

**THE TWENTY-SECOND MEETING OF THE PLANNING COMMITTEE
OF THE CITY OF GREATER SUDBURY**

Council Chamber
Tom Davies Square

Tuesday, August 12th, 2003
Commencement: 12:33 p.m.
Adjournment: 3:40 p.m.

COUNCILLOR RON BRADLEY PRESIDING

Present

Councillors Dupuis, McIntaggart, Petryna, Portelance

Councillors Callaghan, Kilgour

Staff

Bill Lautenbach, Director of Planning Services; Art Potvin, Manager of Development Services; Doug Nadorozny, General Manager of Economic Development and Planning Services; Don Bélisle, General Manager of Public Works; Danielle Braney, Property Negotiator/Appraiser; Ian Wood, Co-ordinator of Convention and Visitors Services; Angie Haché, Deputy City Clerk; Franca Bortolussi, Planning Committee Secretary

News Media

Sudbury Star

Declarations of
Pecuniary Interest

None declared.

DELEGATIONS

Lease of Garson
Municipal Garage
to Sudbury Trail
Plan

Report dated August 6th, 2003 was received from the General Manager of Corporate Services regarding Lease of Garson Municipal Garage to the Sudbury Trail Plan.

Richard Riach, President, Sudbury Trail Plan Association made an electronic presentation to the Planning Committee regarding the proposed use of the Garson Municipal Garage by STP.

He advised that the proposal before the Committee recommends a five year lease. Due to funds they will be spending to upgrade the building the Sudbury Trail Plan Association requested a ten year lease.

DELEGATIONS (Cont'd)

Lease of Garson
Municipal Garage
to Sudbury Trail
Plan (Cont'd)

Recommendation #2003-130

McIntaggart-Petryna: That the City of Greater Sudbury enter into a ten-year lease with the Sudbury Trail Plan Association under the terms and conditions outlined in the Staff Report dated August 6th, 2003, and

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

CARRIED

Recess

At 1:05 p.m., the Planning Committee recessed.

Reconvene

At 1:10 p.m., the Planning Committee reconvened.

PUBLIC HEARINGS

APPLICATION FOR REZONING IN ORDER TO PERMIT A RETAIL CRAFT SHOP, 32 MORRISON AVENUE, SUDBURY - MARK & RHONDA MASON

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

Report dated July 30th, 2003 was received from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding an application for rezoning in order to permit a retail craft shop, 32 Morrison Avenue, Sudbury - Mark & Rhonda Mason.

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

The applicant, Rhonda Mason, 32 Morrison Avenue, Sudbury, and the applicant's agent, Dave Dorland, were present.

Mr. Dorland advised the Committee that the property had been used as commercial for over 40 years. He stated that they are satisfied with the recommendation with the exception of Condition #4 regarding the Site Plan Control Agreement. He advised the applicant now operates her business from the City Centre Mall and has a very limited clientele. The reason the applicant wishes to operate from the subject property is so that she can also take care of her children.

PUBLIC HEARINGS (Cont'd)

APPLICATION FOR REZONING IN ORDER TO PERMIT A RETAIL CRAFT SHOP, 32 MORRISON AVENUE, SUDBURY - MARK & RHONDA MASON (Cont'd)

He stated that the Site Plan Control Agreement would regulate parking, however, the public will continue to park on the street and in front of the building. As far as landscaping and buffering, he stated there is no room between the two buildings. If Site Plan Control Agreement condition was implemented there would be an up front cost of approximately \$7,500 before she even opens her business which would be too onerous. He requested that Condition #4 be removed.

Dolores Dagenais, 17 Morrison Avenue, Sudbury stated she also operates a business in the City Centre Mall. She confirmed that the applicant's business has limited traffic. She has spoken with several neighbours in the area and they have no objection to a craft shop in the neighbourhood. She has no objection to removing Condition #4 (Site Plan Control Agreement) as there is parking in front of the property and there will never be more than three or four cars. She feels this is a good opportunity for the City of Greater Sudbury to get behind entrepreneurs and small business owners.

