

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

**Council Chamber
Tom Davies Square**

**Tuesday, June 24th, 2003
Commencement: 7:00 p.m.
Adjournment: 10:50 p.m.**

COUNCILLOR RON BRADLEY PRESIDING

Present Councillors Dupuis, McIntaggart (A. 7:04 p.m.), Portelance

Councillor Callaghan

Staff Art Potvin, Manager of Development Services; Greg Clausen, Director of Engineering Services; Angie Haché, Deputy City Clerk; Melissa Burtch, Licencing and Assessment Clerk; Franca Bortolussi, Planning Committee Secretary

News Media Sudbury Star

Declarations of Pecuniary Interest None declared.

PUBLIC HEARINGS

APPLICATION FOR REZONING TO PERMIT THE SUBDIVISION INTO 20 LOTS FOR SINGLE RESIDENTIAL USE, NORTH SIDE OF ALGONQUIN ROAD, WEST OF PEBBLE HILL PLACE - BRODER-SUDBURY DEVELOPMENTS

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

Report dated June 6th, 2003, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for rezoning to permit the subdivision into 20 lots for single residential use, North Side of Algonquin Road, West of Pebble Hill Place - Broder-Sudbury Developments.

_____ The Manager of Development Services outlined the application to the Committee.

Celia Teale, Planner with Broder-Sudbury Developments, was present on behalf of the applicant. She explained that the existing subdivision was brought forward several years ago when there was a market there for townhouse development. This area is better suited for single family residences.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE SUBDIVISION INTO 20 LOTS FOR SINGLE RESIDENTIAL USE, NORTH SIDE OF ALGONQUIN ROAD, WEST OF PEBBLE HILL PLACE - BRODER-SUDBURY DEVELOPMENTS (cont'd)

Carona Skakoon, 2758 Algonquin Road, Sudbury, inquired if a fence would be erected between her property and the subdivision and stated she was concerned about additional traffic and the subdivision road becoming a throughway.

Ms. Teale pointed out that the area is being downzoned so Ms. Skakoon will have a lot less development backing her property. She advised that she could not commit to a fence, although the developer may do some buffering which may be trees or a fence. With respect to the added traffic, Ms. Teale advised that the subdivision road ends in a cul-de-sac, therefore once the land is developed there will be less traffic.

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 #2003-107

Portelance-McIntaggart: That the application by Broder-Sudbury Developments to amend By-law 95-500Z being the Zoning By-law for the former City of Sudbury by changing the zoning classification of Part of Parcels 48646, 50208 and 49405, being Parts 1 to 19, Plan 53R-14976, in Lots 4 and 5, Concession 6, Broder Township from "R2-10", Double Residential Special and "RR-4", Row Dwelling Residential Special, as the case may be, to "R1", Single Residential be approved.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Portelance, Bradley

CARRIED

Recommendation #2003-108

Portelance-McIntaggart: That the conditions of draft approval to Broder-Sudbury Developments for the draft plan of subdivision of Part of Parcels 48646, 50208 and 49405, in Lots 4 and 5, Concession 6, Broder Township, File #780-6/93009 shall be amended as follows:

- (a) By deleting Condition #1 and replacing it with the following:

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE SUBDIVISION INTO 20 LOTS FOR SINGLE RESIDENTIAL USE, NORTH SIDE OF ALGONQUIN ROAD, WEST OF PEBBLE HILL PLACE - BRODER-SUDBURY DEVELOPMENTS (cont'd)

Recommendation #2003-108 (cont'd)

- “1. That this draft approval applies to the draft plan of subdivision of Part of Parcels 48646, 50208 and 49405 S.E.S., being Parts 1 to 19, Plan 53R-14796, in Lots 4 and 5, Concession 6, Broder Township, City of Greater Sudbury as shown on a plan prepared by Terry Del Bosco, O.L.S. and dated March 12, 2003.”
- (b) By deleting Condition #15 and replacing it with the following:
- “15. That prior to the signing of the final plan the owner shall submit a detailed Lot Grading Plan including the Regional Storm flow path to the satisfaction of the General Manager of Public Works.”
- c) By deleting Condition #29 and replacing it with the following:
- “29. That the owner shall co-ordinate the analysis and design of the storm water conveyance and control systems for this subdivision in conjunction with the recommendations of the Algonquin Road watershed storm water management study. All issues with respect to said storm drainage are to be resolved prior to finalizing engineering drawings. Should the study determine that on-site ~~for~~ site improvement works are required as a result of this development, the owner will be required to cost share in the implementation of said works. The formula for the sharing of cost for any required improvement works will be established after the study is completed.”
- d) That Condition #31 be deleted.
- e) That Condition #19 be deleted.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Portelance, Bradley

