

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

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

**Tuesday, October 18th, 2005
Commencement: 4:37 p.m.
Adjournment: 6:47 p.m.**

ANGIE HACHÉ PRESIDING

Present Councillors Bradley, Dupuis, Thompson

Staff K. Forrester, Real Estate Co-ordinator; A. Potvin, Manager of Development Approvals; F. Bortolussi, Planning Committee Secretary

Recommendation #2005-186:

Bradley-Thompson: That Councillor Dupuis chair the In Camera portion of the Planning Committee meeting.

CARRIED

COUNCILLOR RON DUPUIS PRESIDING

Declarations of Pecuniary Interest None declared.

"In Camera" **Recommendation #2005-187:**

Dupuis-Bradley: 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 4:50 p.m., the Planning Committee recessed.

Reconvene At 5:30 p.m., the Planning Committee reconvened in the **Council Chamber** for the regular meeting.

COUNCILLOR RUSS THOMPSON PRESIDING

<u>Present</u>	Councillors Bradley, Dupuis
<u>Staff</u>	A. Potvin, Manager of Development Approvals; G. Clausen, City Engineer; R. Webb, Supervisor of Development Engineering; A. Haché, City Clerk; M. Laalo, Licensing & Assessment Clerk; F. Bortolussi, Planning Committee Secretary
<u>News Media</u>	Channel 10
<u>Declarations of Pecuniary Interest</u>	None declared

MATTERS ARISING FROM THE “IN CAMERA” SESSION

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

Lease to Northern Breweries Ltd. Energy Court, Sudbury **Recommendation #2005-188:**
Bradley-Dupuis: THAT the property owned by the City of Greater Sudbury, legally described as part of Parts 37 and 43, Plan 53R-14343, be leased to Northern Breweries Ltd. for parking purposes.

CARRIED

Surplus School Board Property, Ecole Notre-Dame du Rosaire, 2891 Martin Road, Blezard Valley **Recommendation #2005-189:**
Dupuis-Bradley: THAT Le Conseil scolaire catholique du Nouvel-Ontario be advised that the City of Greater Sudbury is not interested in acquiring École Notre-Dame du Rosaire municipally known as 2891 Martin Road, Blezard Valley.

CARRIED

Sale of Land, Falconbridge Road Water Tank, 580 Falconbridge Road, Sudbury **Recommendation #2005-190:**
Bradley-Dupuis: THAT the property owned by the City described as Parcels 24113 and 24114, S.E.S., Part of Lot 11, Concession 5, Township of Neelon, be sold to 1582628 Ontario Limited pursuant to the procedure governing the disposal of limited marketability property as set out in the City's Property By-Law,

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

Sale of Land, **Recommendation #2005-190 (cont’d):**
Falconbridge Road
Water Tank, 580 AND THAT the appropriate by-law be passed authorizing the
Falconbridge Road execution of the documents necessary to complete the real estate
Sudbury (cont’d) transaction.

CARRIED

PUBLIC HEARINGS

**APPLICATION FOR REZONING IN ORDER TO PERMIT THE CONSTRUCTION OF
“AN ACCESSORY GUEST RESIDENCE”, 492 PANACHE LAKE ROAD, WHITEFISH
- CRAIG FIELDING AND KATRIINA RUOTSALO**

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

Report dated October 7th, 2005, was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning in order to permit the construction of “an accessory guest residence”, 492 Panache Lake Road, Whitefish, Craig Fielding and Katriina Ruotsalo.

Mac Sinclair, Alder Street, Sudbury, Counsel for the applicant and Craig Fielding, the applicant, were present.

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

Mac Sinclair indicated that the owners of the property wish to have a secondary accessory residence on the property and it is their intention to keep the single ownership.

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:

PUBLIC HEARINGS (cont'd)

**APPLICATION FOR REZONING IN ORDER TO PERMIT THE CONSTRUCTION OF
"AN ACCESSORY GUEST RESIDENCE", 492 PANACHE LAKE ROAD, WHITEFISH
- CRAIG FIELDING AND KATRIINA RUOTSALO (cont'd)**

Recommendation #2005-191:

Dupuis-Bradley: THAT the application by Craig Fielding & Katriina Routsalo to amend By-law 83-303 being the Comprehensive Zoning By-law for the (former) Town of Walden from "A", Agricultural Reserve to "A-Special", Special Agricultural Reserve in order to permit the construction of 'an accessory guest residence' with respect to those lands described as Parcel 6714 S.W.S. in Lots 1 and 2, Concession 5, Township of Louise, be recommended for approval.

