

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

Committee Room C-11
Tom Davies Square

Tuesday, November 20th, 2007
Commencement: 4:30 p.m.
Adjournment: 7:07 p.m.

COUNCILLOR ANDRÉ RIVEST PRESIDING

Present Councillors Cimino, Berthiaume

Staff B. Lautenbach, Director of Planning Services; K. Forrester, Real Estate Co-ordinator; T. North, Deputy City Clerk

Declarations of Pecuniary Interest None declared.

Closed Session **Recommendation #2007-270:**

Cimino-Berthiaume: That we meet in closed session to deal with two acquisition/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 4:40 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 ANDRÉ RIVEST PRESIDING

Present Councillors Cimino (D6:10PM), Berthiaume
Councillor Dupuis (6:11PM Alternate Member of the Committee)

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Approvals; B. Sedgwick, Roads Engineer; T. North, Deputy City Clerk; M. Laalo, Licensing & Assessment Clerk; M. Vezina, Planning Committee Secretary

News Media Northern Life

Declarations of Pecuniary Interest None declared

MATTERS ARISING FROM THE CLOSED SESSION

Rise and Report Councillor Rivest reported the Committee met in closed session to deal with two acquisition/disposition of land matters and the following recommendations emanated therefrom:

Sale of Vacant Land
Pearl Street

Recommendation #2007-271:

Cimino-Berthiaume: THAT the property legally described as part of PIN 02132-0051 (LT), designated as the east part of Part 22 on Plan 53R-17879, Pearl Street, Sudbury, measuring approximately 700 square metres in size be sold to Cory Prause;

THAT the property legally described as part of PIN 02132-0051 (LT), designated as the west part of Part 22 on Plan 53R-17879, Pearl Street, Sudbury, measuring approximately 500 square metres in size be sold to Randy Baldelli; and

THAT a by-law be passed authorizing the execution of the documents required to complete the respective real estate transactions.

CARRIED

Declaration and Sale of Surplus Lands - Part of 44 Mont Adam St.

Recommendation #2007-272:

Berthiaume-Cimino: THAT the property municipally known as part of 44 Mont Adam Street, Sudbury and legally described as part of PIN 02132-0164 (LT), being Part 3 on Plan 53R-18447, City of Greater Sudbury, be declared surplus to the City's needs and sold to Mike Batenchuk; and

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

CARRIED

Council, by a two-thirds majority, agreed to dispense with the Rules of Procedure, to alter the order of the Agenda and deal with Public Hearing #3.

With the concurrence of the Committee, Councillor Berthiaume moved that Public Hearing #3 be deferred as per the request of the applicant.

CARRIED

The Director of Planning Services advised the Committee that when an application is deferred at the request of an applicant, a fee equivalent to 50% of the cost of the application is imposed to the applicant.

The Committee agreed to impose the 50% fee to the applicant.

PUBLIC HEARINGS

APPLICATION FOR REZONING IN ORDER TO PERMIT THE ADDITION TO AN EXISTING BUILDING IN ORDER TO ACCOMMODATE A RENOVATION BUSINESS, ACCESSORY STORAGE AND A DWELLING UNIT, 2000 HIGHWAY 69 NORTH, VAL CARON -1594616 ONTARIO INC.

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

Report dated November 6th, 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 permit the addition to an existing building in order to accommodate a renovation business, accessory storage and a dwelling unit, 2000 Highway 69 North, Val Caron -1594616 Ontario Inc.

Alain McCann, Agent for the applicant was present.

The Director of Planning Services outlined the application to the Committee. He stated there was one letter of concern received from an area resident, it was distributed at the meeting.

Alain McCann informed the Committee the property has been an eye sore for some time and the new owners plan to spend a considerable amount of money to upgrade the property. He indicated the property owner spoke to the adjacent property owner to the East and received no complaints relating to the development.

When asked if the applicant would be storing materials outside the renovation business, Mr. McCann indicated all building materials will be stored in the new addition.