CARRIED

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO ADD "AN OFFICE, SCIENTIFIC OR MEDICAL LABORATORY AND AUDIO VISUAL STUDIO" TO THE LIST OF PERMITTED USES, FORMER R.L. JACK PUBLIC SCHOOL, 7 MARGARET STREET, GARSON - 1552587 ONTARIO LTD. - MARGO CHARBONNEAU (OWNER: SUDBURY DISTRICT SCHOOL BOARD)

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

Report dated June 16th, 2003, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for rezoning to add "an office, scientific or medical laboratory and audio visual studio" to the list of permitted uses, former R.L. Jack Public School, 7 Margaret Street, Garson - 1552587 Ontario Ltd. (Margo Charbonneau) (Sudbury Centre for Innovation and Technology).

Letter dated June 24th, 2003 was received from Councillor Kilgour, representing the Ward, was distributed to Committee Members at the meeting, stating that he supported the application and had received no telephone calls or comments in opposition. He urged the Committee to approve the application.

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

Dr. Mark Charbonneau, 1854 Latimer Crescent, Sudbury, addressed the Committee on behalf of the company who wishes to purchase the property. He advised that an information meeting was held on June 12th, 2003 with area residents at which time their plans were outlined. The application would result in the creation of technical sector high end jobs.

Councillor Callaghan, representing the Ward, indicated he supported the remarks of Councillor Kilgour and requested the Committee's approval of the application.

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 ADD "AN OFFICE, SCIENTIFIC OR MEDICAL LABORATORY AND AUDIO VISUAL STUDIO" TO THE LIST OF PERMITTED USES, FORMER R.L. JACK PUBLIC SCHOOL, 7 MARGARET STREET, GARSON - 1552587 ONTARIO LTD. - MARGO CHARBONNEAU (OWNER: SUDBURY DISTRICT SCHOOL BOARD) (cont'd)

The following recommendation was presented:

Recommendation #2003-109

Portelance-Dupuis: That the application by 1552587 Ontario Ltd. (Owner: Rainbow District School Board) to amend By-law 83-304, being the Comprehensive Zoning By-law for the former Town of Nickel Centre with respect to Parcel 45419, being Lot 321, Plan M-1096, Lot 5, Concession 2, Township of Garson, by changing the zoning classification from "I", Institutional Zone to "I-Special" be approved subject to the following conditions:

1. That in addition to the uses permitted in an "I", Institutional Zone, an office, scientific or medical laboratory and audio visual studio" shall also be permitted;
2. No outdoor storage shall be permitted;
3. That prior to the passing of an amending by-law, the owner shall enter into a Site Plan Control Agreement to address such matters as the installation of a sanitary sewer access chamber, parking, etc.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Portelance, Bradley

CARRIED

APPLICATION FOR OFFICIAL PLAN AMENDMENT TO ESTABLISH A SPECIAL EXEMPTION FROM THE POLICIES OF THE OFFICIAL PLAN FOR THE SUDBURY PLANNING AREA TO PERMIT THE CREATION OF A RESIDENTIAL LOT, 2650 DOMINION DRIVE, VAL CARON - ANDREA BLAIS

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

Report dated May 30th, 2003, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for Official Plan Amendment to establish a special exemption from the policies of the Official Plan for the Sudbury Planning Area to permit the creation of a residential lot, 2650 Dominion Drive, Val Caron - Andrea Blais.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR OFFICIAL PLAN AMENDMENT TO ESTABLISH A SPECIAL EXEMPTION FROM THE POLICIES OF THE OFFICIAL PLAN FOR THE SUDBURY PLANNING AREA TO PERMIT THE CREATION OF A RESIDENTIAL LOT, 2650 DOMINION DRIVE, VAL CARON - ANDREA BLAIS (cont'd)

The Manager of Development Services outlined the application to the Committee. He stated that when the Official Plan came into effect in 1978, it permitted one severance per 25 acres of holding to the owner of the property of the time. As the applicant purchased the property in 1983, she would not qualify for a land severance under this provision.