No objectors were present.

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:

McIntaggart-Petryna: That the application by Mark & Rhonda Mason to By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury from "R6", Established Residential to "C1-Special", Special Local Commercial with respect to those lands described as Parcel 6736 S.E.S. being Lot 137, Plan M-76 in Lot 8, Concession 2, Township of McKim be recommended for approval subject to the following conditions:

1. That the only permitted uses shall be a retail craft shop and one dwelling unit.
2. That projecting business identification signs be prohibited.
3. That prior to the passage of an amending zoning by-law the owners shall undertake to obtain a "Change of Use" Permit to the satisfaction of the Director of Building Services/Chief Building Official.

PUBLIC HEARINGS (Cont'd)

**APPLICATION FOR REZONING IN ORDER TO PERMIT A RETAIL CRAFT SHOP,
32 MORRISON AVENUE, SUDBURY - MARK & RHONDA MASON (Cont'd)**

4. That prior to the passage of an amending zoning by-law the owners shall enter into a 'Limited' Site Plan Control Agreement with the City of Greater Sudbury. This agreement shall address only those features which the Director of Planning Services deems essential to assuring the establishment of safe and functional parking areas on site, buffer as required the adjoining southerly residence and conform with the residential character of the adjoining neighbourhood.
5. That the amending zoning by-law recognize variances which may be required to the standard requirements of a "C1" zone as the result of the preparation of the Site Plan Control Agreement described by the preceding Item 4.

The following amendment to the recommendation was presented:

Recommendation #2003-131

McIntaggart-Petryna: That we delete Condition #4 and the following words from Condition #5 "as the result of the preparation of the Site Plan Control Agreement described by the preceding Item 4".

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

CARRIED

The main recommendation as amended was presented:

Recommendation #2003-132

McIntaggart-Petryna: That the application by Mark & Rhonda Mason to By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury from "R6", Established Residential to "C1-Special", Special Local Commercial with respect to those lands described as Parcel 6736 S.E.S. being Lot 137, Plan M-76 in Lot 8, Concession 2, Township of McKim be recommended for approval subject to the following conditions:

1. That the only permitted uses shall be a retail craft shop and one dwelling unit.
2. That projecting business identification signs be prohibited.

PUBLIC HEARINGS (Cont'd)

**APPLICATION FOR REZONING IN ORDER TO PERMIT A RETAIL CRAFT SHOP,
32 MORRISON AVENUE, SUDBURY - MARK & RHONDA MASON (Cont'd)**

Recommendation #2003-132 (Cont'd)

3. That prior to the passage of an amending zoning by-law the owners shall undertake to obtain a "Change of Use" Permit to the satisfaction of the Director of Building Services/Chief Building Official.
4. That the amending zoning by-law recognize variances which may be required to the standard requirements of a "C1" zone.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

CARRIED

**APPLICATION FOR REZONING TO PERMIT AN ADVERTISING GROUND SIGN ON
AN UNOPENED PORTION OF THE MALEY DRIVE ROAD ALLOWANCE NORTH OF
LANSING AVENUE/MALEY DRIVE INTERSECTION, SUDBURY - YENWAY GOLF
INC. (OWNER: CITY OF GREATER SUDBURY)**

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

Report dated July 31st, 2003 was received from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding an application for rezoning to permit an advertising ground sign on an unopened portion of the Maley Drive Road allowance north of Lansing Avenue/Maley Drive intersection, Sudbury - Yenway Golf Inc. (Owner: City of Greater Sudbury).

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

The applicant, Sam Yawney, 1930 Maley Drive, Sudbury, was present and indicated there was a need for the sign.

No objectors were present.

