



PLANNING COMMITTEE AGENDA

Planning Committee Meeting
Monday, June 22, 2020
Tom Davies Square - Committee Room C-11 / Electronic Participation

COUNCILLOR FERN CORMIER, CHAIR

Robert Kirwan, Vice-Chair

1:00 P.M. OPEN SESSION, COMMITTEE ROOM C-11 / ELECTRONIC PARTICIPATION

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ROLL CALL

DECLARATIONS OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

PUBLIC HEARINGS

1. Report dated June 1, 2020 from the General Manager of Growth and Infrastructure regarding 1232252 Ontario Inc. – Applications for Official Plan Amendment & Zoning By-law Amendment (Silver Hills Drive, Sudbury). **9 - 28**
(RESOLUTION PREPARED)
 - Glen Ferguson, Senior Planner
2. Report dated May 13, 2020 from the General Manager of Growth and Infrastructure regarding Bill 108 Implementation: Official Plan and Zoning By-law Amendments. **29 - 39**
(RESOLUTION PREPARED)
 - Melissa Riou, Senior Planner

CONSENT AGENDA

(For the purpose of convenience and for expediting meetings, matters of business of repetitive or routine nature are included in the Consent Agenda, and all such matters of business contained in the Consent Agenda are voted on collectively.

A particular matter of business may be singled out from the Consent Agenda for debate or for a separate vote upon the request of any Councillor. In the case of a separate vote, the excluded matter of business is severed from the Consent Agenda, and only the remaining matters of business contained in the Consent Agenda are voted on collectively.

Each and every matter of business contained in the Consent Agenda is recorded separately in the minutes of the meeting.)

ADOPTING, APPROVING OR RECEIVING ITEMS IN THE CONSENT AGENDA

(RESOLUTION PREPARED FOR ITEMS C-1 TO C-5)

ROUTINE MANAGEMENT REPORTS

- C-1. Report dated May 8, 2020 from the General Manager of Growth and Infrastructure regarding Dalron Construction Ltd. - Application to extend a draft approved plan of subdivision approval, PIN 73377-1463, Part of Parcel 22159 A SWS, Lot 8, Concession 5, Township of Waters (Sugarbush Subdivision, Lively). **40 - 52**
(RESOLUTION PREPARED)

(This report provides a recommendation regarding the extension to the draft plan of subdivision approval, Sugarbush Subdivision, Lively.)
- C-2. Report dated May 25, 2020 from the General Manager of Growth and Infrastructure regarding Dalron Construction Ltd. – Application to extend a draft approved plan of subdivision approval, PINs 73475-1373 & 73478-9526, Parts 1 to 19, Plan 53R-14976, Township of Broder (Pondsvew Subdivision, Sudbury). **53 - 66**
(RESOLUTION PREPARED)

(This report provides a recommendation regarding the extension to the draft plan of subdivision approval, Pondsvew Subdivision, Sudbury.)

- C-3. Report dated May 8, 2020 from the General Manager of Growth and Infrastructure regarding Dalron Construction Ltd. - Application to extend a draft approved plan of subdivision approval, Parcel 49532 SES, Lots 163-165, Plan M-423, Lot 2, Concession 2, Township of McKim (Twin Lakes Subdivision, Sudbury). **67 - 84**
(RESOLUTION PREPARED)
(This report provides a recommendation regarding the extension to the draft plan of subdivision approval, Twin Lakes Subdivision, Sudbury.)
- C-4. Report dated June 1, 2020 from the General Manager of Growth and Infrastructure regarding Coniston Industrial Park Limited – Modification to details regarding Application for a cost sharing agreement between Coniston Industrial Park Limited and the City of Greater Sudbury. **85 - 95**
(RESOLUTION PREPARED)
(This report provides a recommendation regarding a cost sharing agreement between Coniston Industrial Park Limited and the City of Greater Sudbury.)
- C-5. Report dated May 29, 2020 from the General Manager of Growth and Infrastructure regarding Denis Gratton Construction Limited - Request for extension of conditional approval of rezoning application File # 751-5/17-3, 3160 Highway 144, Chelmsford. **96 - 143**
(RESOLUTION PREPARED)
(This report provides a recommendation regarding an extension of conditional approval of rezoning application, 3160 Highway 144, Chelmsford.)

REGULAR AGENDA

MANAGERS' REPORTS

- R-1. Report dated May 26, 2020 from the General Manager of Growth and Infrastructure regarding Timestone Corporation - Application to remove the "H", Holding Designation on lands zoned "H49I(49)", Holding Institutional Special (Nottingham Avenue, Sudbury). **144 - 188**
(RESOLUTION PREPARED)
(This report provides a recommendation regarding an application to remove the "H", Holding Designation on lands zoned "H49I(49)", Holding Institutional Special in order to construct a three-storey long-term care facility on Nottingham Avenue, Sudbury.)

MEMBERS' MOTIONS

ADDENDUM

CIVIC PETITIONS

QUESTION PERIOD

ADJOURNMENT

COMITÉ DE PLANIFICATION ORDRE DU JOUR

Réunion du Comité de planification

22 juin 2020

Place Tom Davies - Salle de réunion C-11 / participation électronique

CONSEILLER FERN CORMIER, PRÉSIDENT(E)

Robert Kirwan, Vice-président(e)

13 H 00 SÉANCE PUBLIQUE, SALLE DE RÉUNION C-11 / PARTICIPATION ÉLECTRONIQUE

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APPEL NOMINAL

DÉCLARATION D'INTÉRÊTS PÉCUNIAIRES ET LEUR NATURE GÉNÉRALES

AUDIENCES PUBLIQUES

1. Rapport directeur général, Croissance et Infrastructure, daté du 01 juin 2020 portant sur 1232252 Ontario Inc. – Demandes de modification du Plan officiel et du règlement municipal de zonage (promenade Silver Hills, Sudbury). **9 - 28**
(**RÉSOLUTION PRÉPARÉE**)
 - Glen Ferguson, planificateur principal
2. Rapport directeur général, Croissance et Infrastructure, daté du 13 mai 2020 portant sur Mise oeuvre de la loi 108 : modification du Plan officiel et du règlement municipal de zonage. **29 - 39**
(**RÉSOLUTION PRÉPARÉE**)
 - Melissa Riou, planificateur principal

Ordre du jour des résolutions

(Par souci de commodité et pour accélérer le déroulement des réunions, les questions d'affaires répétitives ou routinières sont incluses à l'ordre du jour des résolutions, et on vote collectivement pour toutes les questions de ce genre. À la demande d'une conseillère ou d'un conseiller, on pourra traiter isolément d'une question d'affaires de l'ordre du jour des résolutions par voie de débat ou par vote séparé. Dans le cas d'un vote séparé, la question d'affaires isolée est retirée de l'ordre du jour des résolutions ; on ne vote collectivement qu'au sujet des questions à l'ordre du jour des résolutions. Toutes les questions d'affaires à l'ordre du jour des résolutions sont inscrites séparément au procès-verbal de la réunion)

ADOPTION, APPROBATION OU RÉCEPTION D'ARTICLES DANS L'ORDRE DU JOUR DES CONSENTEMENTS

(RÉSOLUTION PRÉPARÉE POUR LES ARTICLES DE L'ORDRE DU JOUR DES RÉSOLUTIONS C-1 À C-5)

RAPPORTS DE GESTION COURANTS

- C-1. Rapport directeur général, Croissance et Infrastructure, daté du 08 mai 2020 portant sur Dalron Construction Ltd. – Demande de prolongation d'une autorisation du plan de lotissement dont l'ébauche a été approuvée, NIP 73377-1463, partie de la parcelle 22159 A S.-O.-S., lot 8, concession 5, canton de Waters (lotissement Sugarbush, Lively). **40 - 52**
(**RÉSOLUTION PRÉPARÉE**)

(Dans ce rapport, on formule une recommandation concernant la prorogation de l'approbation de l'ébauche du plan de lotissement, lotissement Sugarbush, Lively.)

- C-2. Rapport directeur général, Croissance et Infrastructure, daté du 25 mai 2020 portant sur Dalron Construction Ltd. – Demande de prolongation d’une autorisation du plan de lotissement dont l’ébauche a été approuvée, NIP 73475-1373 et 73478-9526, parties 1 à 19, plan 53R-14976, canton de Broder (lotissement Pondsview, Sudbury). **53 - 66**
(RÉSOLUTION PRÉPARÉE)
(Dans ce rapport, on formule une recommandation concernant la prorogation de l’approbation de l’ébauche du plan de lotissement, lotissement Pondsview, Sudbury.)
- C-3. Rapport directeur général, Croissance et Infrastructure, daté du 08 mai 2020 portant sur Dalron Construction Ltd. – Demande de prolongation d’une autorisation du plan de lotissement dont l’ébauche a été approuvée, parcelle 49532 S.-E.-S., lots 163-165, plan M-423, lot 2, concession 2, canton de McKim (lotissement Twin Lakes, Sudbury). **67 - 84**
(RÉSOLUTION PRÉPARÉE)
(Dans ce rapport, on formule une recommandation concernant la prorogation de l’approbation de l’ébauche du plan de lotissement, lotissement Twin Lakes, Sudbury.)
- C-4. Rapport directeur général, Croissance et Infrastructure, daté du 01 juin 2020 portant sur Coniston Industrial Park Limited – Modification concernant une demande d’entente de partage des coûts entre Coniston Industrial Park Limited et la Ville du Grand Sudbury. **85 - 95**
(RÉSOLUTION PRÉPARÉE)
(Dans ce rapport, on formule une recommandation concernant une entente de partage des coûts entre Coniston Industrial Park Limited et la Ville du Grand Sudbury.)
- C-5. Rapport directeur général, Croissance et Infrastructure, daté du 29 mai 2020 portant sur Denis Gratton Construction Limited – Demande de prorogation de l’approbation conditionnelle de la demande de rezonage (dossier no 751-5/17-3), 3160, route 144, Chelmsford. **96 - 143**
(RÉSOLUTION PRÉPARÉE)
(Dans ce rapport, on formule une recommandation concernant une prorogation de l’approbation conditionnelle de la demande de rezonage, 3160, route 144, Chelmsford.)

Ordre du jour ordinaire

RAPPORTS DES GESTIONNAIRES

- R-1. Rapport directeur général, Croissance et Infrastructure, daté du 26 mai 2020 portant sur Timestone Corporation – Demande de suppression de l’utilisation différée (« H ») sur les terrains dont le zonage est « H49I(49) » (utilisation différée – zone institutionnelle spéciale) (avenue Nottingham, Sudbury). **144 - 188**
(RÉSOLUTION PRÉPARÉE)
(Dans ce rapport, on formule une recommandation concernant une demande de suppression de l’utilisation différée (« H ») sur les terrains dont le zonage est « H49I(49) » (utilisation différée – zone institutionnelle spéciale) afin de construire un établissement de soins de longue durée de trois étages sur l’avenue Nottingham, à Sudbury.)

MOTIONS DES MEMBRES

ADDENDA

PÉTITIONS CIVIQUES

PÉRIODE DE QUESTIONS

LEVÉE DE LA SÉANCE

Request for Decision

1232252 Ontario Inc. – Applications for Official Plan Amendment & Zoning By-law Amendment (Silver Hills Drive, Sudbury)

Presented To:	Planning Committee
Presented:	Monday, Jun 22, 2020
Report Date	Monday, Jun 01, 2020
Type:	Public Hearings
File Number:	701-6/20-1 & 751-6/20-03

Resolution

Resolution regarding the Official Plan Amendment:

THAT the City of Greater Sudbury approves the application by 1232252 Ontario Inc. to amend the City of Greater Sudbury Official Plan by changing the land use designation on a portion of the subject lands from Living Area 1 to Mixed Use Commercial on those lands described as Part of PIN 73580-0576, Part 1, Plan 53R-20634, Lot 1, Concession 4, Township of McKim, as outlined in the report entitled “1232252 Ontario Inc.”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 22, 2020.

Resolution regarding the Zoning By-law Amendment:

THAT the City of Greater Sudbury approves the application by 1232252 Ontario Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification on a portion of the subject lands from “R3-1.D59(24)”, Medium Density Residential Special to “C2(S)”, General Commercial Special on those lands described as Part of PIN 73580-0576, Part 1, Plan 53R-20634, Lot 1, Concession 4, Township of McKim, as outlined in the report entitled “1232252 Ontario Inc.”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 22, 2020, subject to the following condition:

1. That the amending zoning by-law include the following site-specific provisions:

- a. That all “C2” land uses except for an animal shelter, automotive leasing establishment, automotive lube shop, car wash, dry cleaning establishment, funeral home, long term care facility, mobile home dealership, modular home dealership, service trade and taxi stand;
- b. That a retirement home containing a maximum of 160 guest rooms also be permitted; and,

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed Jun 1, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Jun 1, 20

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed Jun 1, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Jun 4, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Jun 5, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jun 8, 20

c. That those development standards associated with the retirement home permission in the existing “R3-1.D59(24)” Zone be incorporated where necessary and appropriate in the requested “C2(S)” Zone.

Relationship to the Strategic Plan / Health Impact Assessment

The application to amend the Official Plan and Zoning By-law is an operational matter under the Planning Act to which the City is responding.

Report Summary

This report reviews applications for Official Plan Amendment and Zoning By-law Amendment that are intended to facilitate the southerly expansion of an existing Mixed Use Commercial Area presently located to the immediate north of the lands thereby allowing for an expanded and site-specific range of mixed use commercial and residential uses on the subject lands.

The application to amend the City’s Official Plan proposes to change the land use designation on the subject lands from Living Area 1 to Mixed Use Commercial. The proposed rezoning is intended to change the zoning classification of the subject lands from “R3-1.D59(24)”, Medium Density Residential Special to “C2(S)”, General Commercial Special in order to permit all “C2” land uses except for an animal shelter, automotive leasing establishment, automotive lube shop, car wash, dry cleaning establishment, funeral home, long term care facility, mobile home dealership, modular home dealership, service trade and taxi stand. The existing permission for a retirement home containing a maximum of 160 guest rooms is proposed to remain, while the existing permission relating to a long term care facility would be removed.

Staff is satisfied that the development proposal conforms with the Official Plan for the City of Greater Sudbury. The development proposal is also generally consistent with the land use planning policy directions identified in the PPS. Staff also notes that the application conforms to and does not conflict with the Growth Plan for Northern Ontario.

The Planning Services Division is recommending that the applications for Official Plan Amendment and Zoning By-law Amendment be approved in accordance with the Resolution section of this report.

Financial Implications

This report has no financial implications as consists of applications for an official plan amendment and a zoning by-law amendment.

Date: May 12, 2020

STAFF REPORT

PROPOSAL:

The applications for Official Plan Amendment and Zoning By-law Amendment together would facilitate the southerly expansion of an existing Mixed Use Commercial Area presently located to the immediate north of the lands thereby allowing for an expanded and site-specific range of mixed use commercial and residential uses on the subject lands.

The application to amend the City's Official Plan proposes to change the land use designation on the subject lands from Living Area 1 to Mixed Use Commercial. No additional requests as it relates to changing the land use designation have been requested by the owner.

The proposed rezoning is intended to change the zoning classification of the subject lands from "R3-1.D59(24)", Medium Density Residential Special to "C2(S)", General Commercial Special in order to permit all "C2" land uses except for an animal shelter, automotive leasing establishment, automotive lube shop, car wash, dry cleaning establishment, funeral home, mobile home dealership, modular home dealership, service trade and taxi stand. Staff understands that the owner has reviewed all uses permitted in the parent "C2" Zone and has opted to exclude those uses noted above that, in their opinion, are not appropriate given the context of the subject lands and the surrounding area. It is noted that the owner proposes to keep the existing permission for a retirement home containing a maximum of 160 guest rooms and the existing permission relating to a long term care facility would be removed.

The owner submitted an application for pre-consultation that was considered by the Sudbury Planning Application Review Team (SPART) on December 11, 2019 (File # PC2019-088). The owner met with staff following the SPART Meeting and signed their Pre-Consultation Understanding Agreement (PCUA) on December 18, 2019, and the owner has subsequently now submitted Official Plan Amendment and Zoning By-law Amendment applications to the City for consideration.

The above noted applications were submitted to the City on January 23, 2020. The applications included a Planning Justification Report and a Concept Plan. Details with respect to the owner's public consultation strategy ahead of a public hearing at the Planning Committee was also provided.

Existing Official Plan Designation: Living Area 1

The Living Area 1 designation permits low density development such as single detached dwellings, semi-detached dwellings, duplexes and townhouses to a maximum net density of 36 units per hectare. In medium density developments, all low density housing forms are permitted, including small apartment buildings no more than five storeys in height to a maximum net density of 90 units per hectare. High density housing is permitted only in the community of Sudbury. All housing types, excluding single detached dwellings, are permitted in high density residential areas to a maximum net density of 150 units per hectare.

Requested Official Plan Designation: Mixed Use Commercial

The Mixed Use Commercial designation permits all land uses, except for heavier industrial uses and therefore said uses are directed appropriately to the Heavy Industrial designation. New development in the Mixed Use Commercial designation not permitted in the City's Zoning By-law may be permitted through the rezoning process.

Date: May 12, 2020

Existing Zoning: “R3-1.D59(24)”, Medium Density Residential Special

The “R3-1” Zone permits a bed and breakfast establishment, convenience store, day care centre, duplex dwelling, group home type 1, linked dwelling, multiple dwelling, personal service shop, private home day care, row dwelling, shared housing in specified areas of the City, semi-detached dwelling, single-detached dwelling and a street townhouse. The applicable “R3-1.D59(24)” extends land use permissions on the subject lands to include a retirement home containing a maximum of 160 guest rooms and a long term care facility containing a maximum of 275 beds. There are site-specific development standards included within the “R3-1.D59(24)” Zone that are directly associated with the development of those additional permitted uses being that of a retirement home or long term care facility. There is also a density factor applicable to the lands that limit any development of residential uses to 59 dwelling units per hectare.