He also stated that an application to sever the property in 1994 was denied based on the Official Plan policies which pertain to severance in the agricultural reserve. He further stated that an application for the creation of a two-acre lot was approved in January of 2003. He indicated that requests to amend the Official Plan with respect to severance within the Agricultural Reserve have increased significantly and Council's inclination to approve these applications sets a precedent for subsequent requests.

He advised of the Ministry of Municipal Affairs and Housing's position that the City of Greater Sudbury, as the decision-maker on exempted Official Plan Amendments, has the responsibility to 'have regard to' provincial interests as articulated in the Planning Act and the Provincial Policy Statement. The Provincial Policy Statement establishes policies for 'efficient, cost-effective development and land use patterns' and the City's Official Plan contains policies which discourage development outside settlements particularly in the agricultural reserve. The Ministry points out that the City of Greater Sudbury is currently reviewing its Official Plan and one of the background studies being undertaken is the "Agricultural & Rural Study". This study provides for an overall review of the land use and economic issues and implication of continued scattered rural development and preparation of updated policies that will have regard to provincial interest and policies. The Ministry recommends the application be denied.

Andrea Blais, 2650 Dominion Drive Val Caron, the applicant, was present along with Francine Blais, 4510 Centennial Drive, Hanmer, and Ron Blais.

Andrea Blais indicated that it was the wish of her late husband that one lot be given to the son (approved application in January) and that one lot be given to the daughter (subject application) and she would like to see this accomplished.

Ron Blais stated that there has been no farming on the subject land over the last thirty years and a near-by property has now been converted to a golf course. He further stated the application is for only two acres of the 80-acre parcel of land.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR OFFICIAL PLAN AMENDMENT TO ESTABLISH A SPECIAL EXEMPTION FROM THE POLICIES OF THE OFFICIAL PLAN FOR THE SUDBURY PLANNING AREA TO PERMIT THE CREATION OF A RESIDENTIAL LOT, 2650 DOMINION DRIVE, VAL CARON - ANDREA BLAIS (cont'd)

Francine Blais advised that the previous application had originally been for two lots but it was recommended by Planning Staff that they apply for only one lot. That application was approved, they have now gone through the process again and she does not understand the problem. She stated that, in 1995, the soil had been tested at the lowest grade.

Councillor Portelance, representing the Ward, stated she supports this application and urged the Committee that it be approved.

Councillor Dupuis, representing the Ward, indicated that no neighbours have objected and he has received no telephone calls objecting to the application. He further stated that the Official Plan was passed in 1978 and the dynamics have changed considerably since that time. He indicated this was infilling to build a residence between the mother's property and the brother's property. He requested that the application be approved.

The Manager of Development Services stated that Planning Staff may have told the applicant that the Planning Department will oppose the application. He does not believe that Planning Staff would suggest that we would support one lot but not two.

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 #2003-110

Portelance-Dupuis: That the application by Andrea Blais 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 4693 S.E.S. in Lot 11, Concession 2, Township of Hanmer, City of Greater Sudbury to permit the creation of a second 2 acre residential lot be denied.

CONCURRING MEMBERS: Councillors McIntaggart, Bradley

NON-CONCURRING MEMBERS: Councillors Dupuis, Portelance

MOTION LOST

PUBLIC HEARINGS (cont'd)

APPLICATION FOR OFFICIAL PLAN AMENDMENT TO ESTABLISH A SPECIAL EXEMPTION FROM THE POLICIES OF THE OFFICIAL PLAN FOR THE SUDBURY PLANNING AREA TO PERMIT THE CREATION OF A RESIDENTIAL LOT, 2650 DOMINION DRIVE, VAL CARON - ANDREA BLAIS (cont'd)

Recommendation #2003-111

Portelance-Dupuis: That the application by Andrea Blais 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 4693 S.E.S. in Lot 11, Concession 2, Township of Hanmer, City of Greater Sudbury to permit the creation of a second 2 acre residential lot be approved subject to the following:

- a) That prior to the passing of an Official Plan Amendment, the applicant provide the Planning Services Division with a plan of survey outlining the lands subject to the amendment.

