

Minutes

For the Planning Committee Meeting

April 24, 2023
Tom Davies Square

Present (Mayor and Councillors)	Councillor Lapierre, Councillor Fortin, Councillor Cormier, Councillor Leduc, Councillor Landry-Altmann
City Officials	Kris Longston, Director of Planning Services, Alex Singbush, Manager of Development Approvals, Robert Webb, Supervisor of Development Engineering, Glen Ferguson, Senior Planner, Wendy Kaufman, Senior Planner, Brigitte Sobush, Manager of Clerk's Services/Deputy City Clerk, Franca Bortolussi, AA to the City Solicitor and Clerk, Ashley Gosselin, Clerk's Services Assistant

Councillor Cormier, In the Chair

1. Call to Order

The meeting commenced at 1:02 p.m.

2. Roll Call

A roll call was conducted.

3. Declarations of Pecuniary Interest and the General Nature Thereof

None declared.

4. Public Hearings

4.1 440 Falconbridge Road, Sudbury

The Planning Committee was adjourned and the Public Hearing was opened to deal with the application:

Jason Ferrigan, agent for the applicant, was present.

Glen Ferguson, Senior Planner outlined the report.

The agent for the applicant provided comments to the Committee.

The chair asked whether there was anyone else who wished to speak in favour or against this application and hearing none:

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

Rules of Procedure

With the concurrence of the Committee, the reading of the resolution was waived.

The following resolution was presented:

PL2023-64

Moved By Councillor Leduc

Seconded By Councillor Lapierre

Resolution regarding the Zoning By-law Amendment:

THAT the City of Greater Sudbury approves the application by 1929874 Ontario Inc. to amend Bylaw 2010100Z being the Zoning By-law for the City of Greater Sudbury by changing the zoning classification on a north-westerly portion of the subject lands from “M1-1”, Business Industrial to “M1(41)”, Mixed Light Industrial/Service Commercial Special on those lands described as PIN 73570-0551, Parts 3-9, 11 & 12, 15-19, 25 & 26, Plan 53R-20690, Part 1, Plan 53R-21281, Part of Lot 11, Concession 5, Township of Neelon, as outlined in the report entitled “440 Falconbridge Road, Sudbury” from the General Manager of Growth and Infrastructure, presented at the Planning

Committee meeting of April 24, 2023, subject to the following conditions:

1. That prior to the enactment of an amending zoning by-law the owner shall submit a registered survey plan describing the lands to be rezoned to the satisfaction of the Director of Planning Services;
2. That the amending zoning by-law include a site-specific provision that a minimum lot frontage of 10 metres be required for the retained lands that are to be rezoned to “M1(41)”; and,
3. That conditional approval shall lapse on April 25, 2025, unless Condition #1 above has been met or an extension has been granted by Council.

YEAS: (5): Councillor Lapierre, Councillor Fortin, Councillor Cormier, Councillor Leduc, and Councillor Landry-Altmann

CARRIED (5 to 0)

Rules of Procedure

With the concurrence of the Committee, the reading of the resolution was waived.

The following resolution was presented:

PL2023-65

Moved By Councillor Fortin

Seconded By Councillor Lapierre

Resolution regarding the Consent Referral:

THAT the City of Greater Sudbury approves the request by 1929874 Ontario Inc. to permit the creation of one additional business industrial lot on lands described as PIN 73570-0551, Parts 3-9, 11 & 12, 15-19, 25 & 26, Plan 53R-20690, Part 1, Plan 53R-21281, Part of Lot 11, Concession 5, Township of Neelon, to proceed by way of the consent process, as outlined in the report entitled "440 Falconbridge Road, Sudbury" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of April 24, 2023.

YEAS: (5): Councillor Lapierre, Councillor Fortin, Councillor Cormier, Councillor Leduc, and Councillor Landry-Altmann

CARRIED (5 to 0)

As no public comment, written or oral, has been received, there was no effect on the Planning Committee's decision.

4.2 0 Bancroft Drive, Sudbury

The Planning Committee was adjourned and the Public Hearing was opened to deal with the application:

Sig Kirchhefer, agent for the applicant was present.

Wendy Kaufman, Senior Planner, outlined the report.

The Planning Department responded to questions from Committee Members.

The agent for the applicant addressed the Committee and responded to questions from the Committee Members.

At 2:00 p.m. the Committee recessed.

At 2:15 p.m. the Committee reconvened.

The chair asked whether there was anyone else who wished to speak in favour or against this application and hearing none:

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

Rules of Procedure

With the concurrence of the Committee, the reading of the resolution was waived.

