

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

**Council Chamber
Tom Davies Square**

**Tuesday, May 13th, 2003
Commencement: 7:05 p.m.
Adjournment: 9:25 p.m.**

COUNCILLOR RON BRADLEY PRESIDING

Present Councillors Dupuis, McIntaggart, Portelance

Councillors Callaghan, Kilgour

Staff Bill Lautenbach, Director of Planning Services; Art Potvin, Manager of Development Services; Danielle Braney, Property Negotiator / Appraiser; Angie Haché, Deputy City Clerk; Melissa Burtch, Licencing and Assessment Clerk; Franca Bortolussi, Planning Committee Secretary

News Media Sudbury Star

Others Francesca Zanutto, exchange student from Italy attending Laurentian University

Declarations of Pecuniary Interest None declared.

PUBLIC HEARINGS

REZONING APPLICATION TO PERMIT A CONTRACTOR'S BUSINESS COMPRISED OF THE STORAGE, SERVICING AND OPERATION OF BOOM TRUCKS AND CRANES AND ACCESSORY OFFICES USES FOR A MAXIMUM TEMPORARY PERIOD OF THREE YEARS, 6TH AVENUE & OLD CREIGHTON ROAD, LIVELY - DAWN & TIM DOWDALL

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

Report dated May 5th, 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 a contractor's business comprised of the storage, servicing and operation of boom trucks and cranes and accessory offices uses for a maximum temporary period of three years, 6th Avenue & Old Creighton Road, Lively - Dawn & Tim Dowdall.

PUBLIC HEARINGS (cont'd)

REZONING APPLICATION TO PERMIT A CONTRACTOR'S BUSINESS COMPRISED OF THE STORAGE, SERVICING AND OPERATION OF BOOM TRUCKS AND CRANES AND ACCESSORY OFFICES USES FOR A MAXIMUM TEMPORARY PERIOD OF THREE YEARS, 6TH AVENUE & OLD CREIGHTON ROAD, LIVELY - DAWN & TIM DOWDALL (cont'd)

_____ The Director of Planning Services outlined the application to the Committee. He further added that, as this is an application for a temporary use for a period of three years and the anticipated operation of the business is ten to fifteen years, there will be fees charged each time a temporary use application is made.

_____ Tim and Dawn Dowdall, 7 Old Creighton Road, Lively, the applicants, were present. They advised that the recommendations are acceptable to them.

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:

Recommendation

Dupuis-McIntaggart: That the application by Dawn & Tim Dowdall, the owners of Parcel 9286 S.W.S. in Lot 6, Concession 6, Township of Waters, to permit a contractor's business comprised of the storage, servicing and operation of boom trucks and cranes and accessory office uses related thereto, for a period of three (3) years, pursuant to Section 39 of The Planning Act be approved subject to the following conditions:

1. That minimum building and/or contractor's business operation(s) setbacks from a lot line for a temporary use shall be:
 - 30 metres from the west lot line;
 - 10 metres from any other lot line.
2. That prior to the passage of an amending zoning by-law the owner 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)

REZONING APPLICATION TO PERMIT A CONTRACTOR'S BUSINESS COMPRISED OF THE STORAGE, SERVICING AND OPERATION OF BOOM TRUCKS AND CRANES AND ACCESSORY OFFICES USES FOR A MAXIMUM TEMPORARY PERIOD OF THREE YEARS, 6TH AVENUE & OLD CREIGHTON ROAD, LIVELY - DAWN & TIM DOWDALL (cont'd)

The following amendment to the recommendation was presented:

Recommendation #2003-76

McIntaggart-Dupuis: That only public notice fees be charged for future applications for this temporary use on the subject property.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Portelance, Bradley

CARRIED

The main recommendation as amended was presented:

Recommendation #2003-77

Dupuis-McIntaggart: That the application by Dawn & Tim Dowdall, the owners of Parcel 9286 S.W.S. in Lot 6, Concession 6, Township of Waters, to permit a contractor's business comprised of the storage, servicing and operation of boom trucks and cranes and accessory office uses related thereto, for a period of three (3) years, pursuant to Section 39 of The Planning Act be approved subject to the following conditions:

1. That minimum building and/or contractor's business operation(s) setbacks from a lot line for a temporary use shall be:
 - 30 metres from the west lot line;
 - 10 metres from any other lot line.
2. That prior to the passage of an amending zoning by-law the owner shall undertake to obtain a "Change of Use" Permit to the satisfaction of the Director of Building Services/Chief Building Official.
3. That only public notice fees be charged for future applications for this temporary use on the subject property.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Portelance, Bradley