Requested Zoning: “C2(S)”, General Commercial Special

The “C2” Zone permits a range of general commercial and residential land uses that can be found under Section 7.2, Tables 7.1 and 7.2 of the City’s Zoning By-law. The proposed rezoning to “C2(S)” is intended to permit all land uses within the parent “C2” Zone except for an animal shelter, automotive leasing establishment, automotive lube shop, car wash, dry cleaning establishment, funeral home, mobile home dealership, modular home dealership, service trade and taxi stand. The owner is also requesting that the existing permission remain in place for a retirement home containing a maximum of 160 guest rooms. The existing permission for a long term care facility containing a maximum of 275 beds is to be removed.

Location and Site Description:

The subject lands are located to the south of Kingsway Boulevard and Marcus Drive and to the north of Bancroft Drive in the community of Sudbury. The lands have a total lot area of approximately 23.75 ha (58.69 acres) with existing lot frontages of approximately 38 m (124.67 ft) onto Barry Street and 15 m (50 ft) onto McKinnon Street. The north-easterly portion of the lands that are the subject of the applications have a total lot area of approximately 6.7 ha (16.56 acres) and would establish lot frontage onto Silver Hills Drive once it is extended south-ward to connect with Bancroft Drive and Bellevue Avenue. Access to the north-easterly portion of the lands is intended to be facilitated via the construction of “Street D” which would establish public road lot frontages to the lots and blocks that are to be developed in the future. The entirety of the subject lands are presently vacant.

Surrounding Land Uses:

- | | |
|--------|--|
| North: | General commercial land uses accessed by Silver Hills Drive and Marcus Drive. |
| East: | Civic Memorial Cemetery and a large tract of land zoned for future development. |
| South: | Vacant lands zoned for urban residential land uses and existing residential land uses of varying built forms along Bancroft Drive. |
| West: | Vacant lands zoned for urban residential land uses having low and medium density built forms and a large tract of open space parkland containing a number of trails, a community centre and arena, skate-park, tennis courts, and baseball diamonds. |

The existing zoning and location map are attached to this report and together indicate the location of the lands subject to the Official Plan Amendment and rezoning request, as well as the applicable zoning on other parcels of land in the immediate area.

Date: May 12, 2020

Aerial photography is also attached to this report for reference purposes and depicts the vacant portion of the lands that are the subject of the applications to amend the City's Official Plan and Zoning By-law. The existing large commercial area to the immediate north along Silver Hills Drive and Marcus Drive is visible in the aerial photography, along with open space to the west and the Civic Memorial Cemetery to the east.

Public Consultation:

The statutory Notice of Application was provided to the public by newspaper and to nearby landowners and tenants located within 120 m (400 ft) of the subject lands on March 30, 2020. The statutory Notice of Public Hearing dated June 4, 2020 was provided to the public by newspaper and to nearby landowners and tenants located within 120 m (400 ft) of the subject lands.

The owner and agent were also advised of the City's policy recommending that applicants consult with their neighbours, ward councilor and key stakeholders to inform area residents of the applications prior to the public hearing. Staff provided the owner with a mailing list that included those lands that were provided with a mailed Notice of Application as noted above in order to facilitate the implementation of the owner's Public Consultation Strategy ahead of a public hearing at the Planning Committee. Staff understands that the owner mailed a letter to those properties included in said mailing list and the local ward councilor and asked that anyone with questions or concerns contact the owner to discuss. The letter provided to staff by copy is dated April 15, 2020. There was no formal in-person public meeting held by the owner due to the ongoing Covid-19 global pandemic.

At the time of writing this report, no phone calls, emails or letter submissions with respect to the development proposal have been received by the Planning Services Division.

POLICY AND REGULATORY FRAMEWORK:

The property is subject to the following policy and regulatory framework:

- [2020 Provincial Policy Statement \(PPS\)](#);
- [2011 Growth Plan for Northern Ontario](#);
- [Official Plan for the City of Greater Sudbury](#); and,
- [Zoning By-law 2010-100Z](#).

The PPS and the Growth Plan for Northern Ontario, along with the City's Official Plan, provide a policy framework for land use planning and development in the City of Greater Sudbury. This framework is implemented through a range of land use planning controls such as, but not limited to, zoning by-laws, plans of subdivision and site plans.

2020 Provincial Policy Statement:

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters are consistent with the 2020 Provincial Policy Statement (PPS). The following PPS policies are applicable to the applications for Official Plan Amendment and Zoning By-law Amendment:

1. With respect to Settlement Area policies, Section 1.1.3.1 outlines that settlement areas shall be the focus of growth and development;

2. Section 1.1.3.2 outlines that land use patterns within settlement areas shall have a mix of densities and land uses that efficiently uses land and resources, are appropriate for and efficiently use the infrastructure and public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomical expansion, minimize negative impacts to air quality and climate change and promote energy efficiency, prepare for the impacts of a changing climate, are supportive of active transportation, are transit-supportive where transit is planned, exists or may be developed, and are freight-supportive;
3. Section 1.1.3.2 further outlines that land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment;
4. Section 1.1.3.3 outlines that intensification is to be promoted and opportunities for transit-supportive development, accommodating for a supply and range of housing options through intensification while taking into account existing building stock or areas, and the availability of suitable existing or planned infrastructure and public service facilities to accommodate needs are encouraged;
5. Section 1.1.3.4 outlines that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety;
6. Section 1.1.3.6 outlines that new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities;
7. Section 1.1.3.7 outlines that municipalities should establish and implement phasing policies that ensures new development occurs within designated growth areas in an orderly progression with regard for the timely provision of the infrastructure and public service facilities required to meet current and future needs;
8. With respect to Employment Policies, Section 1.3.1 outlines that generally municipalities shall promote economic development and competitiveness by:
 - a. Providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
 - b. Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
 - c. Facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
 - d. Encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and,
 - e. Ensuring the necessary infrastructure is provided to support current and projected needs; and,
9. With respect to Housing Policies, Section 1.4 generally requires municipalities to provide for an appropriate range and mix of housing options and densities to meet projected requirements for current and future residents of the regional market area. This is to be achieved by maintaining at all times a three year supply of residential units with servicing capacity that are suitably zoned to facilitate residential development. This is also applicable to lands within draft approved or registered plans of subdivision.

Growth Plan for Northern Ontario:

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters conform with the Growth Plan for Northern Ontario. Staff has reviewed the planning matters contained within the Growth Plan for Northern Ontario and is satisfied that the applications for Official Plan Amendment and Zoning By-law Amendment conform to and do not conflict with the Growth Plan for Northern Ontario.

Official Plan for the City of Greater Sudbury:

The application to amend the City's Official Plan would change the land use designation on a portion of the subject lands from Living Area 1 to Mixed Use Commercial. Those policies in the Official Plan that are relevant in considering the above noted request are outlined below.

Section 2.3.2 notes that the subject lands are within a Settlement Area and immediately abutting the Built Boundary as delineated in Schedule 3 – Settlement Area and Built Boundary. Settlement Area land use patterns are to be based on densities and land uses that make the most efficient use of land, resources, infrastructure and public service facilities, minimize negative impacts on air quality and climate change, promote energy efficiency and support public transit, active transportation and the efficient movement of goods.

Section 2.3.2 also notes that the Settlement Area and Built Boundary of the Official Plan is more than adequate for the purposes of meeting short, medium and long term land use needs. It is further outlined that no Official Plan Amendments for the expansion of areas designated Living Area 1 will be considered outside of a comprehensive review of the City's Official Plan. Intensification and development within the Built Boundary is encouraged, however, development outside of the Built Boundary may be considered in accordance with the policies of the Official Plan.

Section 2.3.3 of the Official Plan generally acknowledges that intensification of a property at a higher density than what currently exists through the development of vacant or underutilized lots is encouraged throughout the City. Intensification is considered to be essential to completing communities, making the most efficient use of land, resources, infrastructure and public service facilities, minimizing negative impacts on air quality and climate change, promoting energy efficiency and supporting public transit, active transportation and the efficient movement of goods. The key to intensification is to ensure that it occurs in a context sensitive manner. Intensification must be compatible with and reinforce the existing and planned character of an area.

Specifically, Section 2.3.3 includes the following applicable intensification policies:

1. All forms of intensification are encouraged in accordance with the policies of the Official Plan;
2. The City will aim to accommodate 20% of future residential growth and development through intensification within the Built Boundary;
3. Intensification and development is permitted in established Living Area 1 lands, in accordance with the policies of this Plan;
4. Intensification will be encouraged on sites with suitable existing or planned infrastructure and public service facilities;
5. Intensification will be compatible with the existing and planned character of an area in terms of the size and shape of the lot, as well as the siting, coverage, massing, height, traffic, parking, servicing, landscaping and amenity areas of the proposal;

6. The following criteria, amongst other matters, may be used to evaluate applications for intensification:
 - a. The suitability of the site in terms of size and shape of the lot, soil conditions, topography and drainage;
 - b. The compatibility proposed development on the existing and planned character of the area;
 - c. The provision of on-site landscaping, fencing, planting and other measures to lessen any impact the proposed development may have on the character of the area;
 - d. The availability of existing and planned infrastructure and public service facilities;
 - e. The provision of adequate ingress/egress, off street parking and loading facilities, and safe and convenient vehicular circulation;
 - f. The impact of traffic generated by the proposed development on the road network and surrounding land uses;
 - g. The availability of existing or planned, or potential to enhance, public transit and active transportation infrastructure;
 - h. The level of sun-shadowing and wind impact on the surrounding public realm;
 - i. Impacts of the proposed development of surrounding natural features and areas and cultural heritage resources;
 - j. The relationship between the proposed development and any natural or man-made hazards;
 - k. The provision of any facilities, services and matters if the application is made pursuant to Section 37 of the Planning Act. Where applicable, applications for intensification of difficult sites may be subject to Section 19.7; and,
 - l. Residential intensification proposals will be assessed so that the concerns of the community and the need to provide opportunities for residential intensification are balanced.

Section 4.3 establishes the Mixed Use Commercial land use designation and notes that all land uses are permitted except for Heavy Industrial land uses, which are more appropriately directed to areas of the City designated for the location and development of heavy industrial land uses. It is therefore intended that lands designated Mixed Used Commercial provide for a balance of mixed uses including commercial, institutional, residential, and parks and open space. This mix of land uses may be established where required through the rezoning process. General industrial uses may also be permitted subject to their compatibility with surrounding uses and their overall visual impact on mixed use corridors.

Mixed Use Commercial areas are generally concentrated along Arterial Roads although there are exceptions in certain areas of the City. Mixed Use Commercial Areas serve a variety of needs and may support and connect strategic core areas. Lands within a Mixed Use Commercial area should also be supportive of active transportation and public transit.

Given the function and high visibility of Mixed Use Commercial areas, special attention to sound urban design principles is essential. Siting buildings to create a sense of street enclosure, locating parking lots to the rear of buildings, screening service entrances and garbage storage, and effective landscaping can aesthetically enhance the appearance of mixed use corridors. In order to attract viable, high quality development, emphasis will also be placed on creating a safe and attractive pedestrian environment, as well as convenient access to public transit and greenspace.

Title: 1232252 Ontario Inc.

Date: May 12, 2020

The criteria identified in the Official Plan for considering the rezoning of lands designated Mixed Use Commercial are as follows:

1. That sewer and water capacities are adequate for the site;
2. That parking can be adequately provided;
3. That no new access to Arterial Roads will be permitted where reasonable alternate access is available;
4. That the traffic carrying capacity of the Arterial Road is not significantly affected;
5. That traffic improvements, such as turning lanes, where required for a new development, will be provided by the proponent;
6. That landscaping along the entire length of road frontages and buffering between non-residential and residential uses will be provided; and,
7. That the proposal meets the policies outlined in Sections 11.3.2 and 11.8, and 14.0 of the Official Plan.

Zoning By-law 2010-100Z:

The owner is requesting that the subject lands be rezoned to an amended "C2(S)", General Commercial Special in order to permit all "C2" land uses except for an animal shelter, automotive leasing establishment, automotive lube shop, car wash, dry cleaning establishment, funeral home, mobile home dealership, modular home dealership, service trade and taxi stand. It is further noted and understood by staff that the existing retirement home land use permission is proposed to remain, while the long term care facility land use permission is to be removed. No further site-specific relief from any general or parking provisions or from the development standards of the parent "C2" Zone is being requested by the owner.

Department/Agency Review:

The applications, including relevant accompanying materials, have been circulated to all appropriate agencies and departments. Responses received from agencies and departments have been used to assist in evaluating the applications and to inform the content of Official Plan Amendment enactment documents, as well as appropriate development standards in an amending zoning by-law should the applications be approved.

During the review of the proposal, comments provided by circulated agencies and departments included the following:

Active Transportation, Conservation Sudbury, the City's Drainage Section, Fire Services, Operations, and Transit Services have each advised that they have no concerns from their respective areas of interest.

Building Services notes that based on the submitted sketch that there is no public road frontage at present as defined in the City's Zoning By-law. No building permits will be issued until such time as Silver Hills Drive is extended and public road frontage is established. It is also noted that site plan control will be applicable to the development of the block, as shown on the submitted sketch.

Development Engineering has no concerns with the applications to amend the Official Plan and Zoning By-law. Development Engineering staff does note however that the portion of the lands subject to these applications are also a part of an existing draft approved plan of subdivision (File # 780-6/11004).

Municipal water infrastructure is available on Silver Hills Drive and the sanitary sewer infrastructure outlet is southerly through the proposed and draft approved plan of subdivision. The servicing of these lands would proceed through the subdivision planning process. There has been a storm-water management report submitted that details the design for the entirety of the proposed draft approved plan of subdivision. The storm-water management report would need to be amended to reflect the changes that would be applicable to these lands should the applications be approved. Any modification to the storm-water management facility with respect to requirements for individual site plans for proposed lots or blocks would be required to be made in order to satisfy the amended zoning if approved.

Roads, Traffic and Transportation have some concern with submitted sketch in terms of the depicted location of the proposed entrance, parking layout and site circulation. It is noted however that they are satisfied that the concerns can be addressed through the site planning process.

Water-Wastewater notes that the subject lands are within the Ramsey Lake Watershed and as such are subject to a review under Section 59 of the [Clean Water Act](#). The lands are identified in the City's [Source Protection Plan](#) as being within the Ramsey Lake Issue Contribution Area. It is therefore noted that a Risk Management Plan may be required in order to establish measures related to activities on the lands such as road salting, handling and storage of road salt, and the storage of snow.

PLANNING ANALYSIS:

The 2020 PPS, the 2011 Growth Plan, and the City of Greater Sudbury Official Plan, and other relevant policies and supporting guidelines were reviewed in their entirety. The following section provides a planning analysis of the applications in respect of the applicable policies, including issues raised through agency and department circulation.