The following resolution was presented:

PL2023-66

Moved By Councillor Leduc

Seconded By Councillor Lapierre

Resolution regarding the Rezoning Application

THAT the City of Greater Sudbury approves the application by Michael McDowell to amend Zoning By-law 2010-100Z by changing the zoning classification from “R2-2”, Low Density Residential Two to “R1-5”, Low Density Residential One in order to permit the development of a eight-lot residential subdivision, on lands described as PIN 73575-0407, Parcel 39581, Parts 1-4, Plan 53R-14917, Lots 9 & 10, Concession 3, Township of Neelon, as outlined in the report entitled “0 Bancroft Drive, Sudbury”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on April 24, 2023, subject to the following conditions:

1. That the owner provide the Development Approvals Section with a registered survey plan outlining:
 - a. blocks for stormwater management purposes, including a block for the stormwater management pond and related outlets, and a block for the drainage ditch beginning at the west boundary of the site and continuing to the southerly boundary being a minimum of 18.29 meters (60 feet) wide and centred on the ditch, to the satisfaction of the Director of Planning Services. These blocks shall be rezoned from “R1-5”, Low Density Residential One or “R2-2”, Low Density Residential Two to “OSC”, Open Space Conservation;
 - b. a block comprising all the lands on the west side of the drainage ditch noted in (a), to be rezoned from “R1-5”, Low Density Residential One or “R2-2” Low Density Residential One to “OSC”, Open Space Conservation; and
 - c. the portions of Part 2 and 3 Plan 53R-14917 to be rezoned from “R2-2”, Low Density Residential Two to “R1-5”, Low Density Residential One.
2. That the amending zoning by-law shall require a 75 m setback from the railway right-of-way.

YEAS: (5): Councillor Lapierre, Councillor Fortin, Councillor Cormier, Councillor Leduc, and Councillor Landry-Altmann

CARRIED (5 to 0)

Rules of Procedure

With the concurrence of the Committee, the reading of the resolution was waived.

The following resolution was presented:

PL2023-67

Moved By Councillor Leduc

Seconded By Councillor Lapierre

Resolution regarding the Draft Plan of Subdivision Application

THAT the City of Greater Sudbury's delegated official be directed to issue the draft approval for the subject plan of subdivision not sooner than fourteen (14) days following the date of the public meeting, and subject to the following conditions and note:

1. That this draft approval applies to the draft plan of subdivision of PIN 73575-0407, Parcel 39581, Parts 1-4, Plan 53R-14917, Lots 9 & 10, Concession 3, Township of Neelon, as shown on a plan of subdivision prepared by Adrian Bortolussi dated August 25, 2021.
2. That the plan be revised to provide a minimum of eight (8) residential lots with similar lot frontage, to the satisfaction of the Director of Planning Services.
3. That the street(s) shall be named to the satisfaction of the City.
4. That any dead-ends or open sides of road allowances created by this plan of subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the City and held in trust by the City until required for future road allowances or the development of adjacent land.
5. That prior to the signing of the final plan, the Planning Services Division shall be advised by the Ontario Land Surveyor responsible for preparation of the final plan, that the lot areas, frontages and depths appearing on the final plan do not violate the requirements of the Restricted Area By-laws of the City in effect at the time such plan is presented for approval.
6. That the subdivision agreement be registered by the City against the land to which it applies, prior to any encumbrances.
7. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
8. That the owner provide to Enbridge the necessary easements and/or agreements required by Enbridge for the provision of gas services for this project, in a form satisfactory to Enbridge.

9. That the subdivision agreement contain provisions whereby the owner agrees that all the requirements of the subdivision agreement including installation of required services be completed within 3 years after registration.
10. That the owner will be required to enter into a written agreement to satisfy all requirements, financial and otherwise, of the City, concerning the provision of roads, walkways, streetlighting, sanitary sewers, storm sewers, stormwater management facilities, watermains and surface drainage.
11. Draft Approval does not guarantee an allocation of sewer or water capacity. Prior to the signing of the final plan, the Planning Services Division is to be advised by the General Manager of Growth and Infrastructure that sufficient sewage treatment capacity and water capacity exists to service the development.
12. That a sidewalk be constructed on one side of the north/south street with a connection across Bancroft Drive to the existing sidewalk network.
13. That cash in lieu of 5% of the land included in the plan of subdivision be dedicated to the City for parks purposes to the satisfaction of the City Solicitor in accordance with Section 51.1 (1) and (3) of the Planning Act.
14. That this draft approval shall lapse on (3 years from date of draft approval).
15. The final plan shall be integrated with the City of Greater Sudbury Control Network to the satisfaction of the Coordinator of the Surveying and Mapping Services. The survey shall be referenced to NAD83(CSRS) with grid coordinates expressed in UTM Zone 17 projection and connected to two (2) nearby City of Greater Sudbury Control Network monuments. The survey plan must be submitted in an AutoCAD compatible digital format. The submission shall be the final plan in content, form and format and properly geo-referenced.
16. That prior to any pre-servicing of the subdivision, the Director of Planning Services shall be advised by the City's Water/Wastewater Division that a sufficient supply of potable water is available for the proposed development.
17. Prior-to the submission of servicing plans, the owner shall, to the satisfaction of the Director of Planning Services, provide an updated geotechnical report prepared, signed, sealed, and dated by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommend

construction procedures for storm and sanitary sewers, stormwater management facilities, watermain, roads to a 20 year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. Included in this report must be details regarding the removal of any substandard soils, the placement of any required engineered fill and the procedures for surcharging and monitoring of settlements. Also, the report must include an analysis illustrating how the groundwater table will be lowered to a level that will not cause problems to adjacent boundary housing and will, in conjunction with the subdivision grading plan, show that basements of new homes will not require extensive foundation drainage pumping. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services. A survey prepared by an OLS Surveyor is to be submitted to indicate the extents and geodetic elevations of any required pre-engineered fill pad. A soils caution agreement shall be registered on title, if required, to the satisfaction of the Chief Building Official and the City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement. The geotechnical engineer will be required to address On-site and Excess Soil Management as per O. Reg. 406/19.

18. The owner shall provide a detailed lot grading plan prepared, signed, sealed, and dated by a professional civil engineer with a valid certificate of authorization for the proposed lots as part of the submission of servicing plans. This plan must show finished grades around new houses, retaining walls, sideyards, swales, slopes and lot corners. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties. A lot grading agreement shall be registered on title, if required, to the satisfaction of the Director of Planning Services and the City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement.
19. The owner shall be required to have all stormwater management facilities constructed and approved by the City prior to initial acceptance of roads and sewers or at such time as the Director of Planning Services may direct. The owner shall provide lands for said facilities as required by the City, which will include a block for the stormwater management pond and related outlets, and a block for the drainage ditch beginning at the west boundary of the site and continuing to the southerly boundary being a minimum of 18.29 meters (60 feet) wide and centred on the ditch, to the satisfaction of the Director of Planning Services.

20. The owner shall provide a block comprising all the lands on the west side of the drainage ditch noted in Condition #19, to the satisfaction of the Director of Planning Services.
21. The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, sidewalks, walkways, storm sewers and related appurtenances to the City of Greater Sudbury Engineering Standards at the time of submission and to meet the requirements of the Ministry of the Environment, Conservation and Parks Consolidated Linear Infrastructure Environmental Compliance Approval (MECP CLI ECA).
22. The owner agrees to provide the required soils report, stormwater, water, sanitary sewer and lot grading master planning reports and plans to the Director of Planning Services prior to the submission of servicing plans for any phase of the subdivision.
23. The owner shall provide to the City, as part of the submission of servicing plans a Sediment and Erosion Control Plan detailing the location and types of sediment and erosion control measures to be implemented during the construction of each phase of the project. Said plan shall be to the satisfaction of the Nickel District Conservation Authority. The siltation control shall remain in place until all disturbed areas have been stabilized. All sediment and erosion control measures shall be inspected daily to ensure that they are functioning properly and are maintained and/or updated as required. If the sediment and erosion control measures are not functioning properly, no further work shall occur until the sediment and/or erosion problem is addressed.
24. The owner shall obtain a Section 28 permit pursuant to the Conservation Authorities Act from the Nickel District Conservation Authority for all development within 30 metres of the wetland prior to undertaking the proposed works. Following the completion of these works, the Owner shall agree to engage a qualified professional to certify in writing that the works were constructed in accordance with the plans, reports and specifications as approved by the Nickel District Conservation Authority.
25. If dewatering is required, the dewatering plan must be submitted and approved to the satisfaction of the Nickel District Conservation Authority.
26. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
27. The owner will be required to ensure that the corner radius for all intersecting streets is to be 9.0 m.

28. As part of the submission of servicing plans, the owner shall have rear yard slope treatments designed by a geotechnical engineer licensed in the Province of Ontario incorporated into the plans if noted as required at locations required by the Director of Planning Services. Suitable provisions shall be incorporated into the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the Director of Planning Services.
29. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Greater Sudbury Hydro Plus or Hydro One, Bell, Enbridge, and Eastlink. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.
30. The owner shall provide proof of sufficient fire flow and maximum day pressures in conjunction with the submission of construction drawings for each phase of construction. All costs associated with upgrading the existing distribution system to service this subdivision will be borne totally by the owner.
31. The owner shall provide proof of sufficient sanitary sewer capacity in conjunction with the submission of construction drawings for each phase of construction. All costs associated with upgrading the existing collection system and/or sewage lift stations to service this subdivision will be borne totally by the owner.
32. That prior to the signing of the final plan the Planning Services Division is to be advised by the City Solicitor that conditions 4, 6, 7, 9, 10 and 15 have been complied with to their satisfaction.
33. Final approval for registration may be issued in phases to the satisfaction of the Director of Planning Services, provided that:
 - i. Phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure and other essential services; and
 - ii. All agencies agree to registration by phases and provide clearances, as required, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
34. That the owner shall have completed all major outstanding infrastructure deficiencies that are critical to the overall function of the subdivision in previous phases of the plan that have been registered, or have made arrangements for their completion, prior to registering a new phase of the plan, to the satisfaction of the General Manager of Growth and Infrastructure.