CONCURRING MEMBERS: Councillors Dupuis, Portelance

NON-CONCURRING MEMBERS: Councillors McIntaggart, Bradley

MOTION LOST

Recommendation #2003-112

Dupuis-Portelance: That Andrea Blais be reimbursed the application fee for the Official Plan Amendment less the notice fee or \$1,530.00.

CONCURRING MEMBERS: Councillors Dupuis, Portelance

NON-CONCURRING MEMBERS: Councillors McIntaggart, Bradley

MOTION LOST

Recommendation #2003-113

Portelance-McIntaggart: That fifty per cent of the application fee for the Official Plan Amendment be reimbursed to Andrea Blais.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Portelance, Bradley

CARRIED

PUBLIC HEARINGS (cont'd)

Recess At 8:30 p.m., the Planning Committee recessed.

Reconvene At 8:38 p.m., the Planning Committee reconvened.

APPLICATION FOR REZONING TO ALLOW FOR THE CREATION OF TWO NEW LOTS FOR SINGLE RESIDENTIAL USE ALONG THE SOUTH SIDE OF YORKSHIRE DRIVE, VAL CARON - J. Y. ROBERT

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

Report dated June 16th, 2003, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for rezoning to allow for the creation of two new lots for single residential use along the south side of Yorkshire Drive, Val Caron - J. Y. Robert.

Interoffice Memorandum dated June 23rd, 2003 from Donald M. Donaldson, Fire Chief, indicating the City of Greater Sudbury Fire Services can not support this application was distributed to the Committee Members at the Meeting. The Fire Chief stated he did not feel that it was adequate as there are 7 litres per second available and the minimum standard is 75 litres per second. He also explained that the water could be supplied via a tanker shuttle system. However, in order to get credit from the Fire Underwriters for such a system you would need to provide for water over a two-hour test period.

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

J. Y. Robert, 1821 Yorkshore Drive, Val Caron, distributed a package of correspondence including information on options for sewer and water connections for the west lots; editorial from Municipal World regarding fire protection; communique from the Fire Marshal's Office regarding New Guideline - Interim Fire Protection Water Supply Guideline for Part 3 in the Ontario Building Code; attachment to Development Liaison Advisory Committee Meeting of September 14, 28, 2003 regarding water supply for Fire Fighting; Office of the Fire-Marshall - Fire Protection Water Supply Guideline for Part 3 in the Ontario Building Code; Fire Underwriters Survey - Water Supply for Public Fire Protection; letter dated February 21, 2000 from George Hanmore, Fire Chief, Town of Valley East regarding water shuttle tests on Yorkshire Drive; report dated August 15, 1997 from the Regional Public Works Department regarding guidelines for determining fire flow requirements; etc.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO ALLOW FOR THE CREATION OF TWO NEW LOTS FOR SINGLE RESIDENTIAL USE ALONG THE SOUTH SIDE OF YORKSHIRE DRIVE, VAL CARON - J. Y. ROBERT (cont'd)

Mr. Robert gave a history of his development in the area. As contained in the documentation, Mr. Robert outlined a number of options for sewer and water connections in lieu of the condition recommended by staff to upgrade the existing 4" diameter watermain to an 8" on Yorkshire Drive as well as constructing a new 8" diameter watermain along the remainder of Yorkshire Drive to the existing 24" diameter watermain on Municipal Road #80. He is now applying for a severance for two lots but considers the \$200,000 too costly to upgrade the watermain. He also read and explained, at length, the correspondence listed above regarding Fire Protection Water Supply to buildings. With respect to water pressure, he advised that he has lived in the area for many years and there are no problems with water pressure. He also pointed out that he measured the water pressure at his home and it is 55 psi whereas in the Flake Subdivision it was 53 psi. He is making this application as he has purchasers for the two lots and he feels that the proposed purchasers would not be interested if they knew there were problems with water pressure, odours or fire flow. He also stated that the fire department's response time from the Valley East central fire hall is four minutes.