CARRIED

SUBDIVISION APPROVAL APPLICATION TO PERMIT THE CREATION OF 23 LOTS FOR SINGLE RESIDENTIAL USE, SOUTH OF ALGONQUIN ROAD, SUDBURY - DALRON CONSTRUCTION LIMITED

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

Report dated May 2nd, 2003, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an application for subdivision approval to permit the creation of 23 lots for single residential use, south of Algonquin Road, Sudbury - Dalron Construction Limited.

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

_____ Celia Teale, Planner with the applicant, 130 Elm Street, Sudbury, was present. She advised that this is a re-application of a plan of subdivision that was allowed to lapse and Dalron Construction Limited purchased the property and resubmitted 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.

The following recommendation was presented:

Recommendation #2003-78

McIntaggart-Dupuis: That the City of Greater Sudbury Council's delegated official be directed to issue the draft approval for the subject subdivision to Dalron Construction Limited 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 the Remainder of Parcel 2877 S.E.S., being Part 1, Plan 53R-14514, Lot 4, Concession 5, Broder Township, City of Greater Sudbury, as shown on a plan of subdivision prepared by Dennis Consultants in co-operation with D.S. Dorland, O.L.S., dated January 31, 2003.
2. That the standard conditions of draft approval be imposed.
3. That the owner agree that the equivalent of 5% of land included in the plan of subdivision will be deeded to the City of Greater Sudbury for parks purposes in accordance with Section 51.1 (1) of the Planning Act in future phases of the subdivision to the satisfaction of the City Solicitor.

PUBLIC HEARINGS (cont'd)

SUBDIVISION APPROVAL APPLICATION TO PERMIT THE CREATION OF 23 LOTS FOR SINGLE RESIDENTIAL USE, SOUTH OF ALGONQUIN ROAD, SUDBURY - DALRON CONSTRUCTION LIMITED (cont'd)

Recommendation #2003-78 (cont'd)

4. 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, watermains, 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.
5. The owner shall provide a detailed lot grading plan for all the proposed lots as part of the submission of servicing plans. This plan must show finished grades around new homes, sideyards, swales and lot corners. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties.
6. 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 at locations required by the General Manager of Public Works. Suitable provisions shall be incorporated in the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the General Manager of Public Works.
7. The owner shall co-ordinate the analysis and design of the storm water conveyance and control systems for all phases of the subdivision area 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 for the first phase of the subdivision. Should the study determine on-site or off-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.
8. The applicant will be required to dedicate rear lot easements to the City of Greater Sudbury for municipal purposes. The maximum allowable runs for rear lot swales are not to exceed 500 ft. without a storm inlet.

PUBLIC HEARINGS (cont'd)

SUBDIVISION APPROVAL APPLICATION TO PERMIT THE CREATION OF 23 LOTS FOR SINGLE RESIDENTIAL USE, SOUTH OF ALGONQUIN ROAD, SUDBURY - DALRON CONSTRUCTION LIMITED (cont'd)

Recommendation #2003-78 (cont'd)

9. The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, storm sewers and related appurtenances. The corner radius for all streets is to be 9.0 m and the temporary cul-de-sac block is to be 35 metres square.
10. The applicant will be required to enter into a written agreement to satisfy all requirements of the City of Greater Sudbury concerning the provision of roads, walkways, street lighting, sanitary sewers, watermains, storm sewers and surface drainage facilities.
11. Draft approval does not guarantee the allocation of either sewer or water capacity. Prior to the signing of the final plan, clearance is required from the General Manager of Public Works that sufficient sewage treatment capacity exists to service this development.
12. Prior to the signing of the final plan for any phase of this development with a water pressure problem, the Economic Development and Planning Services Department is to be advised by the General Manager of Public Works that issues pertaining to a water booster station have been resolved for the phase of the subdivision to be constructed.
13. The developer will be required to make a cash contribution of \$3,000.00 per hectare of land to be developed outside the design area. This contribution is for the future upgrading of the Green Avenue Liftstation.
14. The owner shall pay the City of Greater Sudbury for the cost share of the owner's lands for storm water servicing benefit as set out in a front ending agreement dated June 26, 1995 between the City of Greater Sudbury and the Sudbury District Roman Catholic Separate School Board.
15. 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 by Council pursuant to Section 51 (33) of the Planning Act.
16. 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.