35. A stormwater management report and associated plans must be submitted by the owner's consulting engineer for approval by the City. The report must address the following requirements:
- i. The underground storm sewer system within the plan of subdivision must be designed to accommodate and/or convey the minor storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 2 year design storm. The permissible minor storm discharge from the subject development must be limited to the existing pre-development site runoff resulting from a 2 year design storm. Any resulting post development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision;
 - ii. The overland flow system within the plan of subdivision must be designed to accommodate and/or convey the major storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 100 year design storm or Regional storm event, whichever is greater, without causing damage to proposed and adjacent public and private properties. The permissible major storm discharge from the subject development must be limited to the existing pre-development runoff resulting from a 100 year design storm or Regional storm event, whichever is greater;
 - iii. "enhanced" level must be used for the design of stormwater quality controls and 20% over-control of peak flows as defined by the Ministry of the Environment, Conservation and Parks;
 - iv. Stormwater management must follow the recommendations of the Ramsey Lake Subwatershed Study;
 - v. The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any stormwater management plan;
 - vi. For any runoff generated on site which is to be conveyed through the railway culvert(s), a hydraulic analysis, pre and post, for all the storms including Regional storm event must be conducted. The hydraulic analysis must demonstrate no additional ponding or increased flows are generated under post development conditions.
 - vii. The final grading of the lands shall be such that the surface water originating on or tributary to the said lands, including roof water from buildings and surface water from paved areas, will be discharged in a manner satisfactory to the General Manager of Growth and Infrastructure;

- viii. Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties; and,
 - ix. Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted.
 - x. The owner shall be responsible for the design and construction of any required stormwater management works to the satisfaction of the General Manager of Growth and Infrastructure as part of the servicing plans for the subdivision and the owner shall dedicate the lands for stormwater management works as a condition of this development.
36. That in accordance with Section 59(4) of the Development Charges Act, a notice of agreement shall be registered on title to ensure that persons who first purchase the subdivided land after registration of the plan of subdivision are informed, at the time the land is transferred, of all development charges related to development.
37. That prior to the signing of the final plan, the owner shall satisfy Canada Post with respect to mail delivery facilities for the site. Canada Post will provide mail delivery service to this subdivision through 1 Centralized Community Mailboxes (CMBs), which is recommended to be located on the side of Lot 1, across from Lot 5. The owner shall provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin.
38. That the subdivision agreement contain provisions whereby the recommendations of the “Noise Feasibility Study” dated March 29, 2022, prepared by HGC Engineering and outlined in the Staff Report dated March 15, 2023, will be implemented to the satisfaction of the City Solicitor and the Director of Planning Services. Should design modifications occur within the subdivision which in the opinion of the Director of Planning Services warrant a qualified engineers’ review of, and/or revisions to, the noise impact study said measures shall be undertaken prior to the signing of the final plan. A sound attenuation caution agreement shall be registered on title, if required, to the satisfaction of the Chief Building Official and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement.
39. That the following clauses are to be inserted in all offers to purchase, agreements of purchase and sale or lease and be registered on title or included in the lease:
- i. Purchasers/tenants are advised that sound levels due to increasing road and rail traffic may occasionally interfere with some activities of the dwelling unit occupants as the sound

levels exceed the sound level limits of the Ministry of the Environment, Conservation and Parks.

- ii. This dwelling unit has been designed with the provision of adding central air conditioning at the occupant's discretion. The installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Ministry of the Environment, Conservation and Parks.
 - iii. Purchasers are advised of the proximity of the nearby lift station, the sound from which may at times be audible.
 - iv. Canadian Pacific Railways Company or its assigns or successors in interest has or have a rights-of-way adjacent to or within close proximity of the land subject hereof with operations conducted 24 hours a day, 7 days a week, including the shunting of trains and the idling of locomotives. There may be alteration to or expansion to the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. CPR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.
40. The owner must transfer a three metre (3 m) wide easement, to be registered on title to the subject property, to Greater Sudbury Hydro Inc. for that portion of the subdivision that fronts on any existing or proposed road allowances. The owner will be responsible for all legal and survey costs associated with this. The owner is also responsible for obtaining/providing a Postponement in favour of Greater Sudbury Hydro Inc's interest with respect to any and all existing Charge/Mortgage/Lien and/or Encumbrance of Land registered on title to this property. The owner will be responsible for all costs associated with obtaining said Postponement.