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

PUBLIC HEARINGS (Cont'd)

APPLICATION FOR REZONING TO PERMIT AN ADVERTISING GROUND SIGN ON AN UNOPENED PORTION OF THE MALEY DRIVE ROAD ALLOWANCE NORTH OF LANSING AVENUE/MALEY DRIVE INTERSECTION, SUDBURY - YENWAY GOLF INC. (OWNER: CITY OF GREATER SUDBURY) (Cont'd)

The following recommendation was presented:

Recommendation #2003-133

McIntaggart-Petryna: That the application by Yenway Golf Inc. to amend By-law 83-304 being the Zoning By-law for the former Town of Nickel Centre by changing the zoning classification of Part 9, Plan 53R-15898 in Lot 11, Concession 1, Garson Township from "OR", Outdoor Recreation to "OR-Special", Outdoor Recreation Special to permit an advertising sign be approved subject to the following:

- a) That the proposed sign shall be a 2-sided ground sign with a maximum height of 6.1 m and a maximum total sign area of 23.4 m² (11.7 m² per side).

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

CARRIED

APPLICATION FOR OFFICIAL PLAN AMENDMENT TO ESTABLISH A SPECIAL EXEMPTION FROM THE AGRICULTURAL RESERVE POLICIES OF THE OFFICIAL PLAN FOR THE SUDBURY PLANNING AREA TO PERMIT THE CREATION OF A ONE ACRE LOT, 900 GRAVEL DRIVE, HANMER - KEVIN & NATHALIE BERTAND

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

Report dated July 31st, 2003 was received from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding an application for Official Plan Amendment to establish a special exemption from the Agricultural Reserve policies of the Official Plan for the Sudbury Planning Area to permit the creation of a one acre lot, 900 Gravel Drive, Hanmer - Kevin & Nathalie Bertand.

PUBLIC HEARINGS (Cont'd)

APPLICATION FOR OFFICIAL PLAN AMENDMENT TO ESTABLISH A SPECIAL EXEMPTION FROM THE AGRICULTURAL RESERVE POLICIES OF THE OFFICIAL PLAN FOR THE SUDBURY PLANNING AREA TO PERMIT THE CREATION OF A ONE ACRE LOT, 900 GRAVEL DRIVE, HANMER - KEVIN & NATHALIE BERTAND (Cont'd)

_____ The Director of Planning Services outlined the application to the Committee. He pointed out that the Ministry of Municipal Affairs and Housing is recommending that the application be denied as it proposes a use that constitutes scattered rural residential development, which is outside a designated settlement area and in a designated Agricultural Reserve, all without supporting justification as to the need for this additional land for housing. In their view this Official Plan Amendment would not have regard to "Provincial Interests", would not be in conformity with the City's Official Plan, would be inconsistent with the previous City position on future residential land needs and is premature in light of the Official Plan review now underway

The applicant, Kevin Bertrand, 900 Gravel Drive, Hanmer was present. He stated that he purchased the property to develop it into farmland. He cleared and planted 30 acres and erected a barn. He advised that he is making this application to sell part of his property in order to get funds to further develop his property as farming is very expensive. He stated that the portion of land he would like to split is a dead piece of land as he is only farming the back of his property.

No objectors were present.

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 #2003-134

Petryna-McIntaggart: That the application by Kevin and Nathalie Bertrand to amend the Official Plan for the Sudbury Planning Area by introducing a site specific exemption to the "Agricultural Reserve" policies that apply to Parcel 2409 S.E.S. in Lot 4, Concession 4, Hanmer Township, City of Greater Sudbury to permit the creation of a one acre residential lot be denied.

NON-CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

DEFEATED

PUBLIC HEARINGS (Cont'd)

APPLICATION FOR OFFICIAL PLAN AMENDMENT TO ESTABLISH A SPECIAL EXEMPTION FROM THE AGRICULTURAL RESERVE POLICIES OF THE OFFICIAL PLAN FOR THE SUDBURY PLANNING AREA TO PERMIT THE CREATION OF A ONE ACRE LOT, 900 GRAVEL DRIVE, HANMER - KEVIN & NATHALIE BERTAND (Cont'd)