The proposed Official Plan Amendment and rezoning is consistent with the PPS for the following reasons:

1. The community of Sudbury is an identified settlement area in the City's Official Plan. The expansion of an existing and developed mixed use commercial area in a southward direction will allow for and broaden the range of permitted commercial uses and residential uses along Silver Hills Drive. This will encourage development to continue to occur and expand within an existing and identified settlement area. The proposed development in this location and setting should be promoted and is considered to be good land use planning;
2. Staff is of the opinion that the proposed development contributes positively to improving the mix of densities and land uses that would be permitted in this particular area to the south of Kingsway Boulevard and Marcus Drive in the community of Sudbury. Development Engineering has noted that municipal water and sanitary sewer infrastructure is available on Silver Hills Drive and that the servicing of the lands will be facilitated through the subdivision planning process. The extension of services along Silver Hills Drive is justified and is not uneconomical as Silver Hills drive is planned to extend southward within an existing settlement area to the Bancroft Drive and Bellevue Avenue east-west corridor. The larger mix of land uses and densities offers an opportunity to minimize or mitigate negative impacts associated with air quality and climate change and to promote development that is energy efficient. With respect to active transportation and public transit, the lands would have frontage onto Silver Hills Drive once it has been extended, as noted above. The planned right-of-way width for the extension of Silver Hills Drive would be 23 m (75.46 ft) and is intended to accommodate active transportation features (ie. sidewalks and cycling infrastructure);

3. Staff is of the opinion that the applications together will improve the possible mix of land use patterns in the general area and will serve to encourage and provide for increased opportunities in terms of promoting the intensification of a vacant and therefore underutilized lot located entirely within the Sudbury settlement area;
4. Staff is of the opinion that the applications will together provide for a broader range of development options that will make future public transit along Silver Hills Drive viable and optimize public transit infrastructure along said future urban road connection to Bancroft Drive and Bellevue Avenue. The requested mix of land uses will also allow for and facilitate the possibility of more compact and mixed-use development opportunities that will positively contribute to the mix of employment and residential housing options within the Sudbury settlement area;
5. Staff is of the opinion that appropriate development standards can be achieved through the rezoning process that facilitates intensification and compact built-form, while avoiding or mitigating risks to public health and safety. Specifically, the amending zoning by-law is proposed to eliminate certain general commercial uses that are considered to not be compatible with those residential land use permissions that are being retained on the lands. Those commercial uses that would not be permitted include an animal shelter, automotive leasing establishment, automotive lube shop, car wash, dry cleaning establishment, funeral home, long term care facility, mobile home dealership, modular home dealership, service trade and taxi stand. Staff therefore advise that the resulting range in permitted commercial and residential land uses will allow for a mix of uses and densities that encourages compact built-form while mitigating risks to public health and safety;
6. Staff notes that the subject lands directly abuts an existing built-up commercial area to the north and the entirety of the parcel extends southward to an existing built-up and predominantly residential area to the south. It is noted that the lands are outside of the City's existing built-boundary, but are directly abutting two built-up areas in the City. Staff is therefore of the opinion that together the applications would facilitate and encourage the possibility of development proceeding in this area with a more compact built-form having a mix of both commercial and residential land uses and densities that will use this portion of the subject lands efficiently from a land, infrastructure and public service facilities perspective;
7. Staff advises that an existing draft approved plan of subdivision (File # 780-6/11004) is applicable to the subject lands and will act to ensure that development of the lands proceeds in an orderly, timely and phased manner (ie. Silver Hills Subdivision). The future development of the subdivision therefore will have regard for the timely provision of the infrastructure and public service facilities required to meet current and future needs. Staff would also note that site plan control will be utilized where appropriate and required in order to ensure development proceeds in a timely and appropriate manner;
8. With respect to Employment Policies in the PPS, staff has the following comments with respect to promoting economic development and competitiveness:
 - a. Staff notes that the proposed Official Plan Amendment would expand the existing employment area at Silver Hills Drive and Marcus Drive onto a north-easterly portion of the subject lands. This expansion will introduce and provide for a broader and appropriate mix of both commercial and residential land uses, including institutional land uses, all of which will contribute to ensuring that longer term needs in the City are met;
 - b. Staff is of the opinion that together the applications will contribute positively toward ensuring that a diversified economic base, including the maintaining of a range and choice of suitable sites for employment uses, which support a wide range of economic activities and ancillary uses are permitted and encouraged in this part of the Sudbury community;

- c. The change in land use designation will allow for a range of commercial and residential uses and directly abuts an existing built-up and developed commercial area along Silver Hills Drive and Marcus Drive. Staff is of the opinion that the portion of the lands subject to the applications to amend the City's Official Plan and Zoning By-law represent a strategic opportunity to attract investment and would make available suitable employment lands, including lands that would be zoned and market-ready to allow for the development of employment land uses;
 - d. Staff will be in a position, should the applications be approved, to encourage compact and mixed-use development that incorporates compatible employment uses within a livable, resilient and emerging community on the north-east portion of the subject lands as it transitions south-ward into a medium and low density residential area;
 - e. Staff advises that both the subdivision planning and site planning processes will ensure that the necessary infrastructure to support the proposed development of the north-easterly portions of the subject lands as an employment area allowing for a range of both commercial and residential land uses is available; and,
9. With respect to Housing Policies, staff notes that there are several existing draft approved plans of subdivision to both the east and the west that may be considered to be within the vicinity of the subject lands. The Sunrise Ridge Subdivision to the west has 66 remaining draft approved lots, while collectively there are 249 remaining draft approved lots to the east of the subject lands within the Greenwood, Keystone, Lionsgate, Moonlight Ridge and Vytis/Timestone Subdivisions. Staff advises that, if approved, the north-east portion of the subject lands would now permit a broader range of commercial uses, but at the same time would continue to maintain existing residential land use permissions. Staff would also note that the balance of the subject lands remain within a draft approved plan of subdivision that once developed is intended to include a mix of residential built-forms, densities and housing options. For example, the submitted sketch depicts 108 low-to-medium density lots along with three multiple dwelling buildings containing 160 dwelling units and six row townhouse buildings containing 42 dwelling units. Staff is therefore satisfied that should the applications be approved that a three year supply of residential units with servicing capacity and suitable zoning remains available and would include and not detract from the availability of an appropriate range and mix of housing options area; and,
10. Further to the above, staff notes that the City's [Growth and Settlement Policy Discussion Paper](#) that was completed as part of the City's Phase 1 – Official Plan Review notes that there is at present an approximate 43 year supply of residential lands in all categories of designated lands that are available to meet future demands under a high growth scenario. Staff is of the opinion that the change in land use designation from Living Area 1 to Mixed Use Commercial would produce no negative impacts on residential housing supplies and options should the Official Plan Amendment be approved by Council.

With respect to the City's Official Plan, staff in general is supportive of both the Official Plan Amendment and Zoning By-law Amendment requests. Those policies relevant to the development proposal that would facilitate the southerly expansion of an existing Mixed Use Commercial Area presently located to the immediate north of the lands thereby allowing for an expanded and site-specific range of mixed use commercial and residential uses on the subject lands are discussed below.

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With respect to Section 2.3.2, staff notes that the subject lands are within the identified Sudbury Settlement Area, but are located outside of the built boundary as depicted on Schedule 3 – Settlement Area and Built Boundary of the City's Official Plan. Staff notes however that the subject lands immediately abut the built boundary to the north at Silver Hills Drive and to the south near the Bancroft Drive and Bellevue Avenue intersections. There is an existing draft approved plan of subdivision applicable to the lands and the entirety of the subject lands are zoned at present for urban residential development. Staff acknowledges that intensification and development within the built boundary is encouraged, however, in these circumstances staff is supportive of the applications given that the lands immediately abut the built boundary and are situated within an approved draft plan of subdivision that are already zoned for urban residential development. The application for Official Plan Amendment would not have the effect of expanding urban-related land use designations into an area that is outside of a Settlement Area.

With respect to applicable intensification policies set out under Section 2.3.3 of the Official Plan, staff notes that the subject lands form a vacant and underutilized lot within an existing and identified settlement area where all forms of intensification are encouraged. Staff advises that the proposed change in land use designation from Living Area 1 to Mixed Use Commercial, along with the rezoning to permit general commercial and urban residential land uses would together facilitate a broader range of options and possibilities for intensification in this location and is to be encouraged. While the aim to accommodate 20% of future residential growth and development through intensification within the built boundary remains, staff is mindful of the existing draft approved plan of subdivision applicable to the lands and the entirety of the subject lands already being zoned for urban residential development.

With respect to applicable criteria set out in Section 2.3.3 that are to be considered when evaluating applications that propose intensification, staff has the following comments:

1. Staff is satisfied that the portion of the lands that are to include a broader range of permitted general commercial and residential land uses are suitable in terms of the size and shape of the block of land, as well as soil conditions, topography and drainage. Staff notes that the existing draft approved plan of subdivision includes conditions relating to soil conditions, topography and drainage which serve to ensure that these lands are developed comprehensively with the above matters in mind. It is further noted that site plan control will be applicable to the development of the north-easterly portion of the subject lands given the land uses and densities that would now be permitted;
2. Staff is satisfied that the transitioning from a mixed use commercial toward a predominantly urban residential area having lower densities will not be negatively impacted should the applications which affect a north-easterly portion of the subject lands be approved. The request is not viewed as being excessive or otherwise damaging from a land use planning perspective to the overall planned character of the area;
3. Development Engineering has noted that municipal water and sanitary sewer infrastructure is available on Silver Hills Drive and that the servicing of the lands will be facilitated through the subdivision planning process. No concerns were raised in the review of the applications with respect to servicing should the permitted mix of land uses be expanded as is being proposed;
4. Staff advises that both the subdivision and site planning processes will be utilized to ensure that the provision of appropriate on-site landscaping, fencing, planting and other measures that will lessen any impacts that the broadened range of future development possibilities on the north-easterly portion of the subject lands would have on the general area are achieved;
5. Staff also have no concerns with respect to the capabilities of both the subdivision and site planning process to address matters such as the provision of adequate ingress/egress, off street parking and loading facilities, and safe and convenient vehicular circulation once any form or type of development proceeds on the lands subject to these applications;

6. Roads, Traffic and Transportation reviewed the applications and did not express any concerns with respect to negative impacts related to the traffic that would be generated by the proposed development on the road network and surrounding land uses;
7. Staff did circulate to Transit Services and while no concerns were raised with respect to the proposed change in land use designation and permitted uses, it was noted that the potential to enhance public transit and active transportation infrastructure along Silver Hills Drive and those streets interior to this future collector road between Marcus Drive and Bancroft Drive/Bellevue Avenue will continually be examined as development proceeds;
8. Staff is satisfied that no sun-shadowing and wind impacts are of concern at this moment as the applications seek only to change the land use designation of a portion of the subject lands and those uses that would be permitted under the zoning applicable to the lands. These are matters typically addressed during the site planning process should sun-shadowing and wind impacts be of concern when specific built-forms have been identified. The City's pre-consultation process would be applicable and the Sudbury Planning Application Review Team (SPART) would analyze the need for this requirement at the point when site planning is being contemplated by the owner;
9. Staff in their review of the applications did not identify any areas of concern with respect to negative impacts of the development proposal on surrounding natural features and areas and cultural heritage resources;
10. Staff in their review of the applications did not identify any areas of concern with respect to negative impacts on any relationships between the proposed development and any natural or man-made hazards;
11. Staff advises the applications do not involve or have any impacts on the provision of any facilities, services and matters pursuant to Section 37 of the Planning Act. It is noted for information purposes that Section 37 of the Planning Act permits the City to authorize increases in permitted height and/or density through the zoning by-law in return for community benefits, provided that there are related Official Plan policies in place allowing it to do so (eg. Section 19.7 – Comprehensive Planned Units Development policies in the City's Official Plan); and,
12. Staff notes that the existing zoning on this particular portion of the subject lands allows for medium density residential development up to 59 residential dwelling units per hectare. Staff notes that no further residential intensification beyond the 60 residential dwelling units per hectare density that the "C2" Zone permits is being sought. The increase in density by one residential dwelling unit per hectare is negligible and will not have any negative impacts on the surrounding area or the overall development proposal for the lands once it proceeds.

With respect to the requested Mixed Use Commercial land use designation, staff has the following comments:

1. Staff in general has no concerns with extending the existing Mixed Use Commercial south-ward in order to broaden the range of land uses that would be permitted on the north-easterly portion of the subject lands. Staff is satisfied that the submitted sketch demonstrates that a broadened range of permitted uses can be reasonably accommodated on this block of land and is a reasonable extension to the already existing and developed large commercial area to the north. Staff advises that the current development proposal provides for a balance of mixed uses including commercial, institutional, residential, and parks and open space as the lands transition south-ward toward the Bancroft Drive/Bellevue Avenue intersection;

2. Staff is satisfied that the resulting mix of permitted land uses and densities will not negatively impact the existing mix of permitted land uses to the south of the existing commercial area. It is noted that the proposed rezoning would not permit heavy, general or light industrial uses. Staff is also satisfied that potentially disruptive land uses in the parent "C2" Zone have been omitted from the owner's rezoning request. Those land uses that would not be permitted in the site-specific "C2(S)" Zone include an animal shelter, automotive leasing establishment, automotive lube shop, car wash, dry cleaning establishment, funeral home, long term care facility, mobile home dealership, modular home dealership, service trade and taxi stand;
3. Staff notes that while the lands do not have direct frontage onto Kingsway Boulevard (ie. Arterial Road), the proposed change in land use designation to Mixed Use Commercial represents a reasonable rounding-out of the commercial area to the north that is accessed largely from Kingsway Boulevard, Silver Hills Drive and Marcus Drive. Staff consider the site-specific circumstances in this case to be an exception to the general policy that Mixed Use Commercial areas are located along Arterial Roads;
4. Staff is of the opinion that expanding the Mixed Use Commercial designation south-ward thereby broadening the range of permitted uses on the lands will have a positive overall land use planning impact on the surrounding area with added capability to serve a variety of needs and support the surrounding area once it is fully developed. Staff is also satisfied that the lands are capable of being supportive of active transportation options and public transit once the development proceeds;
5. Staff advises that designating the lands Mixed Use Commercial will also act to further strengthen the notion that special attention is to be given to sound urban design principles as this particular block of land develops. The site planning process will address matters such as, but not limited to, the siting of buildings to create a sense of street enclosure, locating parking lots to the rear of buildings, screening service entrances and garbage storage, and providing for effective landscaping that is aesthetically pleasing.

With respect to those criteria that are to be considered when rezoning lands designated Mixed Use Commercial, staff has the following comments:

1. Municipal water and sanitary sewer is available to service the subject lands;
2. Staff has reviewed the submitted sketch and is satisfied that in general the block of land can be developed in a manner which provides for adequate parking on-site;
3. No new access onto an Arterial Road is necessary as the block of lands being rezoning would be accessed from Silver Hills Drive, which provides direct access itself to Kingsway Boulevard;
4. The block of land being rezoned would establish frontage onto a collector road (ie. Silver Hills Drive) and in their review of the development proposal the City's Road, Traffic and Transportation staff did not raise any concerns with respect to traffic carrying capacity of nearby Kingsway Boulevard should the applications be approved;
5. Staff advises that both the subdivision and site planning processes are capable of and will address any traffic improvements (eg. turning lanes) that would be required in order to facilitate proper and safe access to the block of lands being rezoned to allow for a broader range of commercial and residential land uses;
6. Staff notes that depending on how the block of land subject to the rezoning develops there may be landscaping required along entire lengths of road frontages and buffering between non-residential and residential uses. The mix of commercial and residential land uses that would be permitted versus those which will eventually be developed on the block of land will determine appropriate landscaping requirements; and,

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7. Staff is generally satisfied that as development proceeds those policies contained in Sections 11.3.2 (Transit Supportive Land Use), 11.8 (Accessibility), and 14.0 (Urban Design) of the Official Plan will be adequately addressed through applicable zoning by-law provisions and the associated subdivision and site planning processes that are required in order to develop the lands.

Staff is therefore supportive of the request to change the land use designation on a portion of the subject lands from Living Area 1 to Mixed Use Commercial and further is of the opinion that the proposed rezoning present no concerns with respect to conformity to the Official Plan for the City of Greater Sudbury.

With respect to the City's Zoning By-law, staff in general have no concerns with the requested zone category and have the following comments:

1. The owner is requesting that the existing "R3-1.D59(24)" Zone be replaced with a "C2(S)" Zone that would permit all "C2" uses except for an animal shelter, automotive leasing establishment, automotive lube shop, car wash, dry cleaning establishment, funeral home, long term care facility, mobile home dealership, modular home dealership, service trade and taxi stand. The range of general commercial uses that would be otherwise permitted can be found under Section 7.2, Tables 7.1 and 7.2 of the City's Zoning By-law;
2. If approved, the residential land use permissions that would remain include multiple dwellings having a maximum of 30 residential dwelling units per building and a maximum residential density of 60 residential units per hectare with or without permitted non-residential uses provided that the lot is a fully serviced lot. Lower density residential land use permissions would include any dwelling containing not more than two residential dwelling units (ie. single-detached dwelling, semi-detached dwelling, duplex dwelling, as well as secondary dwelling units where certain parameters are satisfied). Shared housing would not be permitted in this location;
3. Staff is also in support of the existing permission for a retirement home containing a maximum of 160 guest rooms remaining. Those development standards contained within the existing "R3-1.D59(24)" Zone should be carried forward, where required and appropriate, in the amending zoning by-law. Staff is also in support removing the permission relating to a long term care facility;
4. Staff has reviewed the resulting broad range of general commercial land uses that would be permitted on the north-easterly portion of the subject lands and would note that the amending zoning by-law will include site-specific provisions restricting the uses permitted on the lands to those uses noted above. The owner has not requested any further site-specific relief; and,
5. Staff noted that a registered survey plan is not required in order to prepare the amending zoning by-law as the portion of the lands subject to the rezoning are already described legally as Part of PIN 73580-0576, Part 1, Plan 53R-20634, Lot 1, Concession 4, Township of McKim.