CONCURRING MEMBERS: Councillors Bradley, Dupuis, Thompson

CARRIED

**APPLICATION FOR REZONING TO PERMIT THE REDEVELOPMENT OF THE
SUBJECT PROPERTY WITH FOUR RESIDENTIAL BUILDINGS WITH FOUR
APARTMENTS EACH, 5088 AND 5096 HIGHWAY 69 NORTH, HANMER - DAN
FOUCAULT CONSTRUCTION LTD.**

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

Report dated October 11th, 2005, was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to permit the redevelopment of the subject property with four residential buildings with four apartments each, 5088 and 5096 Highway 69 North, Hanmer, Dan Foucault Construction Ltd.

Andre Lacroix, Elgin Street, Sudbury, Counsel for the applicant, and Dan Foucault, the applicant, was present.

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

When asked what the City policy is for access onto M.R. 80, the City Engineer indicated that, when dealing with applications on an arterial road way, Transportation Engineering attempts to minimize the number of entrances. They therefore recommended one entrance to service all four lots.

Andre Lacroix indicated the applicant has no concerns with respect to the recommendations except for the matter of entrance to the property. He pointed out that the speed limit in front of the property is 60 kph with four lanes of highway and a turning lane in the centre. He further indicated that the applicant

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE REDEVELOPMENT OF THE SUBJECT PROPERTY WITH FOUR RESIDENTIAL BUILDINGS WITH FOUR APARTMENTS EACH, 5088 AND 5096 HIGHWAY 69 NORTH, HANMER - DAN FOUCAULT CONSTRUCTION LTD. (cont'd)

intends to dispose of the properties in the future and one entrance for four properties would affect the marketability and the market value. He advised the applicant has never had problem accessing M.R. 80 and the traffic seems to flow well. The applicant did consider one entrance for two properties but is requesting an entrance for each property. Mr. Lacroix indicated he is not aware of any other instance where one entrance services four properties.

Councillor Dupuis, Ward Councillor, suggested one entrance for each property. He also feels it would be difficult to sell the properties with a common driveway. He further indicated that this is a perfect example of infilling which is always being promoted and encouraged.

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:

Thompson-Bradley: That the application by Dan Foucault Construction Ltd. to amend By-law 83-300 being the Zoning By-law for the former Town of Valley East by changing the zoning classification of Parcel 48950 SES, being Parts 1 to 4, Plan 53R-9929 and Parcel 26173 SES, all in Lot 5, Concession 3, Hanmer Township from "RU-12", Rural Special and "R1.D18", Single Residential, as the case may be, to "R3.D40-S", Medium Density Residential Special be approved subject to the following:

- a) That the minimum public road frontage shall be 17m (56 feet).

The following amendment to the recommendation was presented:

Recommendation #2005:192:

Dupuis-Thompson: That one driveway be permitted per severed lot.

CONCURRING MEMBERS: Councillors Bradley, Dupuis, Thompson

CARRIED

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE REDEVELOPMENT OF THE SUBJECT PROPERTY WITH FOUR RESIDENTIAL BUILDINGS WITH FOUR APARTMENTS EACH, 5088 AND 5096 HIGHWAY 69 NORTH, HANMER - DAN FOUCAULT CONSTRUCTION LTD. (cont'd)

The main recommendation as amended was presented:

Recommendation #2005-193:

Thompson-Bradley: That the application by Dan Foucault Construction Ltd. to amend By-law 83-300 being the Zoning By-law for the former Town of Valley East by changing the zoning classification of Parcel 48950 SES, being Parts 1 to 4, Plan 53R-9929 and Parcel 26173 SES, all in Lot 5, Concession 3, Hanmer Township from "RU-12", Rural Special and "R1.D18", Single Residential, as the case may be, to "R3.D40-S", Medium Density Residential Special be approved subject to the following:

- a) That the minimum public road frontage shall be 17m (56 feet).
- b) That one driveway be permitted per severed lot.

