

Appendix 1 – Departmental and Agency Comments

File 751-8/06-01 Sixth Avenue, Lively

Development Engineering

The comments made for the June 20, 2006 Planning Committee are still valid and the Holding designation with respect to the provision of water and sanitary sewer is still required.

We have no objection to the extension of the zoning approval.

Conservation Sudbury

The Nickel District Conservation Authority (operating as Conservation Sudbury) staff has reviewed the above-noted application to extend the conditional approval of an amendment to the Official Plan and By-law 2010-100Z, being the City of Greater Sudbury Zoning By-law, to permit a 119 unit residential development consisting of a mix of single, semi-detached, townhouse and apartment style units on part of the Sixth Avenue Golf Course.

Staff has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement, 2020 (PPS) and as a regulatory authority under Ontario Regulation 156/06. The application has also been reviewed through our role as a public body under the Planning Act as per our CA Board approved policies.

Site Characteristics

The subject lands form part of a larger parcel located at the northwest corner of Eleventh Avenue and Sixth Avenue in Lively. The parcel is bisected by Meatbird Creek, which has an associated floodplain and wetlands. There is also a small waterbody. The wetlands and waterbody do not appear to within the limit of the proposed development, however, Meatbird Creek and its associated floodplain do form part of the proposed development. As such, portions of the subject lands are within an area regulated by Ontario Regulation 156/06.

History

The original consideration and approval of the proposed development was ratified on June 28, 2006 and has been extended a number of times since. The approval conditions, one of which pertains to Conservation Sudbury [a)(i)]:

- The applicant prepare and submit a geotechnical report addressing the slope of the Meatbird Creek valley and the siting of the residential units in phase 1A to the satisfaction of the City of Greater Sudbury and the Nickel District Conservation Authority.

Comments

Policy 3.1.2d) of the Provincial Policy Statement, 2020 (PPS) states that “Development and site alteration shall not be permitted within a floodway regardless of whether the area of inundation contains high points of land not subject to flooding”. Meatbird Creek has an associated

floodplain with a regulatory flood elevation between 285.60m to the west to 279.60m at the eastern extent of the parcel.

The proponent is advised that works within an area regulated by Ontario Regulation 156/06 may require a permit pursuant to Section 28 of the Conservation Authorities Act. Works include, but are not limited to, alteration of a watercourse, grading, placement or removal of fill, and the erection of a building or structure. Scientific studies and/or technical reports may be required to support the permit application, the cost of which will be borne by the applicant. Any permit issued may include conditions of development and permits are not guaranteed. Please contact our office at ndca@conservationsudbury.ca to determine the need for a permit.

Recommendation

Conservation Sudbury does not oppose the extension of conditional approval zoning by-law amendment 751- 8/06-1. However, it is requested that the following conditions be added:

- The applicant submit a plan prepared by an Ontario Land Surveyor that demonstrates that no development is proposed within the extent of the floodplain to the satisfaction of the Nickel District Conservation Authority; and,
- That the limits of the hazards on-site be zoned restrictively.

The proponent is advised that as part of the site plan control process Conservation Sudbury will have additional comments and technical requirements, and may include stormwater management and erosion and sediment control.

Environmental Planning Initiatives

There are no significant environmental concerns associated with this application that are not already addressed through previous reports.

Infrastructure and Capital Planning Services – Transportation & Innovation, Roads Operations, Drainage

No comments.

Building Services

No comments.