A neighbour who has lived to the west of Mr. Robert for some 37 years spoke in favour of the application. There problem is not a with the water, the problem is with the sewer. Water can be transported anywhere.

Luc Dalcourt, Mr. Robert's son-in-law, advised that he would like to build his house in the area and he would like to be given the same opportunity as other living in the area.

Mr. Veilleux, stated he is in favour of the application because he would like to build on one of the lots. He previously lived at 1780 Yorkshire Drive, Val Caron, and had no problems. He is waiting for this lot to become available because he wants to build a bigger house.

Proceed
Past 10:00 p.m.

Recommendation #2003-114

Portelance-McIntaggart: That we proceed past the hour of 10:00 p.m.

CARRIED

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO ALLOW FOR THE CREATION OF TWO NEW LOTS FOR SINGLE RESIDENTIAL USE ALONG THE SOUTH SIDE OF YORKSHIRE DRIVE, VAL CARON - J. Y. ROBERT (cont'd)

Councillor Dupuis questioned why a representative from City of Greater Sudbury Fire Service was not present to answer questions from the Committee.

In response to a question, Mr. Robert advised he does not feel he should pay for the test to get credit from Fire Underwriters; however, he would like the test done. He questioned how you can get 75 litres per second from a 4" watermain without a hydrant. He indicated that is the purpose of the Fire Protection Water Supply Guideline.

Mr. Robert summarized that he had originally applied for a 20-lot subdivision which required the upgrade from a 4" diameter watermain to an 8" diameter watermain. Because of the cost of this upgrade, he applied for 3 1-acre lots and then for two more on the north side of Yorkshire Drive. Also, there were other lots created for other applicants in the area without the requirement of a watermain upgrade. He questioned why he was being required to upgrade now. He also stated that the lack of fire flow is due to the fact that there is no hydrant in the area. He stated that the residences in the area of Dominon Drive, Gravelle Road, etc. have the same fire protection and have no municipal water supply. He requested the Committee consider the options he presented regarding adequate fire protection water supply in lieu of staff's condition.

The Committee defeated a motion to defer the application to the July 8th, 2003 Planning Committee Meeting in order that further information could be obtained regarding the credit from the Fire Underwriters.

Councillor Portelance questioned if the condition could be reviewed by the Public Works Department at a later date if the credit is obtained from the Fire Underwriters.

The Manager of Development Services advised that the condition can be amended at a later date if the requirements of Public Works Department are satisfied.

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 ALLOW FOR THE CREATION OF TWO NEW LOTS FOR SINGLE RESIDENTIAL USE ALONG THE SOUTH SIDE OF YORKSHIRE DRIVE, VAL CARON - J. Y. ROBERT (cont'd)

The following recommendations were presented:

Recommendation #2003-115

Portelance-Dupuis: That the application by J. Y. Robert to amend By-law 83-300 with respect to Parcel 221 S.E.S., Lot 7, Concession 6, Township of Blezard, by changing the zoning classification from "RU", Rural Zone to "R1.D5.5-Special", be approved subject to the following conditions:

1. That prior to the passing of an amending by-law, the owner enter into an agreement with the City of Greater Sudbury whereby he will be required to upgrade the existing 4" diameter watermain to an 8" along Yorkshire Drive. In addition to this, he must also construct a new 8" diameter watermain along the remainder of Yorkshire Drive to the existing 24" diameter watermain on Municipal Road #80. The work will be carried out to the satisfaction of the General Manager of Public Works with all the costs being borne totally by the applicant.
2. That prior to the passing of the amending by-law the applicant shall provide the Planning Services Division with a plan of survey describing the lands to be rezoned.

CONCURRING MEMBERS: Councillors McIntaggart, Portelance, Bradley

NON-CONCURRING MEMBERS: Dupuis

CARRIED

PART I - CONSENT AGENDA

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

Recommendation #2003-116

Portelance-Dupuis: That Item C-1 contained in the Consent Agenda, be adopted.

CARRIED