PUBLIC HEARINGS (cont'd)

SUBDIVISION APPROVAL APPLICATION TO PERMIT THE CREATION OF 23 LOTS FOR SINGLE RESIDENTIAL USE, SOUTH OF ALGONQUIN ROAD, SUDBURY - DALRON CONSTRUCTION LIMITED (cont'd)

Recommendation #2003-78 (cont'd)

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Portelance, Bradley

CARRIED

SUBDIVISION APPROVAL APPLICATION, OFFICIAL PLAN AMENDMENT APPLICATION AND REZONING APPLICATION TO PERMIT THE CREATION OF 32 LOTS FOR SINGLE RESIDENTIAL USE, INTERSECTION OF DONNELLY DRIVE & MUNICIPAL ROAD #86 (FALCONBRIDGE HIGHWAY) - ALBONA INVESTMENTS INC.

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

Report dated May 6th, 2003, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding applications for subdivision approval, Official Plan amendment and rezoning to permit the creation of 32 lots for single residential use, intersection of Donnelly Drive & Municipal Road #86 (Falconbridge Highway) - Albona Investments Inc.

Letter was received from David Michelizza for G. Michelizza and M. Michelizza, 1-2616 Falconbridge Road, Garson, Ontario P3L 1K6, in support of these applications.

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

Dave Dorland, 298 Larch Street, Sudbury, agent for the application, and Boris Nanoff, a principal of the application, were present.

_____ Dave Dorland advised that the applicant held a public meeting at which there were no objectors. He stated that there were two issues the applicant had with the recommendations.

One of the issues was condition #15 dealing with the concrete sidewalk along Municipal Road #86. Mr. Dorland stated that the applicant did not feel he should be put through the expense of the sidewalk as it would not front on the subject lots and would probably not be used by the owners of the subject lots. He

PUBLIC HEARINGS (cont'd)

**SUBDIVISION APPROVAL APPLICATION, OFFICIAL PLAN AMENDMENT
APPLICATION AND REZONING APPLICATION TO PERMIT THE CREATION OF 32
LOTS FOR SINGLE RESIDENTIAL USE, INTERSECTION OF DONNELLY DRIVE &
MUNICIPAL ROAD #86 (FALCONBRIDGE HIGHWAY) - ALBONA INVESTMENTS
INC. (cont'd)**

pointed out that there is not a concrete sidewalk along the majority of the arterial road and the sidewalk would start and finish in the middle of nowhere. There are guard rails on Falconbridge Road where part of the sidewalk is to be constructed which would create additional problems.

The other issue was condition #20 dealing with the exclusion of the lands in the Hydro corridor. Mr. Dorland stated that potential purchasers were interested in the lots under the Hydro corridor because of their size. He indicated that the applicant had originally proposed 64 lots but reduced the number of lots in order to have larger estate lots. He further stated that the applicant was willing to reduce the five lots in the Hydro corridor to three lots. Also, he indicated that, should this land not be included in the subdivision, the applicant would be left with a piece of property which would be worthless and landlocked.

Mr. Dorland requested that conditions #15 and #20 be removed.

Councillor Kilgour, representing the Ward, stated there was a public meeting. He concurs with the applicant's position regarding the two issues of the lands in the Hydro corridor and the sidewalk. He stated that the applicant has purchasers interested at the lands because of the size of the lots. He further stated that he does not feel \$42,000.00 would cover the cost of the sidewalk because of the ditch and guard rails on the road.

Councillor Callaghan, representing the Ward, stated that he also attended the public meeting. He advised that no negative comments were received. He also agrees with the concerns of the applicant regarding the construction of a sidewalk at significant cost and the exclusion of the Hydro corridor lands from the plan of subdivision leaving the applicant's remaining property worthless. He indicated he agrees with the recommendations except for conditions #15 and #20.

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.

Recess _____ At 8:46 p.m., the Planning Committee recessed.

Reconvenene _____ At 9:04 p.m., the Planning Committee reconvened.