Note

- 1. The draft plan for the subdivision includes an intersection to the north of Lot 5 as shown on the draft plan prepared by Adrian Bortolussi dated August 25, 2021. This intersection will provide a connection point to the lands to the east.

Rules of Procedure

Councillor Leduc presented the following amendment:

PL2023-67-A1

Moved By Councillor Leduc

Seconded By Councillor Lapierre

THAT the resolution be amended to remove condition #2 - "That the plan be revised to provide a minimum of eight (8) residential lots with similar lot frontage, to the satisfaction of the Director of Planning Services."

CARRIED

Rules of Procedure

With the concurrence of the Committee, the reading of the resolution was waived.

The following resolution as amended was presented:

PL2023-67

Moved By Councillor Leduc

Seconded By Councillor Lapierre

As amended:

Resolution regarding the Draft Plan of Subdivision Application

THAT the City of Greater Sudbury's delegated official be directed to issue the draft approval for the subject plan of subdivision not sooner than fourteen (14) days following the date of the public meeting, and subject to the following conditions and note:

1. That this draft approval applies to the draft plan of subdivision of PIN 73575-0407, Parcel 39581, Parts 1-4, Plan 53R-14917, Lots 9 & 10, Concession 3, Township of Neelon, as shown on a plan of subdivision prepared by Adrian Bortolussi dated August 25, 2021.
2. That the street(s) shall be named to the satisfaction of the City.
3. That any dead-ends or open sides of road allowances created by this plan of subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the City and held in trust by the City until required for future road allowances or the development of adjacent land.
4. That prior to the signing of the final plan, the Planning Services Division shall be advised by the Ontario Land Surveyor responsible for preparation of the final plan, that the lot areas, frontages and depths appearing on the final plan do not violate the requirements of the Restricted Area By-laws of the City in effect at the time such plan is presented for approval.

5. That the subdivision agreement be registered by the City against the land to which it applies, prior to any encumbrances.
6. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
7. That the owner provide to Enbridge the necessary easements and/or agreements required by Enbridge for the provision of gas services for this project, in a form satisfactory to Enbridge.
8. That the subdivision agreement contain provisions whereby the owner agrees that all the requirements of the subdivision agreement including installation of required services be completed within 3 years after registration.
9. That the owner will be required to enter into a written agreement to satisfy all requirements, financial and otherwise, of the City, concerning the provision of roads, walkways, streetlighting, sanitary sewers, storm sewers, stormwater management facilities, watermains and surface drainage.
10. Draft Approval does not guarantee an allocation of sewer or water capacity. Prior to the signing of the final plan, the Planning Services Division is to be advised by the General Manager of Growth and Infrastructure that sufficient sewage treatment capacity and water capacity exists to service the development.
11. That a sidewalk be constructed on one side of the north/south street with a connection across Bancroft Drive to the existing sidewalk network.
12. That cash in lieu of 5% of the land included in the plan of subdivision be dedicated to the City for parks purposes to the satisfaction of the City Solicitor in accordance with Section 51.1 (1) and (3) of the Planning Act.
13. That this draft approval shall lapse on (3 years from date of draft approval).
14. The final plan shall be integrated with the City of Greater Sudbury Control Network to the satisfaction of the Coordinator of the Surveying and Mapping Services. The survey shall be referenced to NAD83(CSRS) with grid coordinates expressed in UTM Zone 17 projection and connected to two (2) nearby City of Greater Sudbury Control Network monuments. The survey plan must be submitted in an AutoCAD compatible digital format. The submission shall be the final plan in content, form and format and properly geo-referenced.
15. That prior to any pre-servicing of the subdivision, the Director of Planning Services shall be advised by the City's Water/Wastewater

Division that a sufficient supply of potable water is available for the proposed development.

16. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the Director of Planning Services, provide an updated geotechnical report prepared, signed, sealed, and dated by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommend construction procedures for storm and sanitary sewers, stormwater management facilities, watermain, roads to a 20 year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. Included in this report must be details regarding the removal of any substandard soils, the placement of any required engineered fill and the procedures for surcharging and monitoring of settlements. Also, the report must include an analysis illustrating how the groundwater table will be lowered to a level that will not cause problems to adjacent boundary housing and will, in conjunction with the subdivision grading plan, show that basements of new homes will not require extensive foundation drainage pumping. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services. A survey prepared by an OLS Surveyor is to be submitted to indicate the extents and geodetic elevations of any required pre-engineered fill pad. A soils caution agreement shall be registered on title, if required, to the satisfaction of the Chief Building Official and the City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement. The geotechnical engineer will be required to address On-site and Excess Soil Management as per O. Reg. 406/19.
17. The owner shall provide a detailed lot grading plan prepared, signed, sealed, and dated by a professional civil engineer with a valid certificate of authorization for the proposed lots as part of the submission of servicing plans. This plan must show finished grades around new houses, retaining walls, sideyards, swales, slopes and lot corners. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties. A lot grading agreement shall be registered on title, if required, to the satisfaction of the Director of Planning Services and the City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement.
18. The owner shall be required to have all stormwater management facilities constructed and approved by the City prior to initial acceptance of roads and sewers or at such time as the Director of