Recommendation #2003-135

Petryna-McIntaggart: That the application by Kevin and Nathalie Bertrand to amend the Official Plan for the Sudbury Planning Area by introducing a site specific exemption to the "Agricultural Reserve" policies that apply to Parcel 2409 S.E.S. in Lot 4, Concession 4, Hanmer Township, City of Greater Sudbury to permit the creation of a one acre residential lot be approved.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

CARRIED

APPLICATION FOR REZONING TO RECOGNIZE 9 LOTS CREATED BY SEVERANCE AND 8 LOTS TO BE CREATED THROUGH AN AMENDMENT TO AN EXISTING DRAFT APPROVAL PLAN OF SUBDIVISION, LOUISA DRIVE, EAST OF MURIEL CRESCENT, SUDBURY - HELENA GILLIS/1085903 ONTARIO LTD./CITY OF GREATER SUDBURY

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

Report dated July 30th, 2003 was received from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding and application for rezoning to recognize 9 lots created by severance and 8 lots to be created through an amendment to an existing Draft Approval Plan of Subdivision, Louise Drive, east of Muriel Crescent, Sudbury - Helena Gillis/1085903 Ontario Ltd./City of Greater Sudbury.

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

Andre Lacroix, 36 Elgin Street, Sudbury, solicitor for the applicant and the applicant, Sam Lolas, 620 Brenda Drive were present.

Jeff Hunter, 411 Kaireen Street, Sudbury, questioned why the cul-de-sac was reduced and if there were any options to deleting the cul-de-sac.

PUBLIC HEARINGS (Cont'd)

APPLICATION FOR REZONING TO RECOGNIZE 9 LOTS CREATED BY SEVERANCE AND 8 LOTS TO BE CREATED THROUGH AN AMENDMENT TO AN EXISTING DRAFT APPROVAL PLAN OF SUBDIVISION, LOUISA DRIVE, EAST OF MURIEL CRESCENT, SUDBURY - HELENA GILLIS/1085903 ONTARIO LTD./CITY OF GREATER SUDBURY (Cont'd)

The General Manager of Public Works advised the original cul-de-sac was not to City standard (the standard being 34m radius and the original cul-de-sac being 60m). There were no other options to deleting the cul-de-sac as it would be landlocked.

Mr. Hunter ask if Leisure Services walked the proposed parkland area and wondered why the walking trail would be so close to existing residences.

Mr. Lacroix advised that the development of the park is a concept and the developer would listen to recommendations from Leisure Services. Mr. Lolos advised the walking trail was a big issue with the residents.

Kris Straub, 425 Kaireen Street, Sudbury, asked when the parkland would be developed. He is also concerned that the unsupervised walking trails may cause a security issue.

The Director of Planning Services advised that the development of the parkland would be determined by Leisure Services. Mr. Lacroix advised that it would be done concurrently with the development of the property.

No objectors were present.

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 #2003-136

Petryna-McIntaggart: That the application by 1085903 Ontario Limited and the City of Greater Sudbury to amend By-law 95-500Z being the Zoning By-law for the former City of Sudbury by changing the zoning classification of Lots 113, 114, 115, Part of Block 'A' and Part of Louisa Drive, Plan M-403, and Part of Parcel 47429 SES in Lots 3 and 4, Concession 6, Township of Broder, City of Greater Sudbury from "FD", Future Development to "R1", Single Residential be approved subject to the following:

PUBLIC HEARINGS (Cont'd)

APPLICATION FOR REZONING TO RECOGNIZE 9 LOTS CREATED BY SEVERANCE AND 8 LOTS TO BE CREATED THROUGH AN AMENDMENT TO AN EXISTING DRAFT APPROVAL PLAN OF SUBDIVISION, LOUISA DRIVE, EAST OF MURIEL CRESCENT, SUDBURY - HELENA GILLIS/1085903 ONTARIO LTD./CITY OF GREATER SUDBURY (Cont'd)

Recommendation #2003-136 (Cont'd)

- a) That Parts 1, 2, 4 and 5 of registered survey plan 53R-17363 be used to describe the parts of the property to be rezoned.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