PUBLIC HEARINGS (cont'd)

**SUBDIVISION APPROVAL APPLICATION, OFFICIAL PLAN AMENDMENT
APPLICATION AND REZONING APPLICATION TO PERMIT THE CREATION OF 32
LOTS FOR SINGLE RESIDENTIAL USE, INTERSECTION OF DONNELLY DRIVE &
MUNICIPAL ROAD #86 (FALCONBRIDGE HIGHWAY) - ALBONA INVESTMENTS
INC. (cont'd)**

The following recommendations were presented:

Recommendation #2003-79

Dupuis-McIntaggart: That the application by Albona Investments Ltd. to amend the Secondary Plan for the Settlements of Nickel Centre as generally outlined in Draft Amendment No. 222 with respect to Part of Parcel 44926 S.E.S. being Parts 1 to 17 inclusive, Plan 53R-8338 and pursuant to the Staff Report Recommendations dated May 6, 2003, be approved.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Portelance, Bradley

CARRIED

Recommendation #2003-80

McIntaggart-Dupuis: That the application by Albona Investments Ltd. to amend By-law 83-304 being the Comprehensive Zoning By-law for the (former) Town of Nickel Centre from "RU", Rural and "R1.D17", Single Residential to "R1.D17-Special", Special Single Residential and "P", Public Park, as the case may be, and described in the Staff Report dated May 6, 2003 with respect to those lands described as being Part of Parcel 44926 S.E.S. being Parts 1 to 17 inclusive, Plan 53R-8338 in Lot 6, Concession 1, Township of McKim be approved subject to the following conditions:

1. That in order to enable the preparation of an amending zoning by-law the owner shall provide the Development Services Section with a registered plan of survey which describes the lands to be zoned "P", Public Park to the satisfaction of the Director of Leisure, Community and Volunteer Services and the Director of Planning Services.
2. The amending zoning by-law establish that a structure which is erected for the purpose of providing noise attenuation may be located in a required exterior yard or in any other yard.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Portelance, Bradley

CARRIED

PUBLIC HEARINGS (cont'd)

SUBDIVISION APPROVAL APPLICATION, OFFICIAL PLAN AMENDMENT APPLICATION AND REZONING APPLICATION TO PERMIT THE CREATION OF 32 LOTS FOR SINGLE RESIDENTIAL USE, INTERSECTION OF DONNELLY DRIVE & MUNICIPAL ROAD #86 (FALCONBRIDGE HIGHWAY) - ALBONA INVESTMENTS INC. (cont'd)

The following recommendation was presented:

Recommendation

McIntaggart-Dupuis: That the City of Greater Sudbury Council's delegated official be directed to issue the draft plan approval for the subject subdivision by Albona Investments Ltd. 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, but that this draft approval shall not be deemed to have been granted until such time as the required Official Plan Amendment is in effect:

1. That this draft approval applies to the draft plan of subdivision of Parcel 44926 S.E.S. in Lot 8, Concession 1, Township of Garson as shown on a plan of subdivision prepared by D.S. Dorland, O.L.S., dated January 14th, 2003.
2. That the standard conditions of draft approval be imposed.
3. That 5% of the land, or alternatively 5% of the cash value of the land, included in the plan of subdivision be deeded or provided to the City of Greater Sudbury for parks purposes in accordance with Section 51.(1) of The Planning Act.
4. 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.
5. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the General Manager of Public Works and the Chief Building Official, provide a soils report prepared by a geotechnical engineer licensed in the Province of Ontario, as described in the staff report of May 6th, 2003.
6. The owner shall provide a detailed lot grading plan for all the proposed lots as part of the submission of servicing plans as described in the staff

PUBLIC HEARINGS (cont'd)

**SUBDIVISION APPROVAL APPLICATION, OFFICIAL PLAN AMENDMENT
APPLICATION AND REZONING APPLICATION TO PERMIT THE CREATION OF 32
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MUNICIPAL ROAD #86 (FALCONBRIDGE HIGHWAY) - ALBONA INVESTMENTS
INC. (cont'd)**

Recommendation (cont'd)

report of May 6th, 2003. Suitable provisions shall be incorporated into the Subdivision Agreement to ensure that treatment is undertaken to the satisfaction of the General Manager of Public Works, Hydro One and the Nickel District Conservation Authority.

