

MINUTES – DECEMBER 9, 2013

APPLICATIONS FOR REZONING AND PLAN OF SUBDIVISION APPROVAL IN ORDER TO CREATE 52 LOTS FOR DOUBLE RESIDENTIAL USE AND 2 PARK BLOCKS, ALGONQUIN ROAD, SUDBURY - SITIRI INVESTMENTS LTD.

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

Report dated November 25, 2013 was received from the Acting General Manager of Growth and Development regarding applications for rezoning and Plan of Subdivision approval in order to create 52 lots for double residential use and 2 park blocks, Algonquin Road, Sudbury - Sitiri Investments Ltd.

Letter of objection dated November 23, 2013 from F. Folino, area resident.

Letter of objection dated November 14, 2013 from John Jakov, area resident.

Matthew Dumont and Kristi Arnold, the applicants, were present.

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

Mr. Dumont provided an electronic presentation regarding the draft plan of proposed subdivision. He explained Block 53 is planned for storm water management and Block 54 will be parkland, conservation and drainage. He informed lot 26 is being exchanged for lot 53 for the parklands.

He stated a neighbourhood meeting was held in November 2013 where the plan of subdivision and the model homes were displayed. He stated 15 people were in attendance and he believes their concerns were addressed.

Jack Anderson, area resident, stated the plan does not address the issue of drainage from the proposed subdivision. He informed there are flooding issues every year as he has witnessed water crossing Green Avenue and neighbours' yards being flooded. He does not believe any work has been done to correct the flooding and feels this issue should be addressed prior to the development of the subdivision.

Kris Shelswell, area resident, stated the insufficient water flow cannot continue. The flood plain exists due to the existence of too much water that does not drain. He feels the water is a safety issue for the residents and suggested the out flow water design be improved.

Edgar Lessard, area resident, stated his property is located on a hill and does not retain water. He is concerned of potential damage to his property due to blasting. He stated water issues occur during rain storms as the catch basin fills quickly. He is also concerned about the speed the water flows during a storm.

Councillor Craig, Ward Councillor, stated he agrees with all the residents and the issues of the water as he has witnessed water flowing over Green Avenue which flows towards Brown's Concrete. He stated the flow of water needs to be addressed.

Ms. Arnold informed the development must meet predevelopment flows and believes the stormwater ponds that are to be built will help slow the water flow. She stated the formal plans have not been completed but there is a potential to lower the flow of water in the area. She stated the Algonquin storm water management plan will also help with the existing situation.

Morgan Piccinetti, area resident, stated he has been attempting to split his lot but is unable to due to the flood zone. He questioned why these lots are being split for this development due to the issue of water and the flood zone. He believes a water study was completed and the issue is a culvert located under Brown's Concrete.

Ms. Arnold stated a majority of the property is not located in the flood plain. Issues stemming from the public session were heard and therefore, their recommendations for the subdivision plan was changed from semi-detached residences to single family homes. The stormwater pond requirements are strict and have to meet Ministry of Environment guidelines. She believes the stormwater pond will make the situation better and feels the existing culverts require repairs to help with the water flow.

Councillor Craig, Ward Councillor, stated he supports the development but would like to see the flooding issue resolved.

The Chair asked whether there was anyone else in the audience who wished to speak in favour or against this application and seeing none:

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

The following recommendations were presented:

PL2013-218 Rivest/Craig: THAT the City of Greater Sudbury approve the application by Sitiri Investments Ltd. to amend Zoning By-law 2010-100Z by changing the zoning classification from "FD", Future Development to "R1-5", Low Density Residential One, "R2-2(S)", Low Density Residential Two Special and "P", Park on those lands described as Part of PIN 73478-0809, Part of Parcel 11257 S.E.S., Parts 1-3, Plan 53R-19865 in Lot 3, Concession 5, Township of Broder, subject to the following conditions:

1. That the owner provide the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to enable the preparation of an amending zoning by-law. The survey plan shall identify as parts on a plan the lands to be developed for single and double residential uses, as well as the lands to be utilized for parks and open space purposes, to the satisfaction of the Director of Planning Services.