CARRIED

Recommendation #2003-137

McIntaggart-Petryna: That the conditions of draft approval to 1085903 Ontario Limited for the draft plan of subdivision of Part of Parcel 47429 SES in Lot 3, Concession 6, Broder Township, File # 780-6/02006, be amended as follows:

- a) By deleting Condition #1 and replacing it with the following:
- “1. That this draft approval applies to the draft plan of subdivision of Part of Parcel 47429 S.E.S, and Parts 4 and 5, Plan 53R-17363, Lots 3 and 4, Concession 6, Broder Township as shown on a plan of subdivision prepared by A. Bortolussi, O.L.S. dated July 16, 2003.”

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

CARRIED

APPLICATIONS FOR REZONING AND SUBDIVISION APPROVAL TO PERMIT THE CREATION OF 14 LOTS FOR SINGLE RESIDENTIAL USE, EAST OF INTERSECTION OF MACLENNAN DRIVE, BONHOMME ROAD AND MUNICIPAL ROAD # 86, SETTLEMENT OF SKEAD - SKEAD HERITAGE HOMES INC.

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

PUBLIC HEARINGS (Cont'd)

APPLICATIONS FOR REZONING AND SUBDIVISION APPROVAL TO PERMIT THE CREATION OF 14 LOTS FOR SINGLE RESIDENTIAL USE, EAST OF INTERSECTION OF MACLENNAN DRIVE, BONHOMME ROAD AND MUNICIPAL ROAD # 86, SETTLEMENT OF SKEAD - SKEAD HERITAGE HOMES INC. (Cont'd)

Fax received August 12th, 2003 from J. Riddell, opposing the application, was distributed to Committee Members at the meeting.

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

Mr. Murray Scott, Solicitor and Mr. Terry Del Bosco, Ontario Land Surveyor were present on behalf of the applicant.

Mr. Scott pointed out that currently the subject property is operated as a cooperative housing project and the difficulty is that there is a shared ownership. This shared ownership makes it difficult to obtain mortgages, make improvements and achieve investments should anyone wish to sell. He advised that a public meeting was held and there were no objectors. He submitted 15 letters from residents of the neighbourhood in support of the application. He indicated that the applicants are willing to accept the conditions outlined in the staff report. He further advised that there is an adequate supply of water and there is an existing pumphouse. He believes all of the concerns have been addressed.

Councillor Dave Kilgour, Ward Councillor, advised that he is very impressed with the area residents and the work of Mr. Del Bosco. They have gone to great extremes to make sure all of the residents, including residents in the extended area were notified. No objections were brought forward. He indicated that water supply is not a problem as the property is within 100 feet of Lake Wanapitei. It is an older development and the firehall is located across the street from the subject property. He requested that the Committee approve the application in order that the area residents can get proper insurance and obtain loans on their property.

No objectors were present.

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

PUBLIC HEARINGS (Cont'd)

APPLICATIONS FOR REZONING AND SUBDIVISION APPROVAL TO PERMIT THE CREATION OF 14 LOTS FOR SINGLE RESIDENTIAL USE, EAST OF INTERSECTION OF MACLENNAN DRIVE, BONHOMME ROAD AND MUNICIPAL ROAD # 86, SETTLEMENT OF SKEAD - SKEAD HERITAGE HOMES INC. (Cont'd)

The following recommendations were presented:

Recommendation #2003-138

McIntaggart-Petryna: That the application by Skead Heritage Homes Inc. to amend By-law 83-304 being the Comprehensive Zoning By-law for the (former) Town of Nickel Centre from "R1.D7.5", Single Residential to "R1.D7.5-Special", Special Single Residential in order to define lots created following the subdivision of the subject lands as "legal existing lots" with respect to those lands described as being Part of Parcel 50058 S.E.S. being Parts 1, 2, 3 and 12, Plan 53R-14175 in Lot 6, Concession 4, Township of MacLennan be approved subject to the following condition:

1. That the amending zoning by-law be initiated for Council's consideration following the Development Services Division being advised by the Director of Legal Services/City Solicitor of the plan number which has been assigned to the plan of subdivision pertaining to these lands by the Land Registrar (File # 780-3/03005).