CONCLUSION:

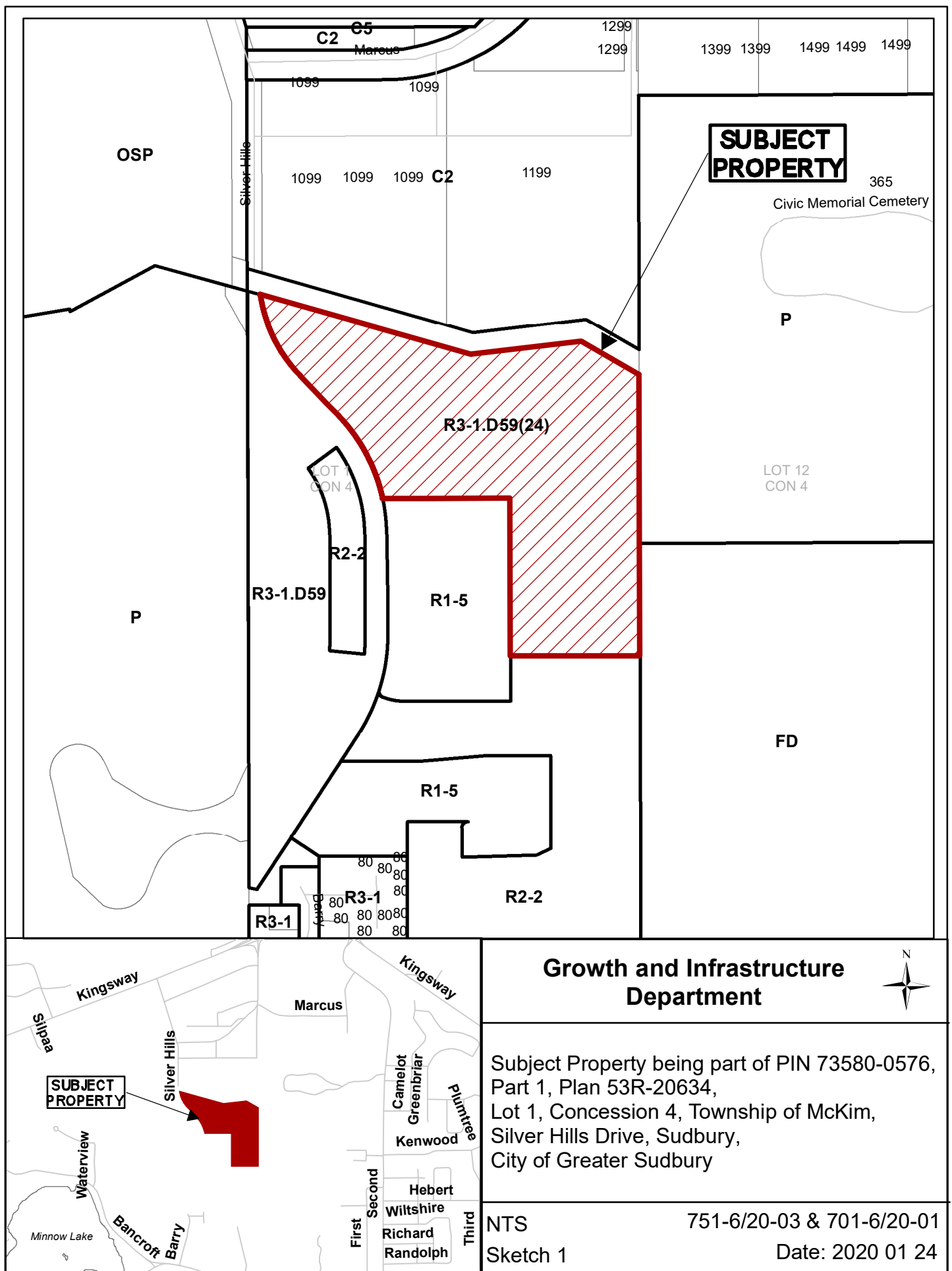
Staff has reviewed the development proposal and is satisfied that it conforms with the Official Plan for the City of Greater Sudbury. The development proposal is also generally consistent with the land use planning policy directions identified in the PPS. Staff also notes that the application conforms to and does not conflict with the Growth Plan for Northern Ontario.

The following are the principles of the proposed Official Plan Amendment and Zoning By-law Amendment:

- The Official Plan Amendment is site-specific and would change the land use designation on a north-easterly portion of the subject lands from Living Area 1 to Mixed Use Commercial; and,

- That the amending zoning by-law contain the following site-specific provisions:
 - That all “C2” land uses except for an animal shelter, automotive leasing establishment, automotive lube shop, car wash, dry cleaning establishment, funeral home, long term care facility, mobile home dealership, modular home dealership, service trade and taxi stand; and,
 - That a retirement home containing a maximum of 160 guest rooms also be permitted and that all relevant development standards for a retirement home be carried forward from the existing “R3-1.D59(24)” that would not otherwise be addressed by the new proposed “C2(S)” Zone.

The Planning Services Division therefore recommends that the applications for Official Plan Amendment and Zoning By-law Amendment be approved in accordance with the Resolution section of this report.



Files: 751-6/20-3
and 701-6/20-1
Silver Hills Drive,
Sudbury
2017 Orthophotography

Marcus Drive

Silver Hills Drive



Subject Property



Request for Decision

Bill 108 Implementation: Official Plan and Zoning By-law Amendments

Presented To:	Planning Committee
Presented:	Monday, Jun 22, 2020
Report Date	Wednesday, May 13, 2020
Type:	Public Hearings

Resolution

THAT the City of Greater Sudbury approves the Official Plan Amendment and Zoning By-law Amendment to implement Bill 108 with respect to additional residential units, as outlined in the report entitled "Bill 108 Implementation: Official Plan and Zoning By-law Amendments", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 22, 2020.

Relationship to the Strategic Plan / Health Impact Assessment

The City of Greater Sudbury, through Council's Corporate Strategic Plan (2019-2027) directs staff to prioritize housing. Objective 5.3 aims to develop and promote solutions to support existing housing choices, specifically to "improve services/housing for all those living or seeking to live in Greater Sudbury".

Report Summary

This report provides a summary of the legislated changes to the Official Plan and Zoning By-law 2010-100Z to implement Bill 108: More Homes, More Choice Act, 2019 with respect to additional residential units and presents a draft of the proposed amendments.

Financial Implications

There are no financial implications associated with the approval of this report. The amendments to the Official Plan and Zoning By-law implement legislated changes introduced through Bill 108.

Signed By

Report Prepared By

Melissa Riou
Senior Planner
Digitally Signed May 13, 20

Manager Review

Kris Longston
Manager of Community and Strategic Planning
Digitally Signed May 15, 20

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed May 19, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Jun 4, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Jun 5, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jun 8, 20

Staff Report: Bill 108 Implementation: Additional Residential Units

June 1, 2020

Planning Services Division

Background

This report proposes administrative changes to the official plan and zoning by-law to implement Bill 108 as it pertains to Additional Residential Units. As outlined in the report presented to Planning Committee on January 6, 2020, Bill 108 – More Homes, More Choice Act, 2019, was an omnibus bill that amended several pieces of legislation in Ontario. The Bill made changes to the *Planning Act*, including those which require municipalities to implement policies in their official plans to authorize the use of additional residential units. The Bill received Royal Assent on June 6, 2019 and the changes related to additional residential units were proclaimed into force on September 3, 2019.

On August 29, 2019, O. Reg 299/19 came into force. This regulation specified that each additional residential unit is to have one parking space for the sole use of the occupant of the additional residential unit, unless a parking space is not required for the occupant of the primary residential unit. Further, this regulation specifies that a required parking space may be tandem.

In order to implement this new legislation for additional residential units, the City of Greater Sudbury Official Plan must be amended to include the new policy framework and Zoning By-law 2010-100Z must be amended to permit this form of housing.

Overview of Changes

The new additional residential unit framework expands upon the previous second unit provisions in the Planning Act and authorizes the use of three units on a property that contains a single detached, semi-detached or rowhouse dwelling. This includes allowing an additional unit within the primary dwelling and a unit within an ancillary structure associated with the primary dwelling on the same lot. These additional residential units would continue to be subject to municipal zoning provisions (i.e. maximum lot coverage and setbacks). Further, additional residential unit policies in an official plan and associated zoning provisions continue to be sheltered from appeal.

In 2016 the City of Greater Sudbury amended its Official Plan and Zoning By-law, and created a registry system, for second units to implement the requirements of

the *Strong Communities Through Affordable Housing Act, 2011*. Since this time, 73 units have been registered. The Registry lists all second units that were created with the benefit of a building permit. The Registry is available to the public and assures any prospective tenant that the unit met the requirements of the *Ontario Building Code* and the *Fire Code*.

Under the previous amendments made through the *Strong Communities Through Affordable Housing Act, 2011*, an official plan was required to contain policies authorizing a second residential unit in single detached, semi-detached and row dwellings, if no ancillary structure to the dwelling contained a residential unit OR authorize a secondary residential unit in an accessory structure, provided that there was not a secondary unit in the primary residential structure. Bill 108 requires official plans to contain policies permitting two residential units in a detached house, semi-detached house or rowhouse (the primary unit and an additional residential unit) and an additional residential unit in a structure ancillary to the primary dwelling unit, for a potential of up to three units.

Proposed Amendments to the Official Plan and Zoning By-law

It is proposed that the Official Plan for the City of Greater Sudbury be amended to modify language within the current policies to implement the new provincial legislation, while maintaining the current terminology of “secondary dwelling unit”. It is further proposed that Zoning By-law 2010-100Z be amended to include reference to additional residential units within the definition for “Dwelling Unit, Secondary” and make additional changes to implement provincial legislation such as the number of units permitted and parking requirements. Tables providing summaries of proposed changes to both the Official Plan and the Zoning By-law are appended to this report (Appendices A and B). Further draft amendments to the Official Plan and Zoning By-law are attached as Appendices C and D.

Additional Residential Units in Accessory Structures

The legislation requires that two additional residential units or secondary dwelling units be permitted on a lot, one within the primary residential structure and one within an accessory structure. Under the proposed zoning by-law amendment, the existing lot coverage and setback requirements for accessory structures will remain the same.

Further Review

Zoning By-law changes that could facilitate the ability to establish additional residential units or secondary dwelling units will be examined as part of the Tiny/Small Homes project and further changes to the Zoning By-law would be presented to Council for their consideration as part of that work. Proceeding with the current amendment will allow for additional residential units (potential third units) consistent with the Provincial legislation, with potential additional modifications to follow. As an example, the Tiny/Small Homes work will review current lot coverage and permitted built form regulations (e.g. modular).

Other Considerations

Development Charges: The City's Development Charge By-law (By-law 2019-100) provides rules with respect to exemptions for intensification of existing housing, in accordance with the *Development Charges Act*, 1997. Similar to Secondary dwelling units, Additional residential units will not be subject to Development Charges with some exceptions. O.Reg 454/19 will amend Ontario Regulation 82/98 under the *Development Charges Act*. The intent of the regulation is to permit the creation of additional residential units in ancillary structures without triggering a development charge. It is proposed that one additional unit in a new single detached dwelling, semi-detached dwelling and row-house, including in a structure ancillary to one of these dwellings, would be exempt from development charges. The changes proposed under the regulation have yet to be proclaimed are not yet in effect.

Other Fees: By-law 2018-45 established water and wastewater policy and water and wastewater rates and charges in general and for special projects (i.e. Rock Tunnel). Section 42 provides exemptions for secondary units. This exemption would not apply to secondary units in accessory structures and a fee of \$1,148 would apply within the South End Sewer Rock Tunnel Project Area and \$2,524 within the Kingsway Sewer and Water Project Area.

Similarly, fees under By-law 2011-80, Monte Principale –Lionel Lalonde Centre Water Servicing Project would also apply per residential unit. A fee of \$495 would be applicable for properties within the defined area.

Building Permits: Building Permits will be required for the construction of Additional residential units. As noted above, Building Services maintains a registry to track the location of secondary dwelling units and this process would continue with respect to the additional units.

Education and Outreach

Staff will continue to work with internal and external stakeholders to communicate the changes to the public. Once the changes have been implemented the Affordable Housing Strategy webpage will be updated as well as the second unit information packages available through building services, in addition to presentations to local agencies.

Summary and Recommendation

It is recommended that the official plan amendment and zoning by-law amendment to implement Bill 108 legislation for Additional residential units by amending the current secondary dwelling unit policies and provisions be approved.

References

1. Bill 108, Better Homes, More Choice Act, 2019
<https://www.ola.org/en/legislative-business/bills/parliament-42/session-1/bill-108>
2. Ontario Regulation 299/19, Additional Residential Units
<https://www.ontario.ca/laws/regulation/r19299>
3. Staff Report, Second Units, June 27, 2016
<https://agendasonline.greatersudbury.ca/?pg=agenda&action=navigate&lang=en&id=988&itemid=11519>
4. Staff Report, Bill 108 Update, June 10, 2019
<https://agendasonline.greatersudbury.ca/index.cfm?pg=feed&action=file&agenda=report&itemid=11&id=1316>
5. Staff Report, Provincial Planning Reform: Implementing Bill 108, January 6, 2020
<https://agendasonline.greatersudbury.ca/index.cfm?pg=feed&action=file&agenda=report&itemid=11&id=1440>

Appendix A – Proposed Changes Table

DRAFT	
Proposed Changes to the Official Plan to Implement Bill 108 – Additional Residential Units	
Existing Policies	Proposed Changes
PART 2 -	
2.3.6 Secondary Dwelling Units	2.3.6 Secondary Dwelling Units
<p>Secondary Dwelling Units, also referred to as accessory suites or dwellings, can provide an effective form of intensification and increase the availability of affordable housing choices for residents. Secondary dwelling units are defined as a dwelling unit which is ancillary and subordinate to the primary dwelling unit and that may be contained within the main building on a lot or in an accessory building.</p> <p>Policies</p> <ol style="list-style-type: none"> 1. Secondary dwelling units are permitted in single detached, semi-detached, street townhouse and row dwellings as well as in an accessory structure. 2. Mobile homes are not permitted as secondary dwelling units in the Living Area designations. 3. No more than one Secondary dwelling unit will be permitted in association with each primary dwelling on the same lot. 	<p>Secondary Dwelling Units, also referred to as accessory residential units, accessory suites or dwellings, can provide an effective form of intensification and increase the availability of affordable housing choices for residents. Secondary dwelling units are defined as a dwelling unit which is ancillary and subordinate to the primary dwelling unit and that may be contained within the main building on a lot or in an accessory building.</p> <p>Policies</p> <ol style="list-style-type: none"> 1. Secondary dwelling units are permitted in single detached, semi-detached, street townhouse and row dwellings and a Secondary dwelling unit is permitted in an accessory structure. 2. Mobile homes are not permitted as secondary dwelling units in the Living Area designations. 3. No more than two Secondary dwelling units will be permitted in association with each primary dwelling on the same lot. One within the primary structure and one within an accessory structure.

SCHEDULE “A” TO
BY-LAW XXXX-XXX
APPENDIX C

COMPONENTS OF THE AMENDMENT:

- PART A – The Preamble does not constitute part of this Amendment.
- PART B – The Amendment, consisting of the following text, constitutes Amendment No. XX to the Official Plan for the City of Greater Sudbury.

DRAFT

SCHEDULE “A” TO

BY-LAW XXXX-XXX

PART A – THE PREAMBLE:**A.1 Background**

The Planning Act, as amended by the *More Homes, More Choice Act*, 2019 (Bill 108), requires municipalities to establish Official Plan policies and zoning by-law provisions allowing secondary dwelling units, also referred to as additional residential units, in single, semi and rowhouses and a secondary dwelling unit (additional residential unit) in an accessory structure in new and existing developments. The Planning Act shelters the proposed amendment from appeals.

The proposed official plan amendment will update existing policies related to “secondary dwelling units” in the Official Plan to provide additional flexibility for additional residential units in a manner consistent with the Planning Act.

As part of undertaking the City of Greater Sudbury Housing and Homelessness Background Study (2013), the issue of second units was thoroughly investigated, including:

- Legislative and historical context;
- Rationale and benefits of second units;
- Feedback from stakeholders and public consultation;
- Potential impacts of Secondary Suite Policies.

A discussion paper on second suite policy options was brought forward to Planning Committee in October of 2013. The report recommended that the Official Plan contains policies that permit second suites in detached, semi-detached, street townhouses, row dwellings and accessory buildings, subject to a number of criteria, including:

- A restriction of one second suite per lot;
- Adequate servicing being available;
- Not being located on or adjacent to hazard lands;
- Not causing alterations to the main building exterior that would change the character of the existing neighbourhood; and
- Satisfying all applicable requirements of the Zoning By-law, Building Code, Fire Code and Property Standards By-law.

On July 12, 2016 Council approved By-law 2016P-132 to amend the Official Plan and By-law 2016-133Z to amend Zoning By-law 2010-100Z to implement policies and provisions for secondary dwelling units.

This amendment will remove the restriction of one secondary dwelling unit (additional residential unit) per lot and amend the restriction to two secondary dwelling units (additional residential units) per lot.

A.2 Purpose

This amendment revises the current “secondary dwelling unit” policies to be consistent with Bill 108 and O.Reg 299/19 with respect to “additional residential units”.

A.3 Location

This Amendment applies to all lands within the City of Greater Sudbury.

A.4 Basis

The *Planning Act*, as amended by the *More Homes, More Choice Act*, 2019, requires municipalities to amend Official Plan policies and zoning by-law provisions to allow second units, which are now to be termed “additional residential units” in single, semi and row houses and an additional residential unit in accessory structures in new and existing development.

SCHEDULE “A” TO
BY-LAW XXXX-XXX

PART B – THE AMENDMENT

All of this part of Schedule ‘A’, entitled ‘Part B – The Amendment’, consisting of the following text, constitutes Amendment No. XX to the Official Plan for the City of Greater Sudbury (hereinafter referred to as the Official Plan)

DETAILS OF THE AMENDMENT

The Official Plan is hereby amended, as follows:

- 1.** By deleting and replacing the introductory paragraph and policies 1 through 3 of Section 2.3.6, Secondary Suites, with the following:

“2.3.6. Secondary Dwelling Units

Secondary Dwelling Units, also referred to as additional residential units, accessory suites or dwellings, can provide an effective form of intensification and increase the availability of affordable housing choices for residents. Additional residential units are defined as a dwelling unit which is ancillary and subordinate to the primary dwelling unit and that may be contained within the main building on a lot or in an accessory building.

Policies

 1. Secondary dwelling units are permitted in single detached, semi-detached, street townhouse and row dwellings and a Secondary dwelling unit is permitted in an accessory structure.
 2. Mobile homes are not permitted as Secondary dwelling units in the Living Area designations.
 3. No more than two Secondary dwelling units will be permitted in association with each primary dwelling on the same lot. One within the primary structure and one within an accessory structure.”