2. That the lands on the draft plan of subdivision be rezoned as follows:
 - i) Lots 3 to 26 and 27 to 45 be zoned as "R2-2(S)", Low Density Residential Two Special;
 - ii) Lots 1, 2, and 46 to 52 be zoned as "R1-5", Low Density Residential One; and,
 - iii) Blocks 53 and 54 be zoned as "P", Park.
3. That the amending by-law for the lands to be zoned R2-2 Special include the following site-specific provision:
 - i) No buildings or structures are permitted within 8 metres of the Highway 17 property line. The 8-metre buffer area shall be maintained in a natural vegetative state.

YEAS: Councillors Dutrisac, Rivest, Craig, Kilgour

CARRIED

PL2013-219 Craig/Rivest: THAT the City of Greater Sudbury Council's delegated official be directed to issue the draft approval for the subject subdivision not sooner than 14 days following the date of the public meeting in accordance with the requirements of Section 51 (20) of the Planning Act, and subject to the following conditions:

1. That this draft approval applies to the draft plan of subdivision of Part of PIN 73478-0809, Part of Parcel 11257 S.E.S., Parts 1-3, 53R-19865 in Lot 3, Concession 5, Township of Broder as shown on a plan of subdivision prepared by Terry Del Bosco, O.L.S., and dated August 16, 2012.
2. That the street(s) shall be named to the satisfaction of the Municipality.
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 Municipality and held in trust by the Municipality 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 Municipality in effect at the time such plan is presented for approval.
5. That the subdivision agreement be registered by the Municipality 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 agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Greater Sudbury, concerning the provision of roads, walkways, street lighting, storm sewers and surface drainage facilities.

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. Draft approval does not guarantee an allocation of sewer or water capacity. Prior to the signing of the final plan, the Director of Planning Services is to be advised by the General Manager of Infrastructure Services that sufficient sewage treatment capacity and water capacity exist to service the development.
10. That this draft approval shall lapse 3 years from the date of the draft approval.
11. 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.
12. That 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) of the Planning Act.
13. That Block 53 and the remainder of Block 54 be transferred to the City for drainage and conservation purposes.
14. That Block 55 be transferred to the Ministry of Transportation as a 0.3 metre reserve.
15. That the owner shall provide Development Services with documentation on the implications of reorienting Lots 1, 2, and 46 to front onto Street A to the satisfaction of the Director of Planning Services and Lots 1, 2, and 46 shall be reconfigured to front onto Street A if so required, by the Director of Planning Services.
16. That a pedestrian walkway be provided to connect westerly to abutting lands described as Parts 1 & 2, Plan 53R-12702.
17. That the owner provide a landscape plan that identifies stands of trees that will be maintained and the measures that will be taken to ensure survival of these trees during the site alteration and construction phases, to the satisfaction of the Director of Planning Services.
18. That the owner prepare a Traffic Impact Study and agree to participate in the cost of any upgrades or improvements identified in the Study to the satisfaction of the General Manager of Infrastructure Services.
19. That the owner construct a sidewalk along the south side of Algonquin Road from the east limit of the subject property to Field Street. As per the City's Cost Sharing Policy, the owner is responsible for 100 percent of the cost across the frontage of the property and for the first 100 metres of sidewalk external to the development. The City will be responsible for 100 percent of the cost for the remaining portion, approximately 187 metres.