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

CARRIED

Recommendation #2003-139

Petryna-McIntaggart: That the City of Greater Sudbury Council's delegated official be directed to issue the draft plan approval to Skead Heritage Homes Inc. 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 Parcel 50058 S.E.S. being Parts 1, 2, 3 and 12, Plan 53R-14175 in Lot 6, Concession 4, Township of MacLennan as shown on a plan of subdivision prepared by Terry Del Bosco, O.L.S. dated April 8th, 2003.

PUBLIC HEARINGS (Cont'd)

APPLICATIONS FOR REZONING AND SUBDIVISION APPROVAL TO PERMIT THE CREATION OF 14 LOTS FOR SINGLE RESIDENTIAL USE, EAST OF INTERSECTION OF MACLENNAN DRIVE, BONHOMME ROAD AND MUNICIPAL ROAD # 86, SETTLEMENT OF SKEAD - SKEAD HERITAGE HOMES INC. (Cont'd)

Recommendation #2003-139 (Cont'd)

2. That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Greater Sudbury.
3. The owner shall, to the satisfaction of the Director of Legal Services/City Solicitor, undertake not to transfer any of the lots to be established within the registered plan until such time as an amending "R1.D7.5-Special", Special Single Residential zoning by-law pertaining to File #751-3/03-4 is in effect with respect to the subject lands.
4. Prior to the signing of the final plan the owner shall undertake to demonstrate to the satisfaction of the General Manager of Public Works that the private water corporation which will supply water to the subdivision is in good standing with the Ministry of the Environment.
5. Prior to the signing of the final plan the owner shall undertake to make full restoration of any damage to the City's road allowance, as a result of maintenance of the private water system which services this subdivision, to the satisfaction of the General Manager of Public Works.
6. Prior to the signing of the final plan the owner shall undertake to insure the private water system which services this subdivision, and to provide documentation of said insurance policy, to the satisfaction of the General Manager of Public Works.
7. Prior to the signing of the final plan the owner shall enter into an agreement with the City of Greater Sudbury which advises owners of the lots to be created in respect to the information and undertakings outlined by Item 4. of the Public Works Department - Technical Services Section comments pertaining to "Required Conditions of Draft Approval", as described in the staff report of July 30th, 2003, to the satisfaction of the General Manager of Public Works and the Director of Legal Services/City Solicitor.

PUBLIC HEARINGS (Cont'd)

APPLICATIONS FOR REZONING AND SUBDIVISION APPROVAL TO PERMIT THE CREATION OF 14 LOTS FOR SINGLE RESIDENTIAL USE, EAST OF INTERSECTION OF MACLENNAN DRIVE, BONHOMME ROAD AND MUNICIPAL ROAD # 86, SETTLEMENT OF SKEAD - SKEAD HERITAGE HOMES INC. (Cont'd)

Recommendation #2003-139 (Cont'd)

8. Prior to the signing of the final plan the Director of Legal Services/City Solicitor shall be advised by Bell Canada that the owner has undertaken to transfer easements in respect to Bell Canada facilities to the satisfaction of the utility.
9. Prior to the signing of the final plan the Director of Legal Services/City Solicitor shall be advised by Hydro One that the owner has undertaken to transfer easements in respect to Hydro One facilities to the satisfaction of the utility.
10. If final approval is not granted within three years of the date of draft approval, the draft approval shall lapse in accordance with Section 51 (32) of The Planning Act, unless an extension is granted

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Petryna, Portelance, Bradley

CARRIED

Recess At 3:30 p.m., the Planning Committee recessed.

Reconvene At 3:35 p.m., the Planning Committee reconvened

PART I - CONSENT AGENDA

The following recommendation was presented to adopt Items C-1 to C-10 contained in the Consent Agenda:

Recommendation #2003-140

Petryna-McIntaggart: That Items C-1 to C-10 contained in the Consent Agenda, be adopted.