Councillor Dupuis, Ward Councillor agreed this property has been an eye sore in the past and believes that the renovation business will be more esthetically pleasing. He has not received any telephone calls in opposition and strongly urges the Committee to support this application.

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 ADDITION TO AN EXISTING BUILDING IN ORDER TO ACCOMMODATE A RENOVATION BUSINESS, ACCESSORY STORAGE AND A DWELLING UNIT, 2000 HIGHWAY 69 NORTH, VAL CARON -1594616 ONTARIO INC. (cont'd)

Recommendation #2007-273:

Cimino-Berthiaume: THAT the application by 1594616 to amend By-law 83-300 being the Comprehensive Zoning for the former Town of Valley East as it applies to Parcel 5654 S.E.S, Lot 6, Concession 4, Township of Blezard, City of Greater Sudbury, by changing the zoning classification from "C6", Highway Commercial Zone to "C6 Special", Highway Commercial Special Zone be approved subject to the following:

1. That the following exceptions be provided in the amending by law:
 - a. The permitted uses be limited to a renovation business with accessory enclosed storage and accessory retail and one dwelling unit;
 - b. A minimum rear yard setback of 7.2 metres;
 - c. A minimum front yard setback of 9.1 metres;
 - d. A minimum of 9 parking spaces shall be provided;
 - e. That no accessory display or sale of goods or materials shall be permitted in any yard.
2. Prior to a building permit being issued the owner/applicant will be required to enter into a site plan control agreement.

YEAS: Councillors Cimino, Berthiaume, Rivest

CARRIED

APPLICATION FOR REZONING IN ORDER TO PERMIT A TOWNHOUSE COMPLEX COMPRISED OF TWELVE (12), ONE-STOREY UNITS, MONTEE PRINCIPALE, AZILDA - SYLVIO VACHON

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

Report dated November 6th, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING IN ORDER TO PERMIT A TOWNHOUSE COMPLEX COMPRISED OF TWELVE (12), ONE-STOREY UNITS, MONTEE PRINCIPALE, AZILDA - SYLVIO VACHON (cont'd)

application for rezoning in order to permit a townhouse complex comprised of twelve (12), one-storey units, Montee Principale, Azilda - Sylvio Vachon.

Sylvio Vachon, the applicant, was present.

The Director of Planning Services outlined the application to the Committee. He advised there are issues with the amount of amenity space and landscaping available and also the setbacks for the proposed building on the northerly portion of the property.

When asked about the southerly building windows, Mr. Vachon indicated there are no windows on the opposing walls of the two southerly buildings.

The Director of Planning Services advised the setback standards for townhouses is 50 feet. The access to fire services is the primary reason why there is a higher setback standard for townhouses.

A letter of support from Councillor Dutrisac, Ward Councillor was distributed at the meeting.

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 #2007-274:

Berthiaume-Cimino: THAT the application by Sylvio Vachon to amend By-law 83-302 being the Comprehensive Zoning By-law for the (former) Town of Rayside-Balfour by changing the zoning classification of lands described as Parcel 29936 S.W.S., Parts 9 & 10, Plan 53R-14584, Parts 13 & 14, Plan 53R-17506 in Lot 6, Concession 2, Township of Rayside from "R1.D18-6", Single Residential Special to "R3", Medium Density Residential be approved subject to the following conditions:

a) That the amending by-law limit the maximum number of dwelling units to twelve (12), and further, that the maximum height for the proposed development be limited to one (1) storey;

PUBLIC HEARINGS (cont'd)

**APPLICATION FOR REZONING IN ORDER TO PERMIT A TOWNHOUSE COMPLEX
COMPRISED OF TWELVE (12), ONE-STOREY UNITS, MONTEE PRINCIPALE,
AZILDA - SYLVIO VACHON (cont'd)**

b) That prior to the enactment of the amending by-law, the owner shall enter into a Site Plan Control Agreement with the City which addresses, amongst other matters, drainage, landscaping and buffering.