8. 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 at locations required by the General Manager of Public Works. Suitable provisions shall be incorporated in the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the General Manager of Public Works.
9. The owner will be required to dedicate rear lot easements to the City of Greater Sudbury for municipal purposes to the satisfaction of the General Manager of Public Works.
10. Prior to the submission of servicing plans, the owner shall have a storm water management report and plan prepared by a consulting engineer with a valid certificate of authorization to the satisfaction of the General Manager of Public Works, Hydro One and the Nickel District Conservation Authority as described in the staff report of May 6th, 2003.
11. The owner shall provide an interceptor ditch along the flankage of Falconbridge Road; and further, a 4.57 metre road allowance widening on the north side of Falconbridge Road along the flankage of the subdivision, all to the satisfaction of the General Manager of Public Works.
12. The final plan shall be prepared providing a 15 metre daylight corner cut on the southeast corner of Lot 1 and, further, Lot 1 shall be consolidated with Lot 2, or the final plan revised to achieve an appropriate alternative lot configuration all to the satisfaction of the General Manager of Public Works and Director of Planning Services.
13. The owner will undertake to have a structural assessment completed for the 200 mm Donnelly Drive sanitary sewer as described in the staff report of May 6th, 2003 to the satisfaction of the General Manager of Public Works.

PUBLIC HEARINGS (cont'd)

SUBDIVISION APPROVAL APPLICATION, OFFICIAL PLAN AMENDMENT APPLICATION AND REZONING APPLICATION TO PERMIT THE CREATION OF 32 LOTS FOR SINGLE RESIDENTIAL USE, INTERSECTION OF DONNELLY DRIVE & MUNICIPAL ROAD #86 (FALCONBRIDGE HIGHWAY) - ALBONA INVESTMENTS INC. (cont'd)

Recommendation (cont'd)

14. The owner shall undertake to reconstruct Donnelly Drive as described in the staff report of May 6th, 2003, to the satisfaction of the General Manager of Public Works.
15. The owner shall undertake to provide a 1.5 metre concrete sidewalk along Municipal Road #86 from Donnelly Drive to the southeast corner of the subject lands to the satisfaction of the General Manager of Public Works.
16. The applicant will be required to enter into a written agreement to satisfy all requirements of the City of Greater Sudbury concerning the provision of roads, walkways, street lighting, sanitary sewers and surface drainage facilities.
17. Prior to the signing of the final plan the owner shall undertake to co-ordinate with the Public Works Department all connections to the existing Donnelly Drive sanitary sewer main to the satisfaction of the General Manager of Public Works.
18. Prior to the signing of the final plan the owner shall undertake a noise assessment using the existing arterial road and traffic flows for Municipal Road #86 (Falconbridge Highway) to determine what control measures are required to meet Ministry of the Environment noise assessment criteria, and if necessary, that provisions for implementing noise control measures be included in the subdivision agreement to the satisfaction of the General Manager of Public Works and the Director of Planning Services. Further, where a structure which is erected for the purpose of providing noise attenuation is to be constructed, said structure shall be designed and constructed in accordance with the recommendations of an Engineer licensed in the Province of Ontario to the satisfaction of the Director of Building Services/Chief Building Official.
19. That Lots 11 to 14 inclusive be consolidated with Lot 10 into one lot on the final plan to the satisfaction of the Director of Planning Services. Should the Director of Planning Services be advised by the Nickel District Conservation Authority and the General Manager of Public Works that

PUBLIC HEARINGS (cont'd)

**SUBDIVISION APPROVAL APPLICATION, OFFICIAL PLAN AMENDMENT
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LOTS FOR SINGLE RESIDENTIAL USE, INTERSECTION OF DONNELLY DRIVE &
MUNICIPAL ROAD #86 (FALCONBRIDGE HIGHWAY) - ALBONA INVESTMENTS
INC. (cont'd)**

Recommendation (cont'd)

these lots or another configuration of said lands would be suitable for development, then the final plan may be prepared in accordance with said determinations to the satisfaction of the Director of Planning Services.

20. The final plan shall be revised to exclude those lands generally described on the draft plan as the 'Hydro Transmission Line Easements', being Parts 5 to 17 inclusive, Plan 53R-8338, to the satisfaction of the Director of Planning Services.
21. Prior to the signing of the final plan the owner shall undertake to floodproof Lots 19 to 22 inclusive to the satisfaction of the Nickel District Conservation Authority.
22. Prior to the signing of the final plan the owner shall undertake to satisfy all requirements as specified by Hydro One Networks Inc. to the satisfaction of the Director of Legal Services/City Solicitor.
23. 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 by Council pursuant to Section 51 (33) of The Planning Act.
24. Draft approval does not guarantee an allocation of water or sanitary sewer capacity. Prior to the signing of the final plan, the Planning and Development Services Division is to be advised by the General Manager of Public Works that sufficient water and sanitary sewer capacity exists to service the development.