CARRIED

Item C-3
Extension to
Draft Approval,
Draft Plan of
Subdivision,
Sandra Street,
Garson (Cont'd)

Recommendation #2003-143 (Cont'd)

- a) By deleting Condition # 9. and replacing it with the following:
“9. That 5% of the cash value of the land included in the plan of subdivision be provided to the City of Greater Sudbury for parks purposes in accordance with Section 51.(1) of The Planning Act.”
- b) By deleting Condition # 14. and;
- c) By deleting Condition #20. and replacing it with the following:
“20. That this draft approval shall lapse on September 4th, 2006,” and;
- d) By adding the following Condition:
“24. 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 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 recommended construction procedures for the following items: storm and sanitary sewers, watermain, roads, the mass filling of land, surface drainage works, including erosion control, slope stability (if applicable) and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official.”

CARRIED

Item C-4
Subdivision
Referral Request
for Consent
Application
B0064/2003,
Mullen Road,
Whitefish

Report dated July 18th, 2003 was received from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding Subdivision Referral Request for Consent Application B0064/2003, Mullen Road, Whitefish - Angele Nadon and Doris Nadon.

Item C-4
Subdivision
Referral Request
for Consent
Application
B0064/2003,
Mullen Road,
Whitefish
(Cont'd)

Recommendation #2003-144

That Consent Application B0064/2003 by Estelle Lapointe, Richard Lapointe, Angele Nadon and Doris Nadon with respect to Parcels 11502 and 17282 S.W.S. in Lots 9 and 10, Concession 5, Township of Louise be permitted to proceed by way of the consent process.

CARRIED

Item C-5
Amendment to
an Existing Site
Plan Control
Agreement, 185
Municipal Road
#8, Levack

Report dated August 6th, 2003 from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding Amendment to an existing Site Plan Control Agreement, Lot 9, Concession 1, Township of Levack, 185 Municipal Road #8 - Alo Tech Inc.

Recommendation #2003-145

That the request by Alo Tech Inc. to amend the Site Plan Control Agreement for property located at 185 Municipal Road #8, in order to maintain an existing entrance directly onto Municipal Road #8 be approved.

CARRIED

Item C-6
Declaration of
Surplus
Properties -
Various
Locations

Report dated July 28th, 2003 was received from the General Manager of Corporate Services regarding Declaration of Surplus Properties - Various Locations.

Recommendation #2003-146

That the following properties be declared surplus to the City's needs and sold in accordance with the procedures governing the disposal of Real Property:

- 1) Lot 15, 16, 17 and 20, Plan M-1063, Donald Street, Azilda;
- 2) Parts 1, 2, 9 and 10, Plan 53R-15101, Ellen Street, Azilda;
- 3) Lot 132, Plan M-678, Fourth Avenue, Coniston.

CARRIED

Item C-7
Declaration of
Surplus Lands,
Parcel 29293A &
Transfer to
Sudbury Catholic
District School
Board

Report dated August 6th, 2003 was received from the General Manager of Corporate Services regarding Declaration of Surplus Lands - Part of Parcel 26293A and transfer to the Sudbury Catholic District School Board.

Recommendation #2003-147

That the City of Greater Sudbury declare surplus to its needs approximately 15,000 square feet of the northwest section of Parcel 26293A and sold in accordance with the Municipal Act;

That the City transfers the subject lands to the Sudbury Catholic District School Board for a nominal consideration; and

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

CARRIED

Item C-8
Extension of
Option to
Purchase Lands
in Walden
Industrial Park

Report dated August 6th, 2003 was received from the General Manager of Corporate Services regarding Extension of Option to Purchase Lands in the Walden Industrial Park - Humble Holdings.