Planning Services may direct. The owner shall provide lands for said facilities as required by the City, which will include a block for the stormwater management pond and related outlets, and a block for the drainage ditch beginning at the west boundary of the site and continuing to the southerly boundary being a minimum of 18.29 meters (60 feet) wide and centred on the ditch, to the satisfaction of the Director of Planning Services.

19. The owner shall provide a block comprising all the lands on the west side of the drainage ditch noted in Condition #19, to the satisfaction of the Director of Planning Services.
20. The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, sidewalks, walkways, storm sewers and related appurtenances to the City of Greater Sudbury Engineering Standards at the time of submission and to meet the requirements of the Ministry of the Environment, Conservation and Parks Consolidated Linear Infrastructure Environmental Compliance Approval (MECP CLI ECA).
21. The owner agrees to provide the required soils report, stormwater, water, sanitary sewer and lot grading master planning reports and plans to the Director of Planning Services prior to the submission of servicing plans for any phase of the subdivision.
22. The owner shall provide to the City, as part of the submission of servicing plans a Sediment and Erosion Control Plan detailing the location and types of sediment and erosion control measures to be implemented during the construction of each phase of the project. Said plan shall be to the satisfaction of the Nickel District Conservation Authority. The siltation control shall remain in place until all disturbed areas have been stabilized. All sediment and erosion control measures shall be inspected daily to ensure that they are functioning properly and are maintained and/or updated as required. If the sediment and erosion control measures are not functioning properly, no further work shall occur until the sediment and/or erosion problem is addressed.
23. The owner shall obtain a Section 28 permit pursuant to the Conservation Authorities Act from the Nickel District Conservation Authority for all development within 30 metres of the wetland prior to undertaking the proposed works. Following the completion of these works, the Owner shall agree to engage a qualified professional to certify in writing that the works were constructed in accordance with the plans, reports and specifications as approved by the Nickel District Conservation Authority.

24. If dewatering is required, the dewatering plan must be submitted and approved to the satisfaction of the Nickel District Conservation Authority.
25. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
26. The owner will be required to ensure that the corner radius for all intersecting streets is to be 9.0 m.
27. As part of the submission of servicing plans, the owner shall have rear yard slope treatments designed by a geotechnical engineer licensed in the Province of Ontario incorporated into the plans if noted as required at locations required by the Director of Planning Services. Suitable provisions shall be incorporated into the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the Director of Planning Services.
28. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Greater Sudbury Hydro Plus or Hydro One, Bell, Enbridge, and Eastlink. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.
29. The owner shall provide proof of sufficient fire flow and maximum day pressures in conjunction with the submission of construction drawings for each phase of construction. All costs associated with upgrading the existing distribution system to service this subdivision will be borne totally by the owner.
30. The owner shall provide proof of sufficient sanitary sewer capacity in conjunction with the submission of construction drawings for each phase of construction. All costs associated with upgrading the existing collection system and/or sewage lift stations to service this subdivision will be borne totally by the owner.
31. That prior to the signing of the final plan the Planning Services Division is to be advised by the City Solicitor that conditions 4, 6, 7, 9, 10 and 15 have been complied with to their satisfaction.
32. Final approval for registration may be issued in phases to the satisfaction of the Director of Planning Services, provided that:
 - i) Phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure and other essential services; and
 - ii) All agencies agree to registration by phases and provide clearances, as required, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.

33. That the owner shall have completed all major outstanding infrastructure deficiencies that are critical to the overall function of the subdivision in previous phases of the plan that have been registered, or have made arrangements for their completion, prior to registering a new phase of the plan, to the satisfaction of the General Manager of Growth and Infrastructure.
34. A stormwater management report and associated plans must be submitted by the owner's consulting engineer for approval by the City. The report must address the following requirements:
- a. The underground storm sewer system within the plan of subdivision must be designed to accommodate and/or convey the minor storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 2 year design storm. The permissible minor storm discharge from the subject development must be limited to the existing pre-development site runoff resulting from a 2 year design storm. Any resulting post development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision;
 - b. The overland flow system within the plan of subdivision must be designed to accommodate and/or convey the major storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 100 year design storm or Regional storm event, whichever is greater, without causing damage to proposed and adjacent public and private properties. The permissible major storm discharge from the subject development must be limited to the existing pre-development runoff resulting from a 100 year design storm or Regional storm event, whichever is greater;
 - c. "enhanced" level must be used for the design of stormwater quality controls and 20% over-control of peak flows as defined by the Ministry of the Environment, Conservation and Parks;
 - d. Stormwater management must follow the recommendations of the Ramsey Lake Subwatershed Study;
 - e. The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any stormwater management plan;
 - f. For any runoff generated on site which is to be conveyed through the railway culvert(s), a hydraulic analysis, pre and post, for all the storms including Regional storm event must be conducted. The hydraulic analysis must demonstrate no

additional ponding or increased flows are generated under post development conditions.