The following amendment to the recommendation was presented:

Recommendation #2003-81

Dupuis-McIntaggart: That Conditions #15 and #20 be deleted, and

That the five lots where the "Hydro Transmission Line Easements" are located be reduced to three lots.

PUBLIC HEARINGS (cont'd)

**SUBDIVISION APPROVAL APPLICATION, OFFICIAL PLAN AMENDMENT
APPLICATION AND REZONING APPLICATION TO PERMIT THE CREATION OF 32
LOTS FOR SINGLE RESIDENTIAL USE, INTERSECTION OF DONNELLY DRIVE &
MUNICIPAL ROAD #86 (FALCONBRIDGE HIGHWAY) - ALBONA INVESTMENTS
INC. (cont'd)**

Recommendation #2003-81 (cont'd)

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Portelance,
Bradley

CARRIED

The main recommendation as amended was presented:

Recommendation #2003-82

McIntaggart-Dupuis: That the City of Greater Sudbury Council's delegated official be directed to issue the draft plan approval for the subject subdivision by Albona Investments Ltd. 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, but that this draft approval shall not be deemed to have been granted until such time as the required Official Plan Amendment is in effect:

1. That this draft approval applies to the draft plan of subdivision of Parcel 44926 S.E.S. in Lot 8, Concession 1, Township of Garson as shown on a plan of subdivision prepared by D.S. Dorland, O.L.S., dated January 14th, 2003.
2. That the standard conditions of draft approval be imposed.
3. That 5% of the land, or alternatively 5% of the cash value of the land, included in the plan of subdivision be deeded or provided to the City of Greater Sudbury for parks purposes in accordance with Section 51.(1) of The Planning Act.
4. 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.

PUBLIC HEARINGS (cont'd)

SUBDIVISION APPROVAL APPLICATION, OFFICIAL PLAN AMENDMENT APPLICATION AND REZONING APPLICATION TO PERMIT THE CREATION OF 32 LOTS FOR SINGLE RESIDENTIAL USE, INTERSECTION OF DONNELLY DRIVE & MUNICIPAL ROAD #86 (FALCONBRIDGE HIGHWAY) - ALBONA INVESTMENTS INC. (cont'd)

Recommendation #2003-82 (cont'd)

5. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the General Manager of Public Works and the Chief Building Official, provide a soils report prepared by a geotechnical engineer licensed in the Province of Ontario, as described in the staff report of May 6th, 2003.
6. The owner shall provide a detailed lot grading plan for all the proposed lots as part of the submission of servicing plans as described in the staff report of May 6th, 2003. Suitable provisions shall be incorporated into the Subdivision Agreement to ensure that treatment is undertaken to the satisfaction of the General Manager of Public Works, Hydro One and the Nickel District Conservation Authority.
7. 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 at locations required by the General Manager of Public Works. Suitable provisions shall be incorporated in the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the General Manager of Public Works.
8. The owner will be required to dedicate rear lot easements to the City of Greater Sudbury for municipal purposes to the satisfaction of the General Manager of Public Works.
9. Prior to the submission of servicing plans, the owner shall have a storm water management report and plan prepared by a consulting engineer with a valid certificate of authorization to the satisfaction of the General Manager of Public Works, Hydro One and the Nickel District Conservation Authority as described in the staff report of May 6th, 2003.
10. The owner shall provide an interceptor ditch along the flankage of Falconbridge Road; and further, a 4.57 metre road allowance widening on the north side of Falconbridge Road along the flankage of the subdivision, all to the satisfaction of the General Manager of Public Works.
11. The final plan shall be prepared providing a 15 metre daylight corner cut on the southeast corner of Lot 1 and, further, Lot 1 shall be consolidated

PUBLIC HEARINGS (cont'd)

**SUBDIVISION APPROVAL APPLICATION, OFFICIAL PLAN AMENDMENT
APPLICATION AND REZONING APPLICATION TO PERMIT THE CREATION OF 32
LOTS FOR SINGLE RESIDENTIAL USE, INTERSECTION OF DONNELLY DRIVE &
MUNICIPAL ROAD #86 (FALCONBRIDGE HIGHWAY) - ALBONA INVESTMENTS
INC. (cont'd)**

Recommendation #2003-82 (cont'd)

with Lot 2, or the final plan revised to achieve an appropriate alternative lot configuration all to the satisfaction of the General Manager of Public Works and Director of Planning Services.