Recommendation #2003-148

That the City of Greater Sudbury grant a two-year extension to an Option Agreement dated July 31st, 2000 with Humble Holdings Corp. in accordance with the terms and conditions outlined in the Staff Report dated August 6th, 2003, and

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

CARRIED

Item C-9
Lease
Agreement -
Sudbury Yacht
Club

Report dated August 6th, 2003 was received from the General Manager of Corporate Services regarding Lease Agreement - Sudbury Yacht Club.

Recommendation #2003-149

That the City enter into a lease agreement with the Sudbury Yacht Club Limited in accordance with the terms and conditions outlined in the Staff Report dated August 6th, 2003, and

Item C-9
Lease
Agreement -
Sudbury Yacht
Club (Cont'd)

Recommendation #2003-149 (Cont'd)

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

CARRIED

Item C-10
Sale of Land on
Rideau Avenue,
Coniston

Report dated August 1st, 2003 was received from the General Manager of Corporate Services regarding the sale of land on Rideau Avenue, Coniston.

Recommendation #2003-150

That the City Solicitor be authorized to take any and all necessary procedures to close part of Rideau Avenue, Coniston, being Part of Parcel 434975 S.E.S., described as Parts 2, 4, 6, 8, 10, 12, 14, 16, 18, 20 and 22 on Plan 53R-6938, in the City of Greater Sudbury.

That the City Clerk be authorized to publish notice of the proposed highway closure. in accordance with the Notice By-law, being By-law 2003-2 as amended, of the City of Greater Sudbury.

That after part of Rideau Avenue, Coniston being Part of Parcel 434975 S.E.S., described as Parts 2, 4, 6, 8, 10, 12, 14, 16, 18, 20 and 22 on Plan 53R-6938, in the City of Greater Sudbury has been permanently closed, it be declared surplus and upon request, be offered for sale to the abutting land owners for the nominal consideration.

That the transfers of the said lands shall each be subject to the following conditions:

- (a) the Transferee(s) bearing the costs of advertising the proposed closure of the road and of registering this By-law on title to the closed road;
- (b) the City reserving or granting any necessary easements for public utilities or for municipal purposes, all at the expense of the Transferee(s);
- (c) the lands being consolidated with the abutting lands owned by the Transferee(s);
- (d) the lands being transferred in an "as is" condition;
- (e) the Transferee(s) paying nominal consideration of \$2.00 for the lands transferred to that Transferee;

Item C-10
Sale of Land on
Rideau Avenue,
Coniston (Cont'd)

Recommendation #2003-150 (Cont'd)

- (f) the Transferee paying any applicable Goods and Services tax, or, if a GST registrant, delivering appropriate evidence of registration and an undertaking to indemnify the City;

That The Property Negotiator/Appraiser and Clerk be authorized to execute all required documents to sell the lands to the abutting land owners; and

That the appropriate by-law be passed.

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

Item C-11
Properties for
Sale

Report dated August 6th, 2003 was received for information from the General Manager of Corporate Services regarding Properties for Sale.

PART II - REGULAR AGENDA

REFERRED AND DEFERRED MATTERS

Item R-1
Sale of Beech
Street - east of
Durham Street
and Part of Elm
Street

Report dated July 28th, 2003 was received from the General Manager of Corporate Services regarding the sale of Beech Street - east of Durham Street and Part of Elm Street being Part of Unit 1, Plan D-132, Sudbury.

Recommendation #2003-151

That the City of Greater Sudbury enter into an Agreement of Purchase and Sale with various purchasers of Beech Street East of Durham Street and Part of Elm Street being Part of Unit 1, Plan D-132, Sudbury subject to the terms and conditions outlined in the Staff Report dated July 28th, 2003.

That the Clerk and Property Negotiator / Appraiser be authorized to execute all the documents required to complete the transaction, and

That the proceeds be credited to the Lands Acquisition Reserve.

CARRIED

Adjournment

Recommendation #2003-152

McIntaggart-Petryna: That we do now adjourn.
Time: 3:40 p.m.

CARRIED

DEPUTY CITY CLERK

CHAIR RON BRADLEY PRESIDING