Appendix B – Proposed Changes Table

DRAFT	
Proposed Changes to the Zoning By-law to Implement Bill 108 – Additional Residential Units	
Existing Provisions	Proposed Changes
<p>Part 3, Definitions</p> <p>95. Dwelling Unit, Secondary, “A dwelling unit that is ancillary and subordinate to a primary dwelling unit that may be contained within the main building on a lot or in an accessory building.</p>	<p>Part 3, Definitions</p> <p>95. Dwelling Unit, Secondary, “<u>an additional residential unit</u> that is ancillary and subordinate to a primary dwelling unit that may be contained within the main building on a lot or in an accessory building.</p>
<p>4.2.10 Secondary Dwelling Units</p> <p>4.2.10.1 Permission for Secondary Dwelling Units</p> <p>An <i>secondary dwelling unit</i> may be permitted within:</p> <ul style="list-style-type: none"> a) <i>A single detached dwelling and a building accessory there to;</i> b) <i>A semi-detached dwelling and a building accessory there to;</i> c) <i>A row dwelling and a building accessory there to; and</i> d) <i>A street townhouse dwelling and a building accessory there to;</i> <p>Provided that a maximum of one <i>secondary dwelling unit</i> is permitted on a <i>lot</i>.</p>	<p>4.2.10 Secondary Dwelling Units</p> <p>4.2.10.1 Permission for Secondary Dwelling Units</p> <p>A <i>secondary dwelling unit</i> may be permitted within:</p> <ul style="list-style-type: none"> a) <i>A single detached dwelling and a building accessory there to;</i> b) <i>A semi-detached dwelling and a building accessory there to;</i> c) <i>A row dwelling and a building accessory there to; and</i> d) <i>A street townhouse dwelling and a building accessory there to;</i> <p>Provided that a maximum of <u>one secondary dwelling unit is permitted within the primary dwelling and one secondary dwelling unit is permitted within an accessory building on a lot</u>.</p>
<p>5.2.9.1 Double Parking</p>	<p>Added second paragraph as follows:</p> <p><u>Notwithstanding the above, a parking space that is provided and maintained for the sole use of the occupant of a secondary dwelling unit may be a tandem parking space</u></p>

SCHEDULE “A” TO
BY-LAW XXXX-XXX
APPENDIX D

That Zoning By-law 2010-100Z is hereby amended, as follows:

- 1.** In Part 3: Definitions, deleting the definition for “Dwelling Unit, Secondary”, and replacing it with the following:

95.	Dwelling Unit, Secondary (By-law 2016-133Z)	An additional residential unit that is ancillary and subordinate to the primary dwelling unit that may be contained within the main building on a lot or in an accessory building.
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- 2.** In Part 4, deleting Section 4.2.10 Secondary Dwelling Units, deleting the paragraph after section 4.2.10.1 d) and replacing it with the following:

“Provided that a maximum of one *additional dwelling unit* is permitted within the primary dwelling and one *additional dwelling unit* is permitted within an *accessory building on a lot*.”

- 3.** In Section 5.2.9.1 Double Parking, adding a second paragraph as follows:

“Notwithstanding the above, a parking space that is provided and maintained for the sole use of the occupant of a secondary dwelling unit may be a tandem parking space.”

This By-law shall come into effect upon passage and the adoption of Official Plan amendment #XX.

DRAFT

Request for Decision

Dalron Construction Ltd. - Application to extend a draft approved plan of subdivision approval, PIN 73377-1463, Part of Parcel 22159 A SWS, Lot 8, Concession 5, Township of Waters (Sugarbush Subdivision, Lively)

Presented To:	Planning Committee
Presented:	Monday, Jun 22, 2020
Report Date	Friday, May 08, 2020
Type:	Routine Management Reports
File Number:	780-8/08011

Resolution

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 PIN 73377-1463, Part of Parcel 22159 A SWS, Lot 8, Concession 5, Township of Waters, File #780-8/08011, as outlined in the report entitled "Dalron Construction Ltd.", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 22, 2020, upon payment of Council's processing fee in the amount of \$2,273.00 as follows:

1. By adding the following words "The owner shall be responsible for the legal costs of preparing and registering any required lot grading agreement." at the end of Condition #5;
2. By deleting Conditions #6, #7, #8 and #30 entirely;
3. By deleting Condition #29 and replacing it with the following: "29. That this draft approval shall lapse on May 8, 2023."; and,
4. By adding a new Condition #39 as follows:
 "39. A storm-water 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 two 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 two 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;

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed May 8, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed May 11, 20

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed May 11, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Jun 4, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Jun 5, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jun 8, 20

- 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 storm-water quality controls as defined by the Ministry of the Environment, Conservation and Parks;
- d) Storm-water management must follow the recommendations of the Junction Creek Sub-watershed Study;
- e) The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any storm-water management plan; f) 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;
- g) Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties;
- h) Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted; and,
- i) The owner shall be responsible for the design and construction of any required storm-water 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 storm-water management works as a condition of this development."

Relationship to the Strategic Plan / Health Impact Assessment

The application to extend this draft plan of subdivision approval is an operational matter under the Planning Act to which the City is responding.

Report Summary

The owner has requested an extension to the draft plan of subdivision approval of the Sugarbush draft approved plan of subdivision (File # 780-8/08011) in the community of Lively for a period of three years until May 8, 2023. The Planning Services Division has reviewed the request to extend the draft approval and have no objections to the requested extension for a period of three years. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approval.

Development Engineering has outlined that there has been a submission of construction drawings for the northerly extension of Chinaberry Drive known as "Sugarbush Subdivision Phase 4," which was filed with the City in September 2018, but said construction drawings has not yet obtained approval. The City's Drainage Section has requested that a condition be added which will reflect current standard draft approval condition practices in terms of the infrastructure that will be required to facilitate development of the Sugarbush subdivision. Environmental Initiatives notes there are no significant environmental concerns that are not already addressed in the draft approval conditions. Further to this, the owner has now been advised that prior to vegetation removal or other site alteration on the subject lands they are to consult with the Ministry of the Environment, Conservation and Parks to ensure that all requirements set out by the Province of Ontario under the Endangered Species Act have been satisfied.

The Planning Services Division is recommending approval of the application to extend the draft approved plan of subdivision. Amendments to the conditions of draft approval where necessary have been identified and are included in the Resolution section of the report.

Financial Implications

If approved, staff estimate approximately \$215,000 in taxation revenue based on the assumption of 47 single dwelling units (and estimated assessed value of \$400,000 per unit) at the 2019 property tax rates.

In addition, this would result in increased development charges of approximately \$830,000 based on assumption of 47 single dwelling units based on rates in effect as of this report.

Once development has occurred and the subdivision infrastructure has been transferred to the City, there will be additional on-going costs for future annual maintenance and capital replacement of the related infrastructure (ie. Roads, water/wastewater linear pipes, etc).

Date: May 5, 2020

STAFF REPORT

Applicant:

Dalron Construction Ltd.

Location:

PIN 73377-1463, Part of Parcel 22159 A SWS, Lot 8, Concession 5, Township of Waters (Sugarbush Subdivision, Lively)

Application:

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on March 18, 2009. The draft approval was most recently extended by Council until May 8, 2020 for a plan of subdivision on those lands described as PIN 73377-1463, Part of Parcel 22159 A SWS, Lot 8, Concession 5, Township of Waters (ie. Sugarbush Subdivision). The most recent administrative extension was granted by the Director of Planning Services in order to afford staff the opportunity to schedule the item to a meeting of Planning Committee that is appropriate given the emerging and changing best practices for scheduling meetings due to the Covid-19 global pandemic. The draft approval therefore has a current lapsing date of September 8, 2020.

Proposal:

The owner is requesting that the draft approval conditions for the above noted lands be extended for a period of three years until May 8, 2023.

Background:

The City received a written request from Dalron Construction Ltd. on January 7, 2020, to extend the draft approval on a plan of subdivision for a period of three years on those lands described as PIN 73377-1463, Part of Parcel 22159 A SWS, Lot 8, Concession 5, Township of Waters. The draft approved plan of subdivision was initially approved by Council for a total of 69 urban residential lots to the north of Niemi Road and Santala Road in the community of Lively. The remaining lots are to be accessed from Chinaberry Drive and Sugarbush Drive.

The draft approval is set to expire again on September 8, 2020, following one administrative extension that was issued due to the Covid-19 global pandemic. Staff has circulated the request to relevant agencies and departments and is now bringing forward this report to extend the draft approval to May 8, 2023.

Departmental & Agency Circulation:

Active Transportation, Building Services, Conservation Sudbury, Operations, Roads, Traffic and Transportation, and Transit Services have each advised that they have no concerns from their respective areas of interest. Leisure Services was also circulated and have no comments.

Canada Post has not requested any changes to the draft approval conditions. Canada Post did however note in an emailed letter their requirements and expectations for providing mail service to the subdivision. The above noted letter is attached to this report for the owner's information and reference purposes.

Date: May 5, 2020

Development Engineering has no concerns with the requested extension, but has noted that the phase of the subdivision known as “Sugarbush Subdivision Phase 6” being the Dewberry Court cul-de-sac was registered in May 2012. There has also been a submission of construction drawings for the northerly extension of Chinaberry Drive known as “Sugarbush Subdivision Phase 4” was filed with the City in September 2018, but said construction drawings has not yet obtained approval.

The City’s Drainage Section has requested that a new and comprehensive condition addressing the requirement for a storm-water management report and associated plans be added to the draft approval conditions. The comprehensive condition will act to provide clarity in the draft approval document in terms of what is required from a storm-water management perspective. Conditions #6, #7 and #8 are therefore recommended to be deleted in favour of the above noted comprehensive and standardized condition that is fully described in the Resolution section of this report.

Environmental Initiatives notes there are no significant environmental concerns that are not already addressed in the draft approval conditions. Condition #30 is recommended to be removed and the owner is advised that prior to vegetation removal or other site alteration on the subject lands they are to consult with the Ministry of the Environment, Conservation and Parks (MECP) to ensure that all requirements set out by the Province of Ontario under the [Endangered Species Act](#) have been satisfied.

Planning Considerations:

[Official Plan](#)

Section 20.4.2 of the Official Plan for the City of Greater Sudbury addressing draft plan of subdivision approvals outlines that Council will not extend or recommend the extension of a draft plan approval, beyond the statutory limitation of three years, unless the owner has demonstrated to the satisfaction of Council that they are making a reasonable effort to proceed in meeting the conditions of draft approval. At the time of an extension request, Council is to review the draft plan conditions and may make appropriate modifications.

Staff notes that this particular draft plan approval was originally approved by Council on March 18, 2009, and since that time 22 urban residential lots have been registered as Plan 53M-1401. At the time of writing this report, 47 urban residential lots remaining within the draft approved Sugarbush Subdivision.

The owner did not provide a status update with respect to pursuing the finalization of any future phases of the draft approved Sugarbush Subdivision in their letter to the City dated January 7, 2020.

Development Engineering has however noted in their review of the extension request that the submission of construction drawings for the northerly extension of Chinaberry Drive known as “Sugarbush Subdivision Phase 4” was filed with the City in September 2018, but said construction drawings has not yet obtained approval.

Draft Approval Conditions

Condition #29 should be deleted entirely and replaced with a sentence referring to May 8, 2023, as the revised date on which the subject draft plan of subdivision approval shall lapse.

The City’s Drainage Section has requested that Conditions #6, #7 and #8 be deleted and replaced with one comprehensive conditions addressing the requirement for a storm-water management report and associated plans. The comprehensive condition will act to provide clarity in the draft approval document in terms of what is required from a storm-water management perspective. This new Condition #39 is included in the Resolution section of this report.

Date: May 5, 2020

Environmental Initiatives has noted that there are no significant environmental concerns that are not already addressed in the draft approval conditions. It is also noted that the owner is hereby advised that prior to vegetation removal or other site alteration on the subject lands they are to consult with the Ministry of the Environment, Conservation and Parks to ensure that all requirements set out by the Province of Ontario under the Endangered Species Act have been satisfied. The recommended deletion of Condition #30 relating to the above is included in the Resolution section of this report.

Other housekeeping changes are also incorporated into the Resolution section of this report.

No other administrative and housekeeping changes to the draft approval documents are required at this time. No other changes beyond those described in this report to the draft approval documents have been requested either by the owner or by circulated agencies and departments.

The draft approval conditions are attached to this report along with a sketch of the draft approved plan of subdivision dated October 22, 2008, for reference purposes.

Processing Fees

The owner is required to pay the applicable processing fee in the amount of \$2,273.00. It is recommended that the draft approval extension be granted upon receipt of Council's processing fee from the owner. This amount was calculated as per [By-law 2020-26](#) being the Miscellaneous User Fees for Certain Services By-law that was in effect at the time the request was made.

Summary:

The Planning Services Division have reviewed the request to extend the subject draft approval and have no objections to the requested extension for a period of three years. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approval of the subdivision.

Development Engineering has outlined that there has been a submission of construction drawings for the northerly extension of Chinaberry Drive known as "Sugarbush Subdivision Phase 4," which was filed with the City in September 2018, but said construction drawings has not yet obtained approval.

The City's Drainage Section has requested that a condition be added which will reflect current standard draft approval condition practices in terms of the infrastructure that will be required to facilitate development of the Sugarbush subdivision.

Environmental Initiatives notes there are no significant environmental concerns that are not already addressed in the draft approval conditions. Further to this, the owner has now been advised that prior to vegetation removal or other site alteration on the subject lands they are to consult with the Ministry of the Environment, Conservation and Parks to ensure that all requirements set out by the Province of Ontario under the Endangered Species Act have been satisfied.

Appropriate changes where identified have been included in the Resolution section of this report and will now form part of the draft plan approval if approved by Council. The Planning Services Division therefore recommends that the application to extend the draft approval for the Sugarbush Subdivision for a period of three years until May 8, 2023, be approved as outlined in the Resolution section of this report.

**SUBJECT
PROPERTY**

LOT 9
CON 5
RU

FD

R2-2

R1-5

Silverberry

Chinaberry

Mulberry

Cranberry

R2-2

P

R1-5

R1-5

R1-5

R1-5

R1-5

R1-5

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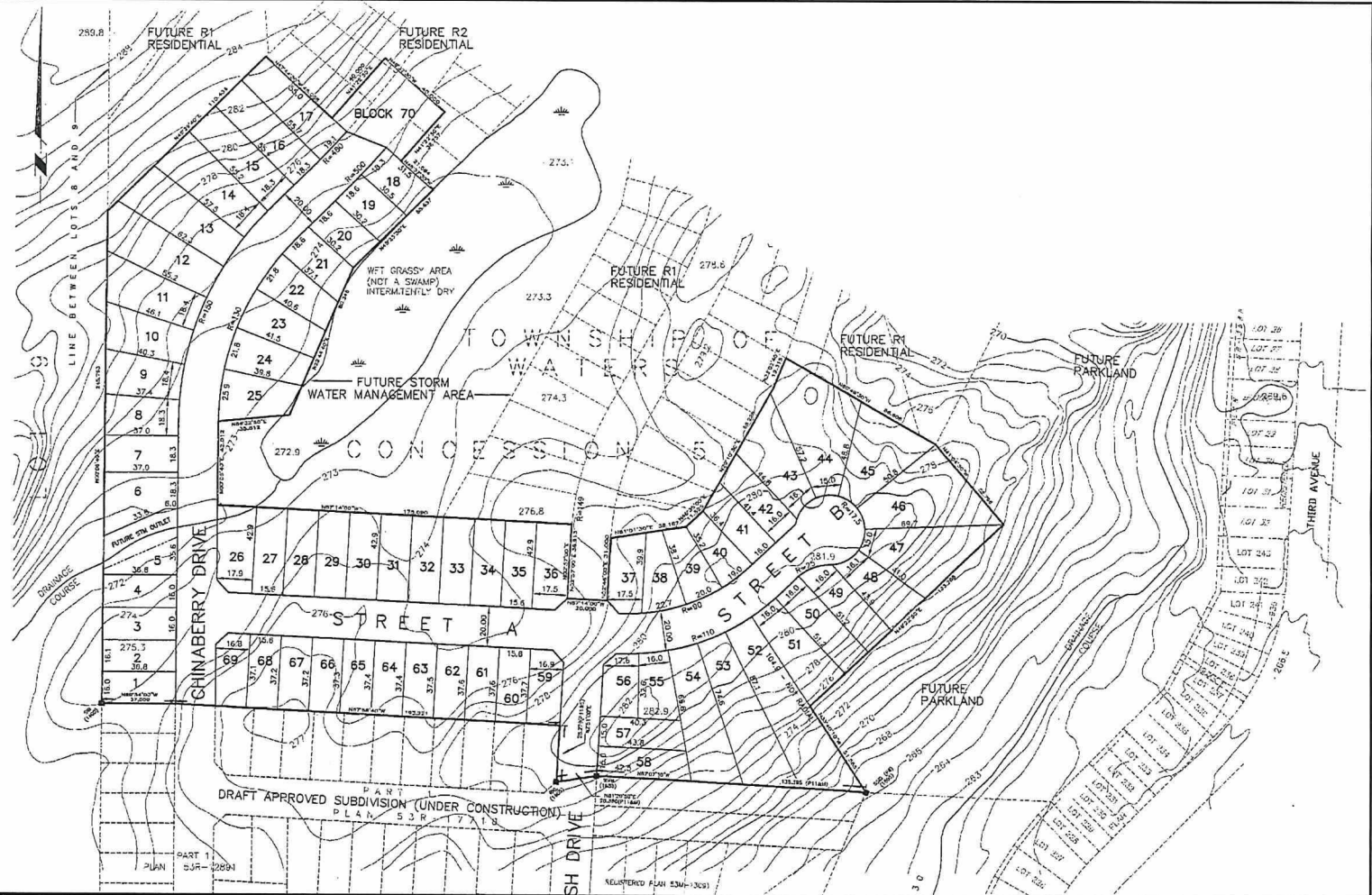
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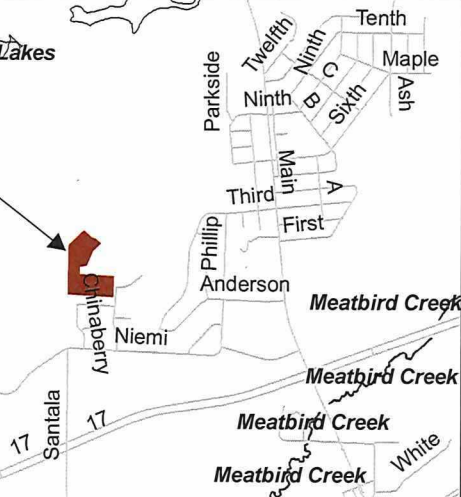
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Twin Lakes Twin Lakes

**SUBJECT
PROPERTY**



Subject Property being
part of PIN 73377-1544,
part of Part 1 & Part 2,
Plan 53R-19056, Lot 8, Con. 5,
Twp. of Waters, Lively,
City of Greater Sudbury

Growth and Infrastructure Department



NTS
Sketch 1

751-8/08-1 & 780-8/08011

Date: 2018 01 31

THE CITY OF GREATER SUDBURY COUNCIL'S CONDITIONS APPLYING TO THE APPROVAL OF THE FINAL PLAN FOR REGISTRATION OF THE SUBJECT SUBDIVISION ARE AS FOLLOWS:

1. That this draft approval applies to the draft plan of subdivision of PIN 73377-1463, Part of Parcel 22159 A SWS, Lot 8, , Concession 5, Township of Waters as show on a plan of subdivision prepared by Terry Del Bosco, O.L.S., dated October 22, 2008.
2. That the street(s) be named to the satisfaction of the City.
3. That 5% of the land included in the plan of subdivision be deeded to the City of Greater Sudbury for parks purposes in accordance with Section 51.1 (1) of the Planning Act.
4. 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. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services. A soils caution agreement, if required, shall be registered on title, to the satisfaction of the Chief Building Official and the City Solicitor.
5. 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, if required, shall be registered on title, to the satisfaction of the Director of Planning Services and the City Solicitor.
6. Prior to the submission of servicing plans, the owner shall have a stormwater management report and plan prepared, signed, sealed, and dated by a professional engineer with a valid certificate of authorization. Said report shall establish how the quantity and quality of stormwater will be managed for the subdivision development and assess the impact of stormwater runoff from this developed subdivision on abutting lands, on the downstream storm sewer outlet systems and on downstream water courses. The report shall deal with the control of both the 1:5 year, 1:100 year, and Regional Storm events, so as to limit the volume of flow generated on the site to pre-development levels. The Regional Storm flow path is to be set out on the plan(s).