12. The owner will undertake to have a structural assessment completed for the 200 mm Donnelly Drive sanitary sewer as described in the staff report of May 6th, 2003 to the satisfaction of the General Manager of Public Works.
13. The owner shall undertake to reconstruct Donnelly Drive as described in the staff report of May 6th, 2003, to the satisfaction of the General Manager of Public Works.
14. The applicant will be required to enter into a written agreement to satisfy all requirements of the City of Greater Sudbury concerning the provision of roads, walkways, street lighting, sanitary sewers and surface drainage facilities.
15. Prior to the signing of the final plan the owner shall undertake to coordinate with the Public Works Department all connections to the existing Donnelly Drive sanitary sewer main to the satisfaction of the General Manager of Public Works.
16. Prior to the signing of the final plan the owner shall undertake a noise assessment using the existing arterial road and traffic flows for Municipal Road #86 (Falconbridge Highway) to determine what control measures are required to meet Ministry of the Environment noise assessment criteria, and if necessary, that provisions for implementing noise control measures be included in the subdivision agreement to the satisfaction of the General Manager of Public Works and the Director of Planning Services. Further, where a structure which is erected for the purpose of providing noise attenuation is to be constructed, said structure shall be designed and constructed in accordance with the recommendations of an Engineer licensed in the Province of Ontario to the satisfaction of the Director of Building Services/Chief Building Official.

PUBLIC HEARINGS (cont'd)

**SUBDIVISION APPROVAL APPLICATION, OFFICIAL PLAN AMENDMENT
APPLICATION AND REZONING APPLICATION TO PERMIT THE CREATION OF 32
LOTS FOR SINGLE RESIDENTIAL USE, INTERSECTION OF DONNELLY DRIVE &
MUNICIPAL ROAD #86 (FALCONBRIDGE HIGHWAY) - ALBONA INVESTMENTS
INC. (cont'd)**

Recommendation #2003-82 (cont'd)

17. That Lots 11 to 14 inclusive be consolidated with Lot 10 into one lot on the final plan to the satisfaction of the Director of Planning Services. ~~Should~~ the Director of Planning Services be advised by the Nickel District Conservation Authority and the General Manager of Public Works that these lots or another configuration of said lands would be suitable for development, then the final plan may be prepared in accordance with said determinations to the satisfaction of the Director of Planning Services.
18. Prior to the signing of the final plan the owner shall undertake to floodproof Lots 19 to 22 inclusive to the satisfaction of the Nickel District Conservation Authority.
19. Prior to the signing of the final plan the owner shall undertake to satisfy all requirements as specified by Hydro One Networks Inc. to the satisfaction of the Director of Legal Services/City Solicitor.
20. 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 by Council pursuant to Section 51 (33) of The Planning Act.
21. Draft approval does not guarantee an allocation of water or sanitary sewer capacity. Prior to the signing of the final plan, the Planning and Development Services Division is to be advised by the General Manager of Public Works that sufficient water and sanitary sewer capacity exists to service the development.
22. That the five lots where the "Hydro Transmission Line Easements" are located be reduced to three lots.

CONCURRING MEMBERS: Councillors Dupuis, McIntaggart, Portelance, Bradley

CARRIED

PART I - CONSENT AGENDA

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

Recommendation 2003-83

Dupuis-Portelance: That Items C-1 to C-2 contained in the Consent Agenda, be adopted.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-1
Declaration of
Surplus Properties
Various Properties

Report dated May 6th, 2003 was received from the General Manager, Corporate Services regarding declaration of surplus properties - various properties.

Recommendation #2003-84

McIntaggart-Portelance: 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) Lots 11 and 12, Plan M-1236, Parkview Drive, Azilda
- 2) Parcel 30039, Sudbury East Section, Normand Street, Chelmsford
- 3) Parts 1, 2, 4, 7, 9 & 10, Plan 53R-13570, M.R. 84, Capreol
- 4) Parcels 31217 and 33606 Sudbury East Section - 3250 Percy Street, Val Caron

CARRIED

Adjournment

Recommendation #2003-85

McIntaggart-Dupuis: That we do now adjourn.
Time: 9:25 p.m.

CARRIED

DEPUTY CITY CLERK

CHAIR RON BRADLEY PRESIDING