CONCURRING MEMBERS: Councillors Bradley, Dupuis, Thompson

CARRIED

APPLICATIONS FOR SUBDIVISION AND REZONING TO PERMIT THE DEVELOPMENT OF 14 LOTS FOR SINGLE RESIDENTIAL USE, PERCY AVENUE, VAL CARON - YVON AND JOANNE HENRY

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

Report dated October 11th, 2005, was received from the Director of Planning Services and the General Manager of Growth and Development regarding applications for subdivision and rezoning to permit the development of 14 lots for single residential use, Percy Avenue, Val Caron, Yvon and Joanne Henry.

Yvon & Joanne Henry, Percy Avenue, Val Caron, the applicants, were present.

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

Yvon Henry expressed concern regarding the condition about the water volume requirement for fire flow. He feels it not should be his responsibility to upgrade

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR SUBDIVISION AND REZONING TO PERMIT THE DEVELOPMENT OF 14 LOTS FOR SINGLE RESIDENTIAL USE, PERCY AVENUE, VAL CARON - YVON AND JOANNE HENRY (cont'd)

the water volume for the street. He further indicated that if he upgrades from a 6-inch diameter pipe to an 8-inch diameter pipe, the line further down the street will go back to 6-inch diameter and then to 8-inch.

The Supervisor of Development Engineering stated they are requiring the applicant to upgrade not to the intersection but only that portion of the watermain that is necessary to attain the minimum fire flow requirement so that it will not be too onerous a requirement for the applicant.

Councillor Dupuis, Ward Councillor, noted the current fire flow is 60 litres per second. He does not feel it is right to have the applicant spend money on something that currently exists and will continue to exist even after he makes the necessary changes to achieve a fire flow of 75 litres per second. He also asked what the cost would be for the upgrade.

The Manager of Development Approvals indicated that the City has adopted a fire flow policy based on Fire Underwriters guidelines and it is now the standard for new development. He further indicated it is one of the reasons the City has low insurance rates.

The City Engineer stated the consultant preparing the design for the subdivision would have information regarding the cost of the watermain upgrade. He also indicated he could review the matter to see how far down Percy Street the applicant would have to increase the size of the watermain from 6 to 8 inches and whether there should be any cost sharing or benefit based on services there now. He indicated that the 14 homes being proposed will not have 75 litres per second fire flow unless service to that subdivision is increased in size from a 6-inch to 8-inch line. All new subdivisions are required to provide 75 litres per second in accordance with the City's standards.

Mr. Henry indicated last year his consultant provided a letter confirming there was adequate fire flow.

The Committee agreed that the condition regarding minimum fire flow requirement be deferred for two weeks for a further report regarding the consultant's letter.

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

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR SUBDIVISION AND REZONING TO PERMIT THE DEVELOPMENT OF 14 LOTS FOR SINGLE RESIDENTIAL USE, PERCY AVENUE, VAL CARON - YVON AND JOANNE HENRY (cont'd)

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 #2005-194:

Dupuis-Bradley: THAT the application by Yvon and Joanne Henry to amend By-law 83-300 by changing the zoning classification of part of Parcel 33606 SES, being Part 8, Plan 53R-17801 in Lot 9, Concession 6, Township of Blezard, from "I", Institutional Zone to "R1.D18", Single Residential Zone be approved.

CONCURRING MEMBERS: Councillors Bradley, Dupuis, Thompson

CARRIED

Recommendation #2005-195:

Dupuis-Bradley: THAT the City of Greater Sudbury's delegated official be directed to issue draft approval to Yvon and Joanne Henry 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 Parcels 33606 and 31217 SES in part of Lot 9, Concession 6, Township of Blezard, as shown on a draft plan of subdivision prepared by James E. Kirkland O.L.S. and dated July 12th, 2005.
2. That the standard conditions of draft approval be imposed.
3. That the owner will be required to enter into a written agreement to satisfy all requirements, financial and otherwise, of the City of Greater Sudbury, concerning the provision of roads, walkways, streetlighting, sanitary sewers, storm sewers, stormwater management facilities, watermains and surface drainage.
4. Draft Approval does not guarantee an allocation of sewer or water capacity. Prior to the signing of the final plan, the Planning Services Division is to be advised by the General Manager of