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7. Stormwater quality control shall be based on 85 percent removal of suspended solids based on a particle size of 50 microns, with a minimum design storm target of the 1 in 2 year storm event. The civil engineering consultant shall meet with Development Engineering prior to commencing the stormwater management report.
8. 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.
9. The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, storm sewers and related appurtenances to the City of Greater Sudbury Engineering Standards at the time of submission.
10. 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.
11. The owner shall develop a siltation control plan for the subdivision construction period to the satisfaction of the Director of Planning Services and Nickel District Conservation Authority.
12. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
13. The owner will be required to ensure that the corner radius for all intersecting streets is to be 9.0 m.
14. 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 in to 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.
15. 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, Union Gas, and Eastlink Cable. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.

16. 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.
17. The owner 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 will be borne totally by the owner
18. The owner 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
19. The subdivision agreement contain provisions for the owner to pay 50% of the cost to construct Niemi Road to full urban collector standard from Municipal Road #24 to the western property line of Cranberry Drive to the satisfaction of the Director of Planning Services.
20. 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.
21. 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.
22. That the subdivision agreement be registered by the Municipality against the land to which it applies, prior to any encumbrances.
23. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
24. 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, sanitary sewers, watermains, storm sewers, installation of services and surface drainage facilities.

...4

25. 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.
26. 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 Growth and Infrastructure, that sufficient sewage treatment capacity and water capacity exists to service the development.
27. That prior to the signing of the final plan the owner shall satisfy Canada Post with respect to mail delivery facilities for the site.
28. Deleted.
29. That this draft approval shall lapse on September 8, 2020.
30. That prior to the signing of the final plan, the owners/applicants shall contact the Ministry of Natural Resources and Forestry (MNRF), Sudbury District Office, and satisfy all requirements set out by the MNRF under the Endangered Species Act. In addition, the owners/applicants shall, to the satisfaction of the Director of Planning Services, demonstrate that all requirements set out by the MNRF under the Endangered Species Act have been satisfied prior to any site alteration or development taking place on the subject lands.
31. The Owner 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.
32. The blasting consultant shall be retained by the Owner 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 his 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.
33. The geotechnical report referred to in Condition 31 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.

34. The geotechnical report referred to in Conditions 31 and 33 shall be submitted for review to the satisfaction of the Chief Building Official prior to the commencement of any removal of rock by blasting.
35. Should the Owner'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.
36. 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.
37. 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.
38. 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.

Request for Decision

Dalron Construction Ltd. – Application to extend a draft approved plan of subdivision approval, PINs 73475-1373 & 73478-9526, Parts 1 to 19, Plan 53R-14976, Township of Broder (Pondsvew Subdivision, Sudbury)

Presented To:	Planning Committee
Presented:	Monday, Jun 22, 2020
Report Date	Monday, May 25, 2020
Type:	Routine Management Reports
File Number:	780-6-93009

Resolution

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 PINs 73475-1373 & 73478-9526, Parts 1 to 19, Plan 53R-14976, Township of Broder, File # 780-6/93009, in the report entitled "Dalron Construction Ltd." from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 22, 2020, upon payment of Council's processing fee in the amount of \$711.25 as follows:

1. By replacing the words "Ministry of the Environment and Energy" with "Ministry of the Environment, Conservation and Parks" in Condition #11;
 2. By deleting the words "sediment control plan" and replacing them with "erosion and sediment control plan" in Condition #12;
 3. By deleting Condition #25;
 4. By deleting the words "That prior to the signing of the final plan the Planning Services Division is to be advised by the Nickel District Conservation Authority that Condition #12 has be complied with to their satisfaction" in Condition #26 and replacing them with "That prior to the signing of the final plan the Planning Services Division is to be advised by the Nickel District Conservation Authority that Condition #12 and #14 has be complied with to their satisfaction.";
 5. By deleting Condition #28 and replacing it with the following:
 6. "28. That this draft approval shall lapse on April 16, 2022.";
 7. By deleting Condition #36 and replacing it with the following:
- "36. A storm-water management report and associated plans must be submitted by the Owner's Consulting

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed May 25, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed May 25, 20

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed Jun 4, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Jun 4, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Jun 5, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jun 8, 20

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 two year design storm. Any resulting post development runoff in excess of the two year design storm must be conveyed through overland flow system to the City owned land to the east;
- b) "Enhanced" level must be used for the design of storm-water quality controls as defined by the Ministry of the Environment, Conservation and Parks;
- c) The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any storm-water management plan;
- d) 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;
- e) Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties;
- f) Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted; and,
- g) 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 storm-water management works as a condition of this development."

Relationship to the Strategic Plan / Health Impact Assessment

The application to extend this draft plan of subdivision approval is an operational matter under the Planning Act to which the City is responding.

Report Summary

The owner has requested an extension to the draft plan of subdivision approval of the Pondsview draft approved plan of subdivision (File # 780-6/93009) in the community of Sudbury for a period of two years until April 16, 2022. The Planning Services Division has reviewed the request to extend the draft approval and have no objections to the requested extension for a period of two years. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approval.

Conservation Sudbury has no concerns with the extension request and have recommended that minor changes for clarification purposes be made to certain conditions which collectively address those plans that are subject to the approval and satisfaction of the Nickel District Conservation Authority. The City's Drainage Section has requested that a condition be added which will reflect current standard draft approval condition practices in terms of the infrastructure that will be required to facilitate development of the Pondsview subdivision. Environmental Initiatives notes there are no significant environmental concerns that are not already addressed in the draft approval conditions. Further to this, the owner has now been advised that prior to vegetation removal or other site alteration on the subject lands they are to consult with the Ministry of the Environment, Conservation and Parks to ensure that all requirements set out by the Province of Ontario under the Endangered Species Act have been satisfied.

The Planning Services Division is recommending approval of the application to extend the draft approved plan of subdivision. Amendments to the conditions of draft approval where necessary have been identified and are included in the Resolution section of the report.

Financial Implications

If approved, staff estimates approximately \$130,000 in taxation revenue, based on the assumption of 20 single family dwelling units at an estimated assessed value of \$500,000 per dwelling unit at the 2019 property tax rates.

In addition, this development would result in total development charges of approximately \$355,000 based on the assumption of 20 single family dwelling units based on the rates in effect as of this report.

Once development has occurred and the subdivision infrastructure has been transferred to the City, there will be additional on-going costs for future annual maintenance and capital replacement of the related infrastructure (ie. Roads, water/wastewater linear pipes, etc).

Date: May 1, 2020

STAFF REPORT

Applicant:

Dalron Construction Ltd.

Location:

PINs 73475-1373 & 73478-9526, Parts 1 to 19, Plan 53R-14976, Township of Broder (Pondsvie Subdivision, Sudbury)

Application:

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on January 14, 1994. The draft approval was most recently extended by Council until April 16, 2020 for a plan of subdivision on those lands described as PINs 73475-1373 & 73478-9526, Parts 1 to 19, Plan 53R-14976, Township of Broder (ie. Pondsvie Subdivision). The most recent administrative extension was granted by the Director of Planning Services in order to afford staff the opportunity to schedule the item to a meeting of Planning Committee that is appropriate given the emerging and changing best practices for scheduling meetings due to the Covid-19 global pandemic. The draft approval therefore has a current lapsing date of August 16, 2020.

Proposal:

The owner is requesting that the draft approval conditions for the above noted lands be extended for a period of two years until April 16, 2022.

Background:

The City received a written request from Dalron Construction Ltd. on January 7, 2020, to extend the draft approval on a plan of subdivision for a period of two years on those lands described as PINs 73475-1373 & 73478-9526, Parts 1 to 19, Plan 53R-14976, Township of Broder. The draft approved plan of subdivision was initially approved by Council for a total of 20 urban residential lots to the north of Countryside Drive and to the east of Trailridge Drive in the community of Sudbury.

The lots are to be accessed from Algonquin Road, which is located immediately south of the draft approved Pondsvie Subdivision. Staff notes that no phases of the draft approved plan of subdivision have been registered since the initial draft approval granted by Council on January 14, 1994.

The draft approval is set to expire again on August 16, 2020 following one administrative extension that was issued due to the Covid-19 global pandemic. Staff has circulated the request to relevant agencies and departments and is now bringing forward this report to extend the draft approval to April 16, 2022.

Departmental & Agency Circulation:

Active Transportation, Building Services, Operations, Roads, Traffic and Transportation, and Transit Services have each advised that they have no concerns from their respective areas of interest. Leisure Services was also circulated and have no comments.

Canada Post has not requested any changes to the draft approval conditions. Canada Post did however note in an emailed letter their requirements and expectations for providing mail service to the subdivision. The above noted letter is attached to this report for the owner's information and reference purposes.

Date: May 1, 2020

Conservation Sudbury has no concerns with the extension request and have recommended that minor changes for clarification purposes be made to Conditions #12 and #26 which collectively address which plans are subject to the approval and satisfaction of the Nickel District Conservation Authority (NDCA).

Development Engineering has no concerns with the requested extension, but has noted that construction drawings for the draft approved Pondsview Subdivision were approved by the City on March 28, 2017. It is further noted and the owner is therefore advised that the approved construction drawings may be required to be updated to reflect current standards.

The City's Drainage Section has requested that a new and comprehensive condition addressing the requirement for a storm-water management report and associated plans be added to the draft approval conditions. The comprehensive condition will act to provide clarity in the draft approval document in terms of what is required from a storm-water management perspective.

Environmental Initiatives notes there are no significant environmental concerns that are not already addressed in the draft approval conditions. Condition #36 is recommended to be removed and the owner is advised that prior to vegetation removal or other site alteration on the subject lands they are to consult with the Ministry of the Environment, Conservation and Parks (MECP) to ensure that all requirements set out by the Province of Ontario under the Endangered Species Act have been satisfied. It is also recommended that the wording in Condition #11 be updated to reflect the Province's renamed Ministry of the Environment, Conservation and Parks.

Planning Considerations:

Official Plan

Section 20.4.2 of the Official Plan for the City of Greater Sudbury addressing draft plan of subdivision approvals outlines that Council will not extend or recommend the extension of a draft plan approval, beyond the statutory limitation of three years, unless the owner has demonstrated to the satisfaction of Council that they are making a reasonable effort to proceed in meeting the conditions of draft approval. At the time of an extension request, Council is to review the draft plan conditions and may make appropriate modifications.

Staff notes that this particular draft plan approval was originally approved by Council on March 16, 1989, and since that time none of the 20 urban residential lots have been registered.

The owner did outline in their letter to the City dated January 7, 2020, that they continue to work toward obtaining required MCEP approvals related to the Pondsview draft approved plan of subdivision.

Draft Approval Conditions

Condition #28 should be deleted entirely and replaced with a sentence referring to April 16, 2022, as the revised date on which the subject draft plan of subdivision approval shall lapse.

Conservation Sudbury has requested technical changes for clarification purposes to Conditions #12 and #26 with respect to those plans that are required and are to be approved to the satisfaction of the NDCA.

The City's Drainage Section has requested that a new and comprehensive condition addressing the requirement for a storm-water management report and associated plans be added to the draft approval conditions. This requested change is reflected in the Resolution section of this report as new Condition #36 that is being recommended.

Date: May 1, 2020

Environmental Initiatives has noted that there are no significant environmental concerns that are not already addressed in the draft approval conditions. It is also noted that the owner is hereby advised that prior to vegetation removal or other site alteration on the subject lands they are to consult with the Ministry of the Environment, Conservation and Parks to ensure that all requirements set out by the Province of Ontario under the Endangered Species Act have been satisfied. The affected Condition #36 relating to the above would be deleted and replaced with the new condition being requested by the City's Drainage Section. This recommended change is included in the Resolution section of this report.

Other housekeeping changes are also incorporated into the Resolution section of this report.

No other administrative and housekeeping changes to the draft approval documents are required at this time. No other changes beyond those described in this report to the draft approval documents have been requested either by the owner or by circulated agencies and departments.

The draft approval conditions are attached to this report along with a sketch of the draft approved plan of subdivision dated March 12, 2003, for reference purposes.

Processing Fees

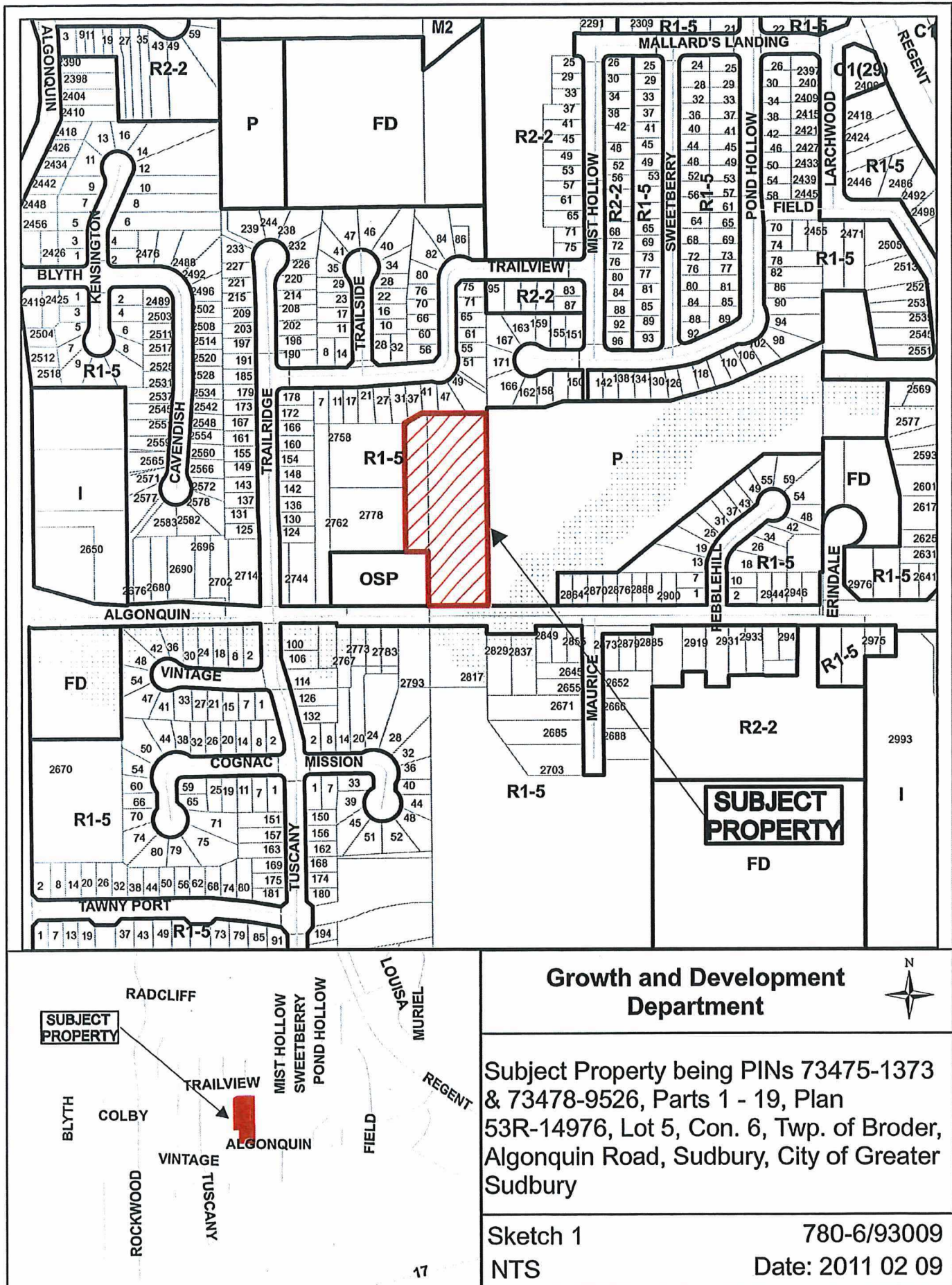
The owner is required to pay the applicable processing fee in the amount of \$711.25. It is recommended that the draft approval extension be granted upon receipt of Council's processing fee from the owner. This amount was calculated as per By-law 2020-26 being the Miscellaneous User Fees for Certain Services By-law that was in effect at the time the request was made.