- g. The final grading of the lands shall be such that the surface water originating on or tributary to the said lands, including roof water from buildings and surface water from paved areas, will be discharged in a manner satisfactory to the General Manager of Growth and Infrastructure;
 - h. Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties; and,
 - i. Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted.
 - j. The owner shall be responsible for the design and construction of any required stormwater management works to the satisfaction of the General Manager of Growth and Infrastructure as part of the servicing plans for the subdivision and the owner shall dedicate the lands for stormwater management works as a condition of this development.
35. That in accordance with Section 59(4) of the Development Charges Act, a notice of agreement shall be registered on title to ensure that persons who first purchase the subdivided land after registration of the plan of subdivision are informed, at the time the land is transferred, of all development charges related to development.
36. That prior to the signing of the final plan, the owner shall satisfy Canada Post with respect to mail delivery facilities for the site. Canada Post will provide mail delivery service to this subdivision through 1 Centralized Community Mailboxes (CMBs), which is recommended to be located on the side of Lot 1, across from Lot 5. The owner shall provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin.
37. That the subdivision agreement contain provisions whereby the recommendations of the "Noise Feasibility Study" dated March 29, 2022, prepared by HGC Engineering and outlined in the Staff Report dated March 15, 2023, will be implemented to the satisfaction of the City Solicitor and the Director of Planning Services. Should design modifications occur within the subdivision which in the opinion of the Director of Planning Services warrant a qualified engineers' review of, and/or revisions to, the noise impact study said measures shall be undertaken prior to the signing of the final plan. A sound attenuation caution agreement shall be registered on title, if required, to the satisfaction of the Chief

Building Official and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement.

38. That the following clauses are to be inserted in all offers to purchase, agreements of purchase and sale or lease and be registered on title or included in the lease:
- a. Purchasers/tenants are advised that sound levels due to increasing road and rail traffic may occasionally interfere with some activities of the dwelling unit occupants as the sound levels exceed the sound level limits of the Ministry of the Environment, Conservation and Parks.
 - b. This dwelling unit has been designed with the provision of adding central air conditioning at the occupant's discretion. The installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Ministry of the Environment, Conservation and Parks.
 - c. Purchasers are advised of the proximity of the nearby lift station, the sound from which may at times be audible.
 - d. Canadian Pacific Railways Company or its assigns or successors in interest has or have a rights-of-way adjacent to or within close proximity of the land subject hereof with operations conducted 24 hours a day, 7 days a week, including the shunting of trains and the idling of locomotives. There may be alteration to or expansion to the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. CPR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.
39. The owner must transfer a three metre (3 m) wide easement, to be registered on title to the subject property, to Greater Sudbury Hydro Inc. for that portion of the subdivision that fronts on any existing or proposed road allowances. The owner will be responsible for all legal and survey costs associated with this. The owner is also responsible for obtaining/providing a Postponement in favour of Greater Sudbury Hydro Inc's interest with respect to any and all existing Charge/Mortgage/Lien and/or Encumbrance of Land

registered on title to this property. The owner will be responsible for all costs associated with obtaining said Postponement.

Note

- a. The draft plan for the subdivision includes an intersection to the north of Lot 5 as shown on the draft plan prepared by Adrian Bortolussi dated August 25, 2021. This intersection will provide a connection point to the lands to the east.

YEAS: (5): Councillor Lapierre, Councillor Fortin, Councillor Cormier, Councillor Leduc, and Councillor Landry-Altmann

CARRIED (5 to 0)

As no public comment, written or oral, has been received, there was no effect on the Planning Committee's decision.

4.3 0 Bodson Drive West, Hanmer

The Planning Committee was adjourned and the Public Hearing was opened to deal with the application:

Ryan Vis, agent for the applicant was present.

Glen Ferguson, Senior Planner outlined the report.

The Planning Department responded to questions from the Committee members.

The agent for the applicant provided comments and responded to questions from the Committee members.

The chair asked whether there was anyone else who wished to speak in favour or against this application and hearing none:

Rules of Procedure

With the concurrence of the Committee, the reading of the resolution was waived.