YEAS: Councillors Cimino, Berthiaume, Rivest

CARRIED

Councillor Cimino stated he was now leaving the meeting (D6:10 PM) and therefore the quorum requirement is not met.

Councillor Dupuis was a member of Council present at the Committee meeting. His consent was given to become an alternative member of the Planning Committee, he was counted to determine quorum. (6:11 PM)

**APPLICATION FOR REZONING AND DRAFT PLAN OF SUBDIVISION TO PERMIT
THE DEVELOPMENT OF 39 LOTS FOR SINGLE DETACHED DWELLINGS, PART
LOT 6, CONCESSION 5, TOWNSHIP OF BLEZARD, MAIN STREET, VAL CARON -
VAL CARON GOLF AND COUNTRY CLUB**

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

Report dated November 6th, 2007 was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning and draft plan of subdivision to permit the development of 39 lots for single detached dwellings, Part Lot 6, Concession 5, Township of Blezard, Main Street, Val Caron - Val Caron Golf and Country Club.

Bruno Gobeil, the applicant and James Kirkland the agent for the applicant were present.

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

The Committee questioned whether the southerly extension of Pilon Street would be built and asked what type of sidewalks would be requested for the subdivision.

The Director of Planning Services indicated that it has not been confirmed if the southerly extension of Pilon Street will be constructed. The requirement for the

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING AND DRAFT PLAN OF SUBDIVISION TO PERMIT THE DEVELOPMENT OF 39 LOTS FOR SINGLE DETACHED DWELLINGS, PART LOT 6, CONCESSION 5, TOWNSHIP OF BLEZARD, MAIN STREET, VAL CARON - VAL CARON GOLF AND COUNTRY CLUB (cont'd)

future connection will depend on finalizing plans for the proposed pond immediately south of the subdivision.

Mr. Gobeil stated the decision for the southerly extension would affect the number of lots within the subdivision. He informed the Committee that the potential loss of the two affected lots would decrease the value of his subdivision and would be taken into consideration in the upcoming negotiations with the City of Greater Sudbury's Drainage Engineer.

Mr. Kirkland asked what type of monetary contribution the applicant will have to make towards the construction of sidewalks on Main Street. He also requested clarification on whether the subdivision must include sidewalks, as he feels there is no clear policy in place as some new subdivisions have not been required to build sidewalks.

The Director of Planning Services indicated the monetary contribution towards the construction of sidewalks is based on the number of meters within the subdivision. There is also funds required for the storm water management system, which the Drainage Engineer will determine at a later date depending on the acreage of the subdivision.

The Manager of Development Services stated the new Official Plan stipulates sidewalks are a standard requirement for new subdivisions, however the new Official Plan has not received final approval. He indicated this is why some subdivisions have no sidewalks. He stated depending on the registration of the subdivision the policy in effect for sidewalks at that time will be enforced.

Mr Gobeil agreed that he will have to submit to the sidewalk regulations at the time of the registration of the subdivision.

Councillor Dupuis, Ward Councillor stated the storm water management system and the development of the pond will benefit the area and prevent some of the yearly flooding. He feels there is no reason for having sidewalks within this subdivision and does not agree that the applicant's property should be divided in two by the southerly extension of Pilon Street. He mentioned there has been no telephone calls received in opposition of this development and supports this application.

