.
- 9. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the Director of Planning Services, provide an updated geotechnical report prepared, signed, sealed, and dated by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommend construction procedures for storm and sanitary sewers, stormwater management facilities, watermains, roads to a 20 year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services.
- 10. The owner shall provide a detailed lot grading plan prepared, signed, sealed, and dated by a professional civil engineer with a valid certificate of authorization for the proposed lots as part of the submission of servicing plans. This plan must show finished grades around new houses, retaining walls, sideyards, swales, slopes and lot corners. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties.
- 11. Prior to the submission of servicing plans, the owner shall have a stormwater management report and plan prepared, signed, sealed, and dated by a professional engineer with a valid certificate of authorization. Said report shall establish how the quantity and quality of stormwater will be managed for the subdivision development and assess the impact of stormwater runoff from this developed subdivision on abutting lands, on

APPLICATIONS FOR REZONING AND SUBDIVISION APPROVAL IN ORDER TO CREATE 117 LOTS FOR SINGLE RESIDENTIAL USE, KENWOOD STREET, SUDBURY - VYTIS LANDS (KAGAWONG) LIMITED (cont'd)

Recommendation #2007-147 (cont'd):

the downstream storm sewer outlet systems and on downstream water courses. The report shall deal with the control of both the 1:5 year and Regional Storm events, so as to limit the volume of flow generated on the site to pre-development levels. The Regional Storm flow path is to be set out on the plan(s). The report shall set out any necessary improvements to downstream storm sewers and water courses. The civil engineering consultant shall meet with the Development Approvals Section prior to commencing the stormwater management report.

- 12. The owner will be required to provide permanent silt and erosion control drainage works to the subdivision's stormwater outlet to the satisfaction of the Director of Planning Services.
- 13. The owner shall be required to have all stormwater management facilities constructed and approved by the City prior to initial acceptance of roads and sewers or at such time as the Director of Planning Services may direct. The owner shall provide lands for said facilities as required by the City.
- 14. The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, storm sewers and related appurtenances to the City of Greater Sudbury Engineering Standards at the time of submission.
- 15. The owner agrees to provide the required soils report, stormwater, water, sanitary sewer and lot grading master planning reports and plans to the Director of Planning Services prior to the submission of servicing plans for any phase of the subdivision.
- 16. The owner shall develop a siltation control plan for the subdivision construction period to the satisfaction of the Director of Planning Services, Nickel District Conservation Authority and the Department of Fisheries and Oceans.
- 17. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
- 18. The owner will be required to ensure that the corner radius for all intersecting streets is to be 9.0 m.

APPLICATIONS FOR REZONING AND SUBDIVISION APPROVAL IN ORDER TO CREATE 117 LOTS FOR SINGLE RESIDENTIAL USE, KENWOOD STREET, SUDBURY - VYTIS LANDS (KAGAWONG) LIMITED (cont'd)

Recommendation #2007-147 (cont'd):

- 19. As part of 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 in to the plans if noted as required at locations required by the Director of Planning Services. Suitable provisions shall be incorporated into the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the Director of Planning Services.
- 20. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Greater Sudbury Hydro Plus or Hydro One, Bell, Union Gas and Persona. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.

<u>CONCURRING MEMBERS</u>: Councillors Cimino, Berthiaume, Dutrisac, Rivest, Caldarelli

CARRIED

PART I - CONSENT AGENDA

The following recommendation was presented to adopt Items C-1 to C-8 contained in Part 1 of the Consent Agenda:

Recommendation #2007-148:

Dutrisac-Rivest: THAT Items C-1 to C-8 contained in Part 1, Consent Agenda, be adopted with the exception of Items C-5 and C-6 as otherwise dealt with.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-1 Consent Referral Request, Lammi's Road, Lively -Shane Heikkila Report dated April 23rd, 2007 was received from the General Manager of Growth and Development regarding Consent Referral Request for Consent Application B52/2007, Lammi's Road, Lively, Shane Heikkila.

Recommendation #2007-149:

Rivest-Dutrisac: THAT Consent Application B52/2007 with respect to Parcel 5134 S.W.S. in Lot 11, Concession 4, Township of Waters, City of Greater Sudbury be permitted to proceed by way of the consent process.

CARRIED

Item C-2 Consent Referral Request, Black Lake Road, Lively - Rintala Construction Report dated April 19th, 2007 was received from the General Manager of Growth and Development regarding Consent Referral Request for Consent Applications B21/2007, B22/2007 and B23/2007, Black Lake Road, Lively, Rintala Construction.

Recommendation #2007-150:

Dutrisac-Rivest: That Consent Applications B21/2007, B22/2007 and B23/2007 with respect to Parcel 9434 S.W.S. in Lot 5, Concession 2, Township of Waters, City of Greater Sudbury be permitted to proceed by way of the consent process.

CARRIED

Item C-3 Road Closure, Declare Surplus and Transfer, Valleyview Road, Val Caron Report dated May 9th, 2007 was received from the Acting General Manager of Infrastructure regarding Road Closure, Declare Surplus and Transfer. Plans of Subdivision M-1085 and M-1086, Valleyview Road, Val Caron.