The following resolution was presented:

PL2023-68

Moved By Councillor Leduc

Seconded By Councillor Lapierre

THAT the City of Greater Sudbury denies the application by 1650939 Ontario Ltd. to amend the City of Greater Sudbury Official Plan to provide for a site-specific exception to the lot creation policies within the Urban Expansion Reserve of the Valley East Policy Area on those lands described as PIN 73503-1660, Part 1, Plan 53R-20676, Lot 1, Concession 1, Township of Hanmer, as outlined in the report entitled "0 Bodson Drive

West, Hanmer” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of April 24, 2023.

NAYS: (5): Councillor Lapierre, Councillor Fortin, Councillor Cormier, Councillor Leduc, and Councillor Landry-Altmann

DEFEATED (0 to 5)

Rules of Procedure

Councillor Lapierre presented the following alternate resolution:

PL2023-69

Moved By Councillor Lapierre

Seconded By Councillor Fortin

THAT the City of Greater Sudbury approves the application by 1650939 Ontario Ltd. to amend the City of Greater Sudbury Official Plan to provide for a site-specific exception to the lot creation policies within the Urban Expansion Reserve of the Valley East Policy Area on those lands described as PIN 73503-1660, Part 1, Plan 53R-20676, Lot 1, Concession 1, Township of Hanmer, as outlined in the report entitled “0 Bodson Drive West, Hanmer” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of April 24, 2023.

YEAS: (5): Councillor Lapierre, Councillor Fortin, Councillor Cormier, Councillor Leduc, and Councillor Landry-Altmann

CARRIED (5 to 0)

Public comment has been received and considered and had no effect on the Planning Committee's decision as the application represents good planning.

5. Consent Agenda

PL2023-70

Moved By Councillor Lapierre

Seconded By Councillor Landry-Altmann

THAT the City of Greater Sudbury approves Consent Agenda item 5.1.1

CARRIED

The following are the Consent Agenda items:

5.1 Routine Management Reports

5.1.1 Twin Lake Subdivision, Sudbury

PL2023-71

Moved By Councillor Lapierre

Seconded By Councillor Landry-Altmann

THAT the City of Greater Sudbury's delegated official be directed to amend the conditions of draft approval for a plan of subdivision on those lands described as Parcel 49532 SES, Lots 163-165, Plan M-423, Lot 2, Concession 2, Township of McKim, File # 780-6/03001, in the report entitled "Twin Lakes Subdivision, Sudbury" from the General Manager of Growth and Infrastructure, presented at the meeting of April 24, 2023, as follows:

1. By deleting Condition #8 and replacing it with the following:
"8. 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 for parks purposes in accordance with Section 51.1 of the Planning Act to the satisfaction of the Director of Leisure Services and the City Solicitor.";
2. By adding the following at the end of Condition #10: "The geotechnical engineer will be required to address on-site and excess soil management in accordance with Ontario Regulation 406/19.";
3. By deleting Condition #20 and replacing it with the following:
"20. That this draft approval shall lapse on March 24, 2026.";
4. By deleting the number and punctuation being "#14," in Condition #24;
5. By deleting the words "Union Gas" and replacing them with "Enbridge Gas" in Condition #26;
6. By adding a new Condition #48 as follows: "48. The owner shall identify and map the limits of wetland(s) within the plan of subdivision to the satisfaction of the Nickel District Conservation Authority. The wetland(s) must be mapped by a qualified professional that is OWES-certified with experience in wetland mapping. The wetland(s) must be mapped within the location of the proposed plan of subdivision and within 30 metres of the proposed plan of subdivision. All mapping must include the wetland boundary, a 12-metre setback and a 30-metre setback. Development must comply with Conservation Sudbury's Wetland Guidelines and development within 30 metres of the wetland will require a permit from Conservation Sudbury."; and,
7. By adding a new Condition #49 as follows: "49. The owner shall contribute \$13,000 towards the completion of a Municipal Class Environmental Assessment to review possible alternatives for transportation improvements for the Ramsey Lake Road corridor to the satisfaction of the General Manager of Growth and Infrastructure."

CARRIED

6. Managers' Reports

6.1 401 Joannette Road, Chelmsford

The following resolution was presented:

PL2023-72

Moved By Councillor Landry-Altmann

Seconded By Councillor Lapierre

THAT the City of Greater Sudbury approves the extension of Official Plan Amendment application File # 701-5/19-001 and rezoning application File # 751-5/19-002 by Nickel Belt Boom Truck Ltd. on lands described as Part of PIN 73350-0593 in Lot 4, Concession 2, Township of Balfour, as outlined in the report entitled "401 Joannette Road, Chelmsford", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on April 24, 2023, for a period of one (1) year to January 9, 2024.

CARRIED

7. Members' Motions

No Motions were presented.

8. Addendum

No Addendum was presented.

9. Civic Petitions

No Petitions were submitted.

10. Question Period

No Questions were asked.

11. Adjournment

Councillor Cormier moved to adjourn the meeting. Time: 2:45 p.m.