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)

APPLICATION FOR REZONING AND DRAFT PLAN OF SUBDIVISION TO PERMIT THE DEVELOPMENT OF 39 LOTS FOR SINGLE DETACHED DWELLINGS, PART LOT 6, CONCESSION 5, TOWNSHIP OF BLEZARD, MAIN STREET, VAL CARON - VAL CARON GOLF AND COUNTRY CLUB (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 recommendation was presented:

Recommendation #2007-275:

Rivest-Berthiaume: THAT the application by Val Caron Golf and Country Club Ltd. to amend By-law 83-300 being the Zoning By-law for the former Towns of Valley East and Onaping Falls by changing the zoning classification on Part of PIN 73502-0203, Part of Lot 6, Concession 5, Township of Blezard, City of Greater Sudbury from "OR", Outdoor Recreation to "R1", Single Residential to permit the subdivision of the property for single residential use, be approved subject to the following:

1. That in order to enable the preparation of an amending zoning by-law the applicant shall provide the Development Services Section with a registered survey plan which describes the lands to be rezoned.
2. That the amending by-law include a density provision of 18 units per hectare.

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 73052-0203, part Lot 6, Concession 5, Township of Blezard, as shown on a plan of subdivision prepared by James Kirkland, O.L.S., and dated May 29, 2007.
2. That the plan of subdivision be revised to include an extension of Pilon Street to the easterly limits of the plan in the vicinity of Lots 12 and 13 and that the adjacent lotting pattern be revised to the satisfaction of the Director of Planning Services.
3. That the plan of subdivision be revised to include a southerly extension of Pilon Street to the southerly limits of the plan in the vicinity of Lots 10 and 11 and that the adjacent lotting pattern be revised to the satisfaction

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING AND DRAFT PLAN OF SUBDIVISION TO PERMIT THE DEVELOPMENT OF 39 LOTS FOR SINGLE DETACHED DWELLINGS, PART LOT 6, CONCESSION 5, TOWNSHIP OF BLEZARD, MAIN STREET, VAL CARON - VAL CARON GOLF AND COUNTRY CLUB (cont'd)

of the Director of Planning Services. The requirement for the future connection to the south will depend on finalizing plans related to a proposed pond immediately south of the subdivision. Prior to the registration of the plan should it be determined by the City that a road connection to the south is not required, the affected lands may be developed as part of the residential lotting pattern to the satisfaction of the General Manager of Infrastructure and the Director of Planning Services.

4. That the standard conditions of draft plan approval be imposed.
5. The City and the owner acknowledge that the required 5 % parkland dedication shall be fulfilled as part of an agreement between the City and the owner to transfer lands abutting the plan to the south, for the purposes of a storm drainage pond and parkland. The transfer of the lands to the City for the storm drainage pond and parkland shall have been completed prior to the final approval of the plan.
6. 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.
7. 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.
8. The owner will be required to make a cash contribution to the area-wide stormwater management pond to be built at the south limit of the subdivision.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING AND DRAFT PLAN OF SUBDIVISION TO PERMIT THE DEVELOPMENT OF 39 LOTS FOR SINGLE DETACHED DWELLINGS, PART LOT 6, CONCESSION 5, TOWNSHIP OF BLEZARD, MAIN STREET, VAL CARON - VAL CARON GOLF AND COUNTRY CLUB (cont'd)

The amount of this contribution will be to the satisfaction of the General Manager of Infrastructure services.

9. The owner will be required to erect a chain link or opaque fence along the south lot line of lots 1 to 11, bounding the location of the stormwater management pond. This must be completed prior to registration of the subdivision to the satisfaction of the Director of Planning Services.

10. 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.

11. 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.

12. The sanitary sewer services for lots 1 to 3 and lot 39 may be connected to the existing 150mm main on Pilon Street, the remainder must outlet to the existing system at Main Street. Otherwise, the existing 150mm diameter main on Pilon Street must be upgraded to the City's minimum standard of 200mm diameter.

13. 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.

14. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc., at the cost of the owner.

15. The owner will be required to ensure that the corner radius for all intersecting streets is to be 9.0 m.

16. 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 into 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

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING AND DRAFT PLAN OF SUBDIVISION TO PERMIT THE DEVELOPMENT OF 39 LOTS FOR SINGLE DETACHED DWELLINGS, PART LOT 6, CONCESSION 5, TOWNSHIP OF BLEZARD, MAIN STREET, VAL CARON - VAL CARON GOLF AND COUNTRY CLUB (cont'd)

that the treatment is undertaken to the satisfaction of the Director of Planning Services.