Summary:

The Planning Services Division have reviewed the request to extend the subject draft approval and have no objections to the requested extension for a period of two years. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approval of the subdivision.

The City's Drainage Section has requested that a new and comprehensive condition addressing the requirement for a storm-water management report and associated plans be added to the draft approval conditions. Environmental Initiatives has noted that there are no significant environmental concerns that are not already addressed in the draft approval conditions. The owner is also cautioned in the report that prior to vegetation removal or other site alteration on the subject lands they are to consult with the Ministry of the Environment, Conservation and Parks to ensure that all requirements set out by the Province of Ontario under the Endangered Species Act have been satisfied.

Appropriate changes where identified have been included in the Resolution section of this report and will now form part of the draft plan approval if approved by Council. The Planning Services Division therefore recommends that the application to extend the draft approval for the Pondsview Subdivision for a period of two years until April 16, 2020, be approved as outlined in the Resolution section of this report.



OWNER

DALRON CONSTRUCTION
130 ELM STREET
SUDBURY, ONTARIO
P3C 1T8

OWNER'S CERTIFICATE

I HEREBY CONSENT TO THE MANNER IN WHICH THE LAND SHOWN ON THIS PLAN IS PROPOSED TO BE SUBDIVIDED AND REQUEST THE APPROVAL OF THE REGIONAL MUNICIPALITY OF SUDBURY.

1003-02-17
DATE

David Arnold
DAVE ARNOLD

ONTARIO LAND SURVEYOR

TERRY DELBOSCO O.L.S.
75 LORNE STREET
SUDBURY, ONTARIO
P3C 4P2

SURVEYOR'S CERTIFICATE

I CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.

1003-03-17
DATE

Terry Delbosco
TERRY DELBOSCO O.L.S.

PREPARED BY

DENNIS CONSULTANTS
458 WESTMOUNT AVENUE
SUDBURY, ONTARIO
P3A 5Z8

IN COOPERATION WITH

DELBOSCO SURVEYING LTD.
75 LORNE STREET
SUDBURY, ONTARIO
P3C 4P2

ADDITIONAL INFORMATION

AS REQUIRED BY SECTION 51(17) OF THE PLANNING ACT

- A) AS SHOWN
- B) AS SHOWN
- C) AS SHOWN
- D) ALL LOTS - R1 SINGLE FAMILY RESIDENTIAL
BLOCK 21 - PUBLIC WALKWAY BLOCK
- E) NORTH - VACANT LOW DENSITY RESIDENTIAL LAND
SOUTH - ALGONQUIN ROAD
WEST - CEMETERY & SINGLE FAMILY RESIDENTIAL
EAST - PARKLAND
- F) AS SHOWN
- G) AS SHOWN
- H) EXISTING MUNICIPAL SUPPLY
ROCK OUTCROPS/LIGHT OVERBURDEN @ THE NORTHWEST LIMIT
- I) AS SHOWN
- J) AS SHOWN
- K) POLICE, FIRE, AMBULANCE ETC.
- L) AS SHOWN

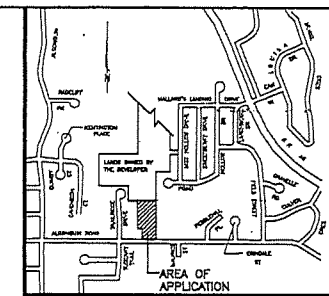
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LEGEND

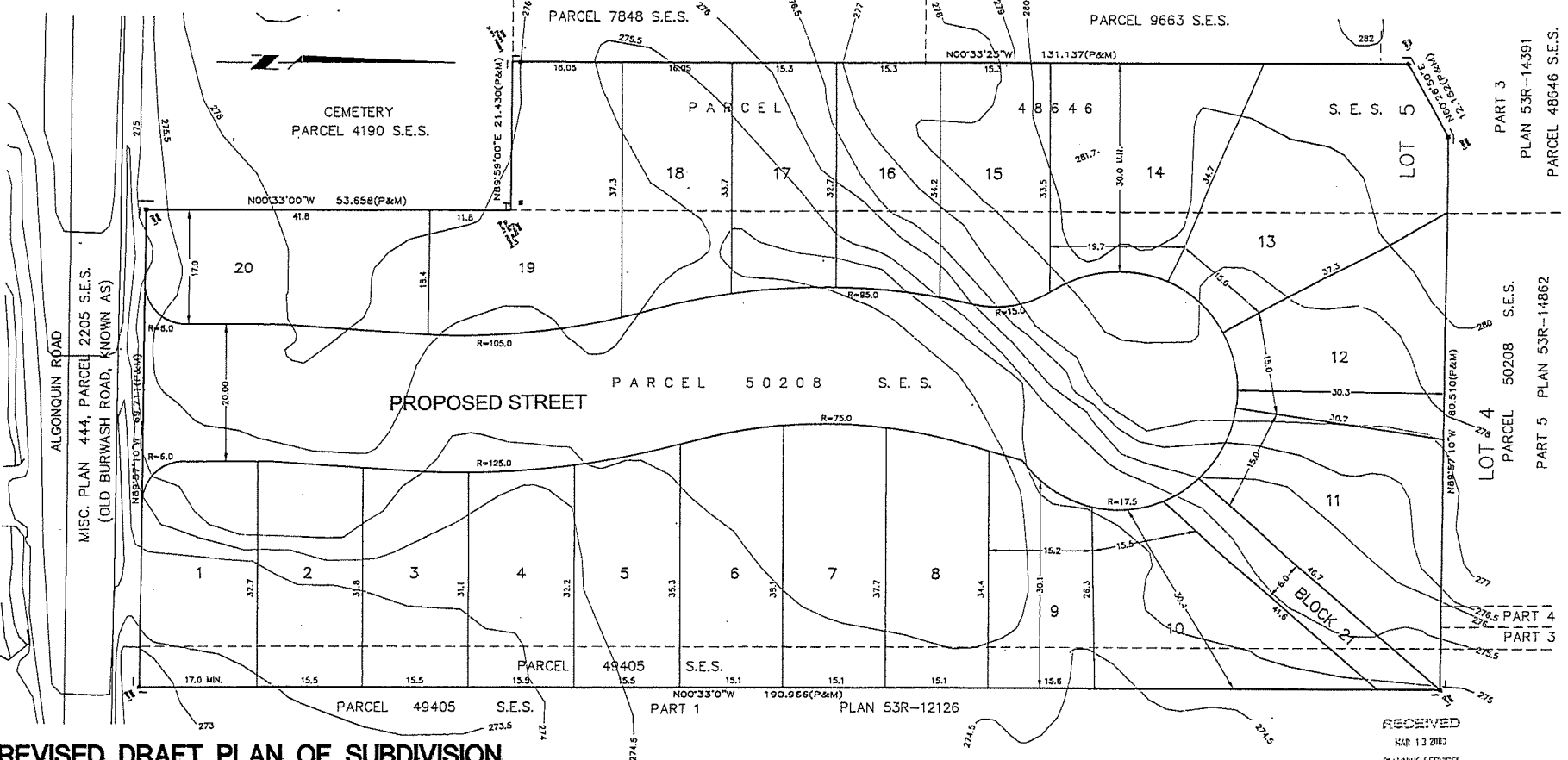
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□	DENOTES	SURVEY MONUMENT SET
○	DENOTES	STANDARD IRON BAR
●	DENOTES	SHORT STANDARD IRON BAR
✱	DENOTES	IRON BAR
✱	DENOTES	WOOD BAR
✱	DENOTES	WOOD PLUG
✱	DENOTES	MEASURED
✱	DENOTES	SET
✱	DENOTES	GREEN LINK/CHAIN
✱	DENOTES	PROPORTIONED
✱	DENOTES	WITNESS MONUMENT
✱	DENOTES	SUDSBURY EAST SECTION
✱	DENOTES	R.C. HILLCOCK O.L.S.
✱	DENOTES	C.J. LACKSTRÖM O.L.S.
✱	DENOTES	D.S. DONALDSON O.L.S.
✱	DENOTES	TERRY DELBOSCO O.L.S.
✱	DENOTES	PLAN 53R-14878

NOTES

BEARINGS ARE ASTROLOGICAL AND ARE REFERRED TO THE SOUTH LIMIT OF PARTS 3, 4, 12 & 15, SHOWN ON PLAN 53R-14878 TO HAVE A BEARING OF 180°00'00".



KEY PLAN SCALE 1:10 000



REVISED DRAFT PLAN OF SUBDIVISION
PART OF PARCELS 48646, 50208 & 49405 S.E.S.
BEING PARTS 1-19 AS SHOWN ON PLAN 53R-14796
LOTS 4 & 5, CON. 6, TOWNSHIP OF BRODER,
CITY OF GREATER SUDBURY, DISTRICT OF SUDBURY

SCALE 1:300

NOTE
DISTANCES SHOWN HORIZON ARE IN METERS AND CAN
BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**DALRON
CONSTRUCTION**

**DENNIS CONSULTANTS
CIVIL ENGINEERS**
a division of K.V. Anderson Associates Limited

**DelBosco
SURVEYING LTD.**
75 LORNE STREET SUDBURY, ONTARIO
P3C 4P2 705-671-2295
FILE 0188 PREPARED BY TDS

RECEIVED
MAR 13 2003
PLANNING SERVICES

DC PROJ. 5075
MARCH 12, 2003

CITY COUNCIL'S CONDITIONS APPLYING TO THE APPROVAL OF THE FINAL PLAN FOR REGISTRATION OF THE SUBJECT SUBDIVISION ARE AS FOLLOWS:

1. That this draft approval applies to the draft plan of subdivision of Part of Parcels 48646, 50208 and 49405 S.E.S., being Parts 1 to 19, Plan 53R-14796, in Lots 4 and 5, Concession 6, Broder Township, City of Greater Sudbury as shown on a plan prepared by Terry Del Bosco, O.L.S. and dated March 12, 2003.
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, sanitary sewers, watermains, 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. That 5% of the land included in the plan of subdivision or its equivalent be deeded to the City of Greater Sudbury for parks purposes pursuant to Subsection 51(5)(a) of the Planning Act, R.S.O. 1990.
10. That prior to the signing of the final plan, Block 21/the footpath, be constructed and dedicated to the City of Greater Sudbury free of all encumbrances to the satisfaction of the Director of Leisure Services.

11. That prior to the signing of the final plan the owner shall certify that the former automobile wrecking yard has been decommissioned in accordance with Ministry of the Environment and Energy requirements and that the site is suitable for residential development to the satisfaction of the General Manager of Growth and Infrastructure of the City of Greater Sudbury and the Director of Building Services/Chief Building Official. The owner shall also submit a Record of Site Condition for the property to the satisfaction of the Chief Building Official.
12. That the developer prepare a sediment control plan for the construction phase of the project to the satisfaction of the Nickel District Conservation Authority and the General Manager of Growth and Infrastructure. The sediment control plan shall detail the location and types of sediment and erosion control measures to be implemented during construction. 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 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.
13. Deleted by Resolution #2003-24.
14. That the developer prepare a lot grading/drainage plan addressing storm water runoff from this developed subdivision to the adjacent waterway park to the satisfaction of the Nickel District Conservation Authority and the City of Greater Sudbury. The detailed lot grading plan is to be prepared 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 as per the City's Lot Grading Policy. A lot grading agreement shall be registered on title, if required, to the satisfaction of the Director of Planning Services and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the associated lot grading agreement.
15. That prior to the signing of the final plan the owner shall submit a detailed Lot Grading Plan including the Regional Storm flow path to the satisfaction of the General Manager of Growth and Infrastructure.
16. Deleted.
17. That a 0.3 metre reserve be placed on Lots 1 and 20 so as to restrict access to the common lines farthest removed from the intersection.
18. That prior to the signing of the final plan the owner shall satisfy Canada Post with respect to mail delivery facilities for the site.
19. Deleted by Resolution #2003-108.

20. Deleted by Resolution #94-151.
21. Deleted by Resolution #94-151.
22. That prior to the signing of the final plan the Ministry of Transportation right-of-way over Lots 1 to 11 and Block 21 inclusive is to be removed to the satisfaction of the City Solicitor.
23. Deleted
24. That prior to the signing of the final plan the Planning Services Division is to be advised by the City Solicitor that Conditions #2, #5, #6, #7, #8, #9, #10, #17 and #22 have been complied with to his satisfaction.
25. Incorporated into Condition #24.
26. That prior to the signing of the final plan the Planning Services Division is to be advised by the Nickel District Conservation Authority that Condition #12 has been complied with to their satisfaction.
27. 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 Growth and Infrastructure, that sufficient sewage treatment capacity and water capacity exists to service the development.
28. That this draft approval shall lapse on August 16, 2020.
29. The owner is required to provide a cash contribution in lieu of onsite stormwater quantity controls and for stormwater improvements within the watershed as outlined in the Algonquin Road Watershed Stormwater Management Study.
30. Prior to the submission of servicing plans, the applicant/owner shall, to the satisfaction of the General Manager of Growth and Infrastructure, provide a soils report prepared by a geotechnical engineer licenced 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, watermain, roads, surface drainage works including erosion control, building foundations and slope stability (if applicable). Included in this report must be details regarding removal of substandard soils (if any) and placement of engineered fill (if required) for the construction of new homes. The geotechnical information on the building foundations shall be to the satisfaction of the Chief Building Official and the Director of Planning Services. A soils caution agreement, if required, shall be registered on title to the satisfaction of the Chief Building Official and the City Solicitor.

31. Deleted by Resolution #2003-108.
32. 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.
33. 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, 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. The utilities servicing plans must be designed by a consulting engineer with a valid Certificate of Authorization from the Association of Professional Engineers of Ontario and the owner shall be responsible for all costs associated with the installation of said services.
34. The owner 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.
35. The owner 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.
36. Prior to any vegetation removal or other site alteration on the subject lands, the owner shall consult with the Ministry of Natural Resources and Forestry with respect to the presence of any species at risk under the Endangered Species Act. The owner shall demonstrate to the satisfaction of the Director of Planning Services that all requirements set out by MNRF under the Endangered Species Act have been satisfied.
37. The 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.
38. 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 his 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.

39. The geotechnical report in Condition #38 will provide recommendations and specifications on the following activity as a minimum but not limited to:

- i. Pre-blast survey of surface structures and infrastructure within affected area;
- ii. Trial blast activities;
- iii. Procedures during blasting;
- iv. Procedures for addressing blasting damage complaints;
- v. Blast notification mechanism to adjoining residences; and,
- vi. Structural stability of exposed rock faces.

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.

40. Should the developer's schedule require to commence blasting and rock removal prior to the site plan 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."

41. The developer shall agree in the subdivision agreement that:

a) Prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.

b) To include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.

c) The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations.

d) To provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:

- Any required walkway across the boulevard, per municipal standards;
- Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications); and,

A Community Mailbox concrete base pad per Canada Post specifications.

42. 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.
43. Final approval for registration may be issued in phases to the satisfaction of the Director of Planning Services provided that:
 - a) Phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure and other essential services; and,
 - b) 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.
44. That all streets will be constructed to an urban standard, including the required curbs and gutters and sidewalks.
45. 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 Growth and Infrastructure. Suitable provisions shall be incorporated in the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the General Manager of Growth and Infrastructure.”
46. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
47. That in accordance with Section 59(4) of the Development Charges Act, a notice agreement shall be registered on title to ensure that persons who first purchase the subdivided lands after registration of the plan of subdivision are informed, at the time the land is transferred, of all development charges related to development.