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR SUBDIVISION AND REZONING TO PERMIT THE DEVELOPMENT OF 14 LOTS FOR SINGLE RESIDENTIAL USE, PERCY AVENUE, VAL CARON - YVON AND JOANNE HENRY (cont'd)

Recommendation #2005-195 (cont'd):

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

5. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the General Manager of Infrastructure and Emergency Services, provide an updated geotechnical report prepared, 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, 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.
6. 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.
7. 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 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

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR SUBDIVISION AND REZONING TO PERMIT THE DEVELOPMENT OF 14 LOTS FOR SINGLE RESIDENTIAL USE, PERCY AVENUE, VAL CARON - YVON AND JOANNE HENRY (cont'd)

Recommendation #2005-195 (cont'd):

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.

8. The owner will be required to provide permanent silt and erosion control drainage works to the subdivision's storm water outlet to the satisfaction of the General Manager of Infrastructure and Emergency Services.
9. The owner shall be required to have all stormwater management facilities constructed and approved by the City prior to initial acceptance of roads and sewers or at such time as the General Manager of Infrastructure and Emergency Services may direct. The owner shall provide lands for said facilities as required by the City.
10. The owner will be required to dedicate easements to the City of Greater Sudbury for municipal purposes where required.
11. 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.
12. The owner agrees to provide the required soils report, stormwater, water, sanitary sewer and lot grading master planning reports and plans to the General Manager of Infrastructure and Emergency Services prior to the submission of servicing plans for any phase of the subdivision.
13. The owner shall develop a siltation control plan for the subdivision construction period to the satisfaction of the General Manager of Infrastructure and Emergency Services, Nickel District Conservation Authority and the Department of Fisheries and Oceans.
14. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR SUBDIVISION AND REZONING TO PERMIT THE DEVELOPMENT OF 14 LOTS FOR SINGLE RESIDENTIAL USE, PERCY AVENUE, VAL CARON - YVON AND JOANNE HENRY (cont'd)

Recommendation #2005-195 (cont'd):

15. That 5% of the value of the land be paid to the City of Greater Sudbury for park purposes in accordance with Section 51.1(3) of the Planning Act.
16. 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.
17. That prior to the signing of the final plan, the applicant's Ontario Land Surveyor shall advise the Planning Services Division that all lots comply with the minimum requirements of the Zoning By-law.

CONCURRING MEMBERS: Councillors Bradley, Dupuis, Thompson

CARRIED

PART I - CONSENT AGENDA

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

Recommendation #2005-196:

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

CARRIED

PART I - CONSENT AGENDA (cont'd)

MINUTES

Item C-1
Report #54
DLAC Minutes
Sept. 15, 2005

Recommendation #2005-197:

Dupuis-Bradley: That Report #54, Development Liaison Advisory Committee Minutes of September 15th, 2005, be received.

CARRIED

Item C-2
Report #7
VETAC Minutes
Sept. 21, 2005

Recommendation #2005-198:

Dupuis-Bradley: That Report #7, Vegetation Enhancement Technical Advisory Committee Minutes of September 21st, 2005, be received.

CARRIED

PART II - REGULAR AGENDA

MANAGERS' REPORTS

Item R-1
Request for
Exemption to
Pavement Cut
Spruce Meadows
Subdivision, Notre
Dame Street,
Azilda, 979739
Ontario Ltd.

Report dated October 12th, 2005, was received from the General Manager of Infrastructure and Emergency Services regarding request for exemption to Pavement Cut Policy, Spruce Meadows Subdivision, Notre Dame Street, Azilda, 939739 Ontario Ltd.

The City Engineer advised this is similar to the exemption requested by Sylvio Vachon for his property on Notre Dame Street in Azilda. It was noted that the Planning Committee at their meeting of August 9th, 2005 granted Mr. Vachon an exemption to the no pavement cut policy. Mr. Ceccarelli's property is in the same area and he is requesting an exemption to connect to the services on the north side of the road.

Recommendation #2005-199:

Bradley-Dupuis: THAT the request by 939739 Ontario Ltd. for exemption from the current three year no pavement cut policy be approved;

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

CARRIED

Adjournment

Recommendation #2005-200:

Dupuis-Bradley: That we do now adjourn.
Time: 6:47 p.m.

CARRIED

CITY CLERK

COUNCILLOR RUSS THOMPSON