17. 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.

18. 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 Director of Planning Services.

19. 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.

20. 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.

21. That the owner agrees to include on all offers of purchase and sale:

a) a statement that advises the prospective purchaser:

i) That the home/business mail delivery will be from a designated Centralized Mail Box.

ii) That the developers/owners be responsible for officially notifying the purchasers of the Centralized Mail Box locations prior to the closing of any home sales.

b) The owner further agrees to:

i) Work with Canada Post to determine and provide suitable Centralized Mail Box location, which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING AND DRAFT PLAN OF SUBDIVISION TO PERMIT THE DEVELOPMENT OF 39 LOTS FOR SINGLE DETACHED DWELLINGS, PART LOT 6, CONCESSION 5, TOWNSHIP OF BLEZARD, MAIN STREET, VAL CARON - VAL CARON GOLF AND COUNTRY CLUB (cont'd)

ii) Install a concrete pad in accordance with the requirements of, and in locations to be approved by, Canada Post to facilitate the placement of the Community Mail Boxes.

iii) Identify the pads above on the engineering drawings. The pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.

iv) Determine the location of the all centralized mail facilities in cooperation with Canada Post and to post the location of these sites on appropriate maps, information boards and plans.

22. That the owner provide a contribution towards a future sidewalk along Main Street across the entire frontage of the property.

23. That traffic calming measures be included on Pilon Street to discourage "cut through" traffic to the satisfaction of the General Manager of Infrastructure.

YEAS: Councillors Berthiaume, Rivest, Dupuis

CARRIED

PART I - CONSENT AGENDA

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

Recommendation #2007-276:

Rivest-Berthiaume: THAT Items C-1 to C-3 contained in Part 1, Consent Agenda, be adopted.

CARRIED

PART I - CONSENT AGENDA (con'td)

MINUTES

Item C-1 **Recommendation #2007-277:**
Report #5
VETAC Minutes Berthiaume-Rivest: That Report #5, VETAC Committee Minutes of
September 12/07 September 12th, 2007, be approved.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-2 Report dated October 29th, 2007 was received from the Director of
Consent Planning Services and the General Manager of Growth &
Application Development regarding Consent referral request for Consent
Application Numbers B174/2007 and B175/2007, Parcel 2967
SES, Lot 8, Concession 5, Township of Broder, Treeview Road,
Sudbury (Aulis & Shirley Kangas)

Recommendation #2007-278:

Rivest-Berthiaume: THAT Consent Application B174/2007 and
B175/2007, Parcel 2967 S.E.S. in Lot 8 Concession 5, Township of
Broder be permitted to proceed by way of the consent process.

CARRIED

Item C-3 Report dated November 6th, 2007 was received from the General
Closure of Road, Manager of Infrastructure Services regarding Closure of Road,
Declare Surplus Declare Surplus and Transfer, Part of Merrygale Drive, Sudbury

Recommendation #2007-279:

Berthiaume-Rivest: THAT part of Merrygale Drive, being Part 8 on
Plan 53R-17733, be closed by by-law;

THAT Blocks 13 to 18 inclusive on Plan 53M-1266, together with
Part 8 on Plan 53R-17733, be declared surplus to the City's needs
and transferred to 823616 Ontario Limited for nominal
consideration;

THAT an appropriate by-law be passed authorizing the execution
of the documents necessary to complete the transfers, all in
accordance with the report from the General Manager of
Infrastructure Services dated November 6, 2007.

CARRIED

Adjournment

Recommendation #2007-280:

Dupuis-Berthiaume: That we do now adjourn.
Time: 7:07 p.m.

CARRIED

DEPUTY CLERK

COUNCILLOR FRANCES CALDARELLI