20. The development shall require a subdivision agreement and during that process, based on anticipated quantities of removal of rock through blasting, the following conditions will be imposed:
- a. The owner/developer will be required to provide a geotechnical report on how the work related to blasting shall be undertaken safely to protect adjoining structures and other infrastructure. The geotechnical report shall be undertaken by a blasting consultant defined as a professional engineer licensed in the Province of Ontario with a minimum of five (5) years experience related to blasting.
 - b. The blasting consultant shall be retained by the developer and shall be independent of the contractor and any subcontractor doing blasting work. The blasting consultant shall be required to complete specified monitoring recommended in the report of vibration levels and provide a report detailing those recorded vibration levels. Copies of the recorded ground vibration documents shall be provided to the contractor and contract administration weekly or upon request for this specific project.
 - c. The geotechnical report will provide recommendations and specifications on the following activity as a minimum but not limited to:
 - Pre-blast survey of surface structures and infrastructure within affected area;
 - Trial blast activities;
 - Procedures during blasting;
 - Procedures for addressing blasting damage complaints;
 - Blast notification mechanism to adjoining residences; and,
 - Structural stability of exposed rock faces.
 - d. The above report shall be submitted for review to the satisfaction of the Chief Building Official prior to the commencement of any removal of rock by blasting.
 - e. Should the owner/developer's schedule require to commence blasting and rock removal prior to the subdivision agreement having been signed, a site alteration permit shall be required under the City of Greater Sudbury's By-law #2009-170 and shall require a similar geotechnical report as a minimum prior to its issuance.
21. 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 any proposed 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 substandard soils (if any) and placement of engineered fill (if required) for the construction of homes. 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.

22. All streets will be constructed to an urban standard, including the required curbs, gutters and sidewalks.
23. 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, side yards, 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 and show the stormwater overland flow path. The plan shall be prepared to the satisfaction of Conservation Sudbury (Nickel District Conservation Authority).
24. The owner agrees to provide the required soils report, traffic report, 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.
25. The owner shall develop a siltation control plan for the subdivision construction period to the satisfaction of the Director of Planning Services and Conservation Sudbury (Nickel District Conservation Authority).
26. Any streetlights required for this subdivision will be designed and constructed by Greater Sudbury Hydro Inc. at the cost of the owner.
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 lot grading 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. Prior to the signing of the final plan, the owner shall undertake a noise assessment to determine what control measures are required to meet the Ontario Ministry of the Environment noise assessment criteria. If necessary, provisions for implementing noise control measures must be included in the subdivision agreement to the satisfaction of the General Manager of Infrastructure Services and 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 Inc., Canada Post, Bell, Union Gas, 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 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 upgrades to the downstream works required to service this subdivision will be borne totally by the owner.
32. Draft approval does not guarantee an allocation for water or sewer capacity. Prior to the signing of the construction drawings for each phase, the Director of Planning Services is to be advised by the General Manager of Infrastructure Services that sufficient sewage treatment capacity and water capacity exist to service the development.
33. The owner shall be responsible to have a stormwater management report prepared to assess how the quality and quantity of stormwater will be managed for the subdivision development, in addition to the flows generated from upstream lands. The report shall establish how the quantity of stormwater generated within the subdivision will be controlled to pre-development levels for the 1:5, 1:100 and Regional Storm events. The owner shall be required to submit a comprehensive drainage plan of the subject property, and any upstream areas draining through the subdivision. The quality of the stormwater must meet a "normal" level of protection as defined by the Ontario Ministry of the Environment. The report shall be prepared to the satisfaction of Conservation Sudbury (Nickel District Conservation Authority) and the Ministry of Transportation.
34. 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.
35. The owner shall complete a watermain loop connecting to the existing 150 mm diameter watermain at the Algonquin Road/Street A intersection and a second location easterly to the satisfaction of the General Manager of Growth and Development.
36. Development on Lots 21-26, 51 and 52 must be reviewed and approved by Conservation Sudbury (Nickel District Conservation Authority). The plans must show that there is sufficient storage capacity to compensate for the fill placed on the affected lots for floodproofing purposes.
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.

YEAS: Councillors Dutrisac, Rivest, Craig, Kilgour

CARRIED