Request for Decision

Dalron Construction Ltd. - Application to extend a draft approved plan of subdivision approval, Parcel 49532 SES, Lots 163-165, Plan M-423, Lot 2, Concession 2, Township of McKim (Twin Lakes Subdivision, Sudbury)

Presented To:	Planning Committee
Presented:	Monday, Jun 22, 2020
Report Date	Friday, May 08, 2020
Type:	Routine Management Reports
File Number:	780-6/03001

Resolution

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, as outlined in the report entitled "Dalron Construction Ltd.", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 22, 2020, upon payment of the processing fee in the amount of \$910.58 as follows:

1.By deleting "50.(1)" in Condition #8 and replacing it with "50.1(1)";

2.By deleting Condition #10 and replacing it with the following:

"10. 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. The report should also include design information and recommend construction procedures for storm and sanitary sewers, storm-water management facilities, water-mains, roads to a 20 year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. In addition, included in this report must be details regarding remove of substandard soils, if any, and placement of engineered fill, if required, for the construction of new residential dwellings. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services. A soils caution agreement, if required, shall also be registered on title, to the satisfaction of the Chief Building Official and the City Solicitor.";

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed May 8, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed May 8, 20

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed May 11, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Jun 4, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Jun 5, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jun 8, 20

3. By deleting Condition #11 and replacing it with the following:

“11. The owner shall provide, to the satisfaction of the General Manager of Growth and Infrastructure, the Director of Planning Services and the Nickel District Conservation Authority, a detailed Lot Grading and Drainage Plan prepared, signed, sealed, and dated by a professional civil engineer with a valid Certificate of Authorization from the Association of Professional Engineers of Ontario, 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. A lot grading agreement shall be registered on title, if required, to the satisfaction of Director of Planning Services and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the associated lot grading agreement.”;

4. By deleting Condition #12 and replacing it with the following:

“12. As part of the submission of servicing plans, the owner/applicant shall have rear yard slope treatments designed by a geotechnical engineer with a valid Certificate of Authorization from the Association of Professional Engineers of Ontario, incorporated into the plans at locations required by the General Manager of Growth and Infrastructure. Suitable provisions shall be incorporated in the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the General Manager of Growth and Infrastructure.”;

5. By deleting Conditions #13, #14, #39 and #40 and #41;

6. By deleting Condition #20 entirely and replacing it with the following:

“20. That this draft approval shall lapse on March 24, 2021.”;

7. By deleting Condition #26 and replacing it with the following:

“26. The owner/applicant shall provide Utilities Servicing Plans, designed by a consulting engineer with a valid Certificate of Authorization from the Association of Professional Engineers of Ontario, for the proposed lots, to the satisfaction of the Director of Planning Services. The utilities servicing plan, at a minimum, shall show the location of all utilities including City services, Greater Sudbury Hydro Plus or Hydro One, Bell, Union Gas, Eastlink and Canada Post. This plan must be provided prior to construction of any individual phase. The owner/applicant shall be responsible for all costs associated with the installation of said services.”

8. By deleting Condition #27 and replacing it with the following:

“27. The owner is to provide proof of sufficient fire flow in conjunction with the submission of construction drawings for each phase of construction to the satisfaction of the General Manager of Growth and Infrastructure Services. All costs associated with upgrading the existing distribution system to service this subdivision will be borne totally by the owner”;

9. By deleting Condition #28 and replacing it with the following:

“28. The owner/applicant is to provide proof of sufficient sanitary sewer capacity in conjunction with the submission of construction drawings for each phase of construction to the satisfaction of the General Manager of Growth and Infrastructure Services. 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/applicant.”;

10. By deleting Condition #29 and replacing it with the following:

“29. The owner shall provide to the City, as part of the submission of servicing plans a Siltation Control Plan. The Siltation Control Plan must show the location and types of sediment and erosion control measures to be

implemented. The siltation controls 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 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. 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. Said plan shall be to the satisfaction of the General Manager of Growth and Infrastructure and the Nickel District Conservation Authority.”

11. By adding a new Condition #44 as follows:

“44. 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.”;

12. By adding a new Condition #45 as follows:

“45. A storm-water management report and associated plans must be submitted by the owner’s consulting engineer for approval by the City to the satisfaction of the General Manager of Growth and Infrastructure. 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 two year design storm. The permissible minor storm discharge from the subject development must be limited to 20% below the existing pre-development site runoff resulting from a two 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 20% below 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 storm-water quality controls as defined by the Ministry of the Environment, Conservation and Parks;
- d) Storm-water management must follow the recommendations of the Ramsey Lake Sub-watershed Study;
- e) The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any storm-water management plan;
- f) 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;
- g) Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties;
- h) Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted; and,

i) The owner shall be responsible for the design and construction of any required storm-water management works as part of the servicing plans for the subdivision and the owner shall dedicate the lands for storm-water management works as a condition of this development.”;

13. By adding a new Condition #45 as follows:

“45. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner/applicant.”; and,

14. By adding a new Condition #46 as follows:

“46. The owner shall provide Master Servicing Plans to the satisfaction of the General Manager of Growth and Infrastructure for both the sanitary and storm sewer as well as water-mains as they pertain to the new subdivision layout. Said plans are to show general alignment details, number of units and area serviced by individual runs, pipe diameter and flow direction. Said plan shall ensure that pipe diameters and alignments are established in order to support all phases of development.”

Relationship to the Strategic Plan / Health Impact Assessment

The application to extend this draft plan of subdivision approval is an operational matter under the Planning Act to which the City is responding.

Report Summary

The owner has requested an extension to the draft plan of subdivision approval of the Twin Lakes draft approved plan of subdivision (File # 780-6/03001) in the community of Sudbury for a period of one year until March 24, 2021. The Planning Services Division has reviewed the request to extend the draft approval and have no objections to the requested extension for a period of one year. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approval. Development Engineering and the City’s Drainage Section have both requested that several conditions be updated to reflect current standard draft approval condition practices in terms of the infrastructure that will be required to facilitate development of the Twin Lakes subdivision. Building Services requested that standard draft approval condition wording as it relates to geotechnical requirements be updated. Environmental Initiatives notes there are no significant environmental concerns that are not already addressed in the draft approval conditions. Further to this, the owner has now been advised that prior to vegetation removal or other site alteration on the subject lands they are to consult with the Ministry of the Environment, Conservation and Parks to ensure that all requirements set out by the Province of Ontario under the Endangered Species Act have been satisfied.

The Planning Services Division is recommending approval of the application to extend the draft approved plan of subdivision. Amendments to the conditions of draft approval where necessary have been identified and are included in the Resolution section of the report.

Financial Implications

If approved, staff estimates approximately \$470,000 in taxation revenue, based on the assumption of 72 single family dwelling units at an estimated assessed value of \$500,000 per dwelling unit at the 2019 property tax rates.

In addition, this development would result in total development charges of approximately \$1.28 million based on the assumption of 72 single family dwelling units based on the rates in effect as of this report.

Once development has occurred and the subdivision infrastructure has been transferred to the City, there will be additional on-going costs for future annual maintenance and capital replacement of the related infrastructure (ie. Roads, water/wastewater linear pipes, etc).

Date: April 15, 2020

STAFF REPORT

Applicant:

Dalron Construction Ltd.

Location:

Parcel 49532 SES, Lots 163-165, Plan M-423, Lot 2, Concession 2, Township of McKim (Twin Lakes Subdivision, Sudbury)

Application:

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on March 24, 2004. The draft approval was most recently extended by Council on May 30, 2017, until March 24, 2020, 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 (ie. Twin Lakes Subdivision). Two administrative extensions have been issued by the Director of Planning Services having the effect of establishing a new lapsing date of September 24, 2020, in order to allow for agencies and departments to complete their review of the request. The most recent administrative extension was granted in order to also afford staff the opportunity to schedule the item to a meeting of Planning Committee that is appropriate given the emerging and changing best practices for scheduling meetings due to the Covid-19 global pandemic.

Proposal:

The owner is requesting that the draft approval conditions for the above noted lands be extended for a period of one year until March 24, 2021.

Background:

The City received a written request from Dalron Construction Ltd. on January 7, 2020, to extend the draft approval on a plan of subdivision for a period of one year on those lands described as Parcel 49532 SES, Lots 163-165, Plan M-423, Lot 2, Concession 2, Township of McKim. The draft approved plan of subdivision was initially approved by Council for a total of 72 urban residential lots to the north of South Bay Road and to the south of Bethel Lake in the community of Sudbury. The lots are to be accessed from Lakewood Drive and South Bay Road. Staff notes that no phases of the draft approved plan of subdivision have been registered since the initial draft approval granted by Council on March 24, 2004.

The draft approval is set to expire again on September 24, 2020 following two administrative extensions. Staff has circulated the request to relevant agencies and departments and is now bringing forward this report to extend the draft approval to March 24, 2021.

Departmental & Agency Circulation:

Active Transportation, Nickel District Conservation Authority, Operations, Roads, Traffic and Transportation, and Transit Services have each advised that they have no concerns from their respective areas of interest.

Building Services has no objections the draft approval extension request. It is however being recommended that Condition #10, which addresses geotechnical requirements be amended to add that a soils caution agreement, if required, shall be registered on title to the satisfaction of the Chief Building Official and City Solicitor.

Date: April 15, 2020

Canada Post has not requested any changes to the draft approval conditions. Canada Post did however note in an emailed letter their requirements and expectations for providing mail service to the subdivision. The above noted letter is attached to this report for the owner's information and reference purposes.

Development Engineering notes that no construction drawings have been received with respect to the draft approved plan of subdivision since May 2013. Conditions #10, #11 and #29 should be amended to provide clarification on the required geotechnical report, lot grading plan and siltation control plan. Conditions #12, #26, #27 and #28 require updating to reflect current and standard draft approval conditions. It is also recommended conditions be added or updated which address the design and provision of lands for storm-water management purposes, standard street-lighting requirements and a condition that a Master Servicing Plan be provided addressing sanitary sewer, storm sewer and water-mains as they pertain to the overall intended final subdivision layout.

The City's Drainage Section has requested that Conditions #13, #14, #39 and #40 be deleted and replaced with one comprehensive conditions addressing the requirement for a storm-water management report and associated plans. The comprehensive condition will act to provide clarity in the draft approval document in terms of what is required from a storm-water management perspective.

Environmental Initiatives notes there are no significant environmental concerns that are not already addressed in the draft approval conditions. Condition #41 is recommended to be removed and the owner is advised that prior to vegetation removal or other site alteration on the subject lands they are to consult with the Ministry of the Environment, Conservation and Parks to ensure that all requirements set out by the Province of Ontario under the [Endangered Species Act](#) have been satisfied.

Water-Wastewater has no objections but have noted that Policy S5F-LUP under the [City's Source Water Protection Plan](#) places restrictions on the creation of new lots that would rely on private septic systems and/or storage tanks. The draft approved plan of subdivision would however involve the creation of new lots however each of the new lots will be fully serviced.

Planning Considerations:

[Official Plan](#)

Section 20.4.2 of the Official Plan for the City of Greater Sudbury addressing draft plan of subdivision approvals outlines that Council will not extend or recommend the extension of a draft plan approval, beyond the statutory limitation of three years, unless the owner has demonstrated to the satisfaction of Council that they are making a reasonable effort to proceed in meeting the conditions of draft approval. At the time of an extension request, Council is to review the draft plan conditions and may make appropriate modifications.

Staff notes that this particular draft plan approval was originally approved by Council on March 24, 2004, and since that time none of the 72 lots have been registered.

The owner did not provide an update in regards to their progress on clearing draft approval conditions in their letter dated January 7, 2020.

Date: April 15, 2020

Draft Approval Conditions

Condition #20 should be deleted entirely and replaced with a sentence referring to March 24, 2021, as the revised date on which the subject draft plan of subdivision approval shall lapse.

Development Engineering and the City's Drainage Section have both requested that several conditions be updated to reflect current standard draft approval condition practices in terms of the infrastructure that will be required to facilitate development of the Twin Lakes subdivision. Building Services requested that standard draft approval condition wording as it relates to geotechnical requirements be updated. Environmental Initiatives notes there are no significant environmental concerns that are not already addressed in the draft approval conditions. It is also noted that the owner is hereby advised that prior to vegetation removal or other site alteration on the subject lands they are to consult with the Ministry of the Environment, Conservation and Parks to ensure that all requirements set out by the Province of Ontario under the Endangered Species Act have been satisfied. The affected conditions relating to the above are included in the Resolution section of this report.

No other administrative and housekeeping changes to the draft approval documents are required at this time. No other changes beyond those described in this report to the draft approval documents have been requested either by the owner or by circulated agencies and departments.

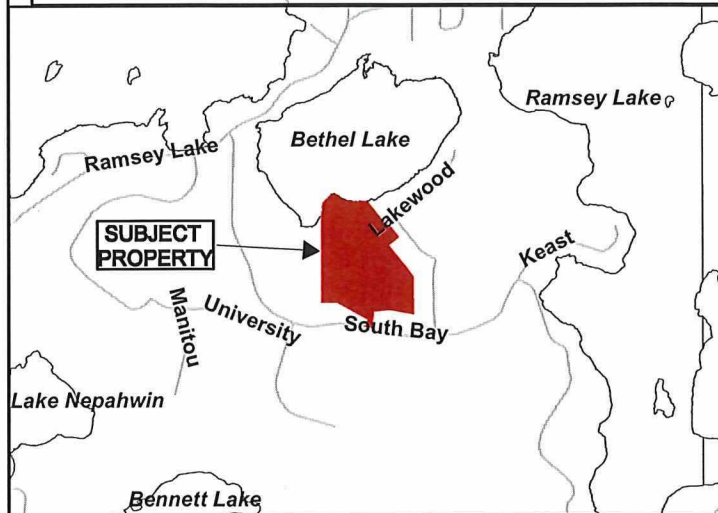
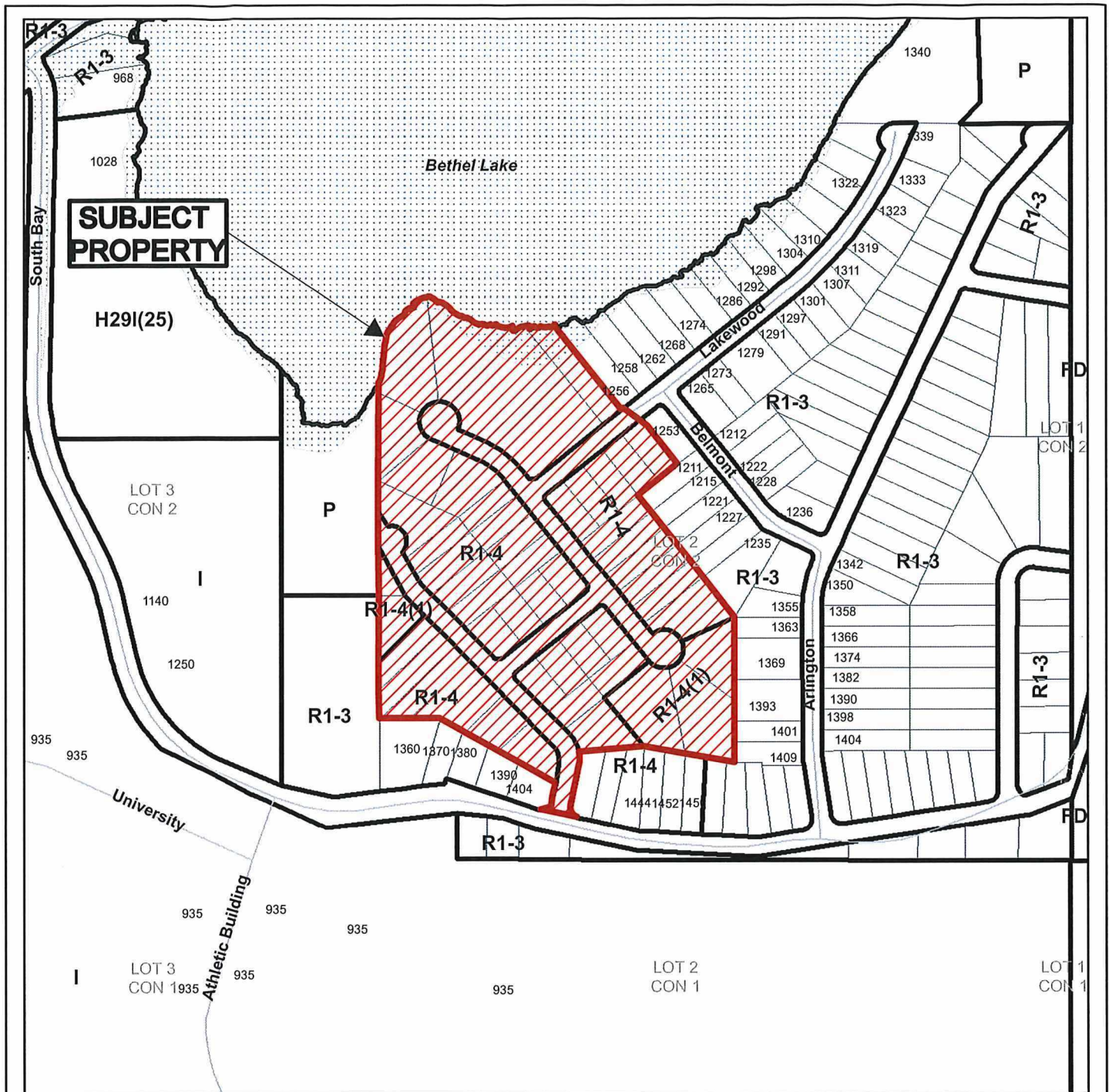
The draft approval conditions are attached to this report along with a sketch of the draft approved plan of subdivision dated March 29, 2004, for reference purposes.

Processing Fees

The owner is required to pay the applicable processing fee in the amount of \$910.58. It is recommended that the draft approval extension be granted upon receipt of Council's processing fee from the owner. This amount was calculated as per [By-law 2020-26](#) being the Miscellaneous User Fees for Certain Services By-law that was in effect at the time the request was made.

Summary:

The Planning Services Division have reviewed the request to extend the subject draft approval and have no objections to the requested extension for a period of one year. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approval of the subdivision. Appropriate changes where identified have been included in the Resolution section of this report and will now form part of the draft plan approval if approved by Council. The Planning Services Division therefore recommends that the application to extend the draft approval for the Twin Lakes Subdivision for a period of one year until March 24, 2021, be approved as outlined in the Resolution section of this report.



Growth and Development Department



Subject Property being PINs 73592-0402, -0404, -0405, -0406, -0407, -0079, -0201, -0055, part of PINs 73592-0403 & -0345, -0408, Pcl. 49532 SES, Lots 71 - 91, 159 - 190, Plan M-423, Lot 2, Con. 2, Twp. of McKim, South Bay Road, City of Greater Sudbury