Recommendation #2007-151:

Rivest-Dutrisac: THAT Poplar Street, Ash Street, Lowecrest Street, Alpine Avenue, Birchleaf Crescent and Chestnut Crescent as described on Plan M-1085, and Chestnut Crescent and Fifth Street as described on Plan M-1086, be closed by by-law, declared surplus to the City's needs and transferred to Dalron Construction Limited:

THAT the procedures governing the disposal of fully marketability property as set out in By-Law 2003-294 be dispensed with;

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-3 Road Closure, Declare Surplus and Transfer, Valleyview Road, Val Caron (cont'd)

Recommendation #2007-151 (cont'd):

AND THAT the by-law authorize the execution of the documents necessary to complete the real estate transaction, all in accordance with the report from the Acting General Manager of Infrastructure dated May 9, 2007.

CARRIED

Item C-4
Road Closure &
Declaration of
Surplus Vacant
Land, Louisa
Drive, Sudbury

Report dated May 9th, 2007 was received from the Acting General Manager of Infrastructure regarding Road Closure and Declaration of Surplus Vacant Land, Part of Unopened Portion of Louisa Drive, Sudbury and Part of Block A, Plan M-403.

Recommendation #2007-152:

Dutrisac-Rivest: THAT the property legally described as part of Parcel 51435 S.E.S., being Parts 3 and 4 on Plan 53R-17363, being part of Louisa Drive, Sudbury, be closed by by-law;

THAT Part 3 on Plan 53R-17363, be retained for park's purposes;

THAT the property legally described as part of Parcel 51435 S.E.S., being Part 4 on 53R-17363, being part of Louisa Drive, and part of Parcel 51436 S.E.S., being Part 5 on Plan 53R-17363, part of Block A, Plan M-403, be declared surplus to the City's needs and transferred to Dalron Construction Limited;

THAT the procedures governing the disposal of full marketability property as set out in By-Law 2003-294 be dispensed with;

AND THAT the by-law authorize the execution of the documents necessary to complete the real estate transaction, all in accordance with the report from the Acting General Manager of Infrastructure dated May 9, 2007.

CARRIED

Item C-5
Declaration of
Surplus Vacant
Land, Poplar
Street, Dowling

See page 14.

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-6 Declaration of Surplus Vacant Land, Arlington Drive, Dowling

See page 14.

Item C-7 Declaration of Surplus Vacant Land, Penman Street, Garson Report dated May 9th, 2007 was received from the Acting General Manager of Infrastructure regarding Declaration of Surplus Vacant Land, Penman Street, Garson.

Recommendation #2007-153:

Dutrisac-Berthiaume: THAT the property legally described as PIN 73494 - 0617 (LT), formerly Parcel 18733 S.E.S., and PIN 73494 - 0613 (LT), formerly Parcel 19260 S.E.S., being part of Lot 6, Concession 1, Township of Garson, City of Greater Sudbury, Penman Avenue, Garson, be declared surplus to the City's needs and marketed for sale to the general public in accordance with the procedures governing the disposal of fully marketable property, all in accordance with the report from the Acting General Manager of Infrastructure dated May 9, 2007.

CARRIED

Item C-8
Draft
Condominium
Extension and
Amendment,
Paris-Maki
Holdings Ltd.

Report dated May 1st, 2007 was received from the General Manager of Growth and Development regarding draft condominium extension and amendment, Paris Street south of Maki Avenue, Paris-Maki Holdings Ltd.

Recommendation #2007-154:

Dutrisac-Berthiaume: THAT upon the payment of the processing fee of \$283.33 prior to March 15, 2008 lapsing date, the conditions of draft approval of plan of condominium on PIN 73595 - 0460, Lot 6, Concession 1, Township of McKim, City of Greater Sudbury, File 741-6/04001, be amended as follows:

Deleting conditions 1 and 7 and replacing them with the following:

"1. That this approval applies to the draft plan of condominium of all of PIN 73595 - 0460, Lot 6, Concession 1, McKim Township, on a plan prepared by S.J. Gossling, O.L.S. and dated January 19, 2007.

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-8 Recommendation #2007-154 (cont'd): Draft Condominium 7. That this draft approval shall lapse on March 15, 2009, unless an extension is granted by Council pursuant to Extension and Section 51(33) of the Planning Act." Amendment, Paris-Maki Holdings Ltd. **CARRIED** (cont'd) Item C-5 Report dated May 9th, 2007 was received from the Acting General Manager of Infrastructure regarding Declaration of Surplus Vacant Declaration of Land, Poplar Drive, Dowling. Surplus Vacant Land, Poplar Street, Dowling The Committee concurred with a request from Councillor Berthiaume to refer this matter in order that a report could be prepared. They requested that staff review the policy regarding the declaration of surplus lands designated for park purposes and the possibility of notifying area residents of any proposed declarations. Item C-6 Report dated May 9th, 2007 was received from the Acting General Manager of Infrastructure regarding Declaration of Surplus Vacant Declaration of Land, Arlington Drive, Dowling. Surplus Vacant Land, Arlington Street, Dowling The Committee concurred with a request from Councillor Berthiaume to refer this matter in order that a report could be prepared. They requested that staff review the policy regarding the declaration of surplus lands designated for park purposes and the possibility of notifying area residents of any proposed declarations. Recommendation #2007-155: Adjournment Dutrisac-Berthiaume: That we do now adjourn. Time: 7:25 p.m. **CARRIED**

DEPUTY CLERK

COUNCILLOR FRANCES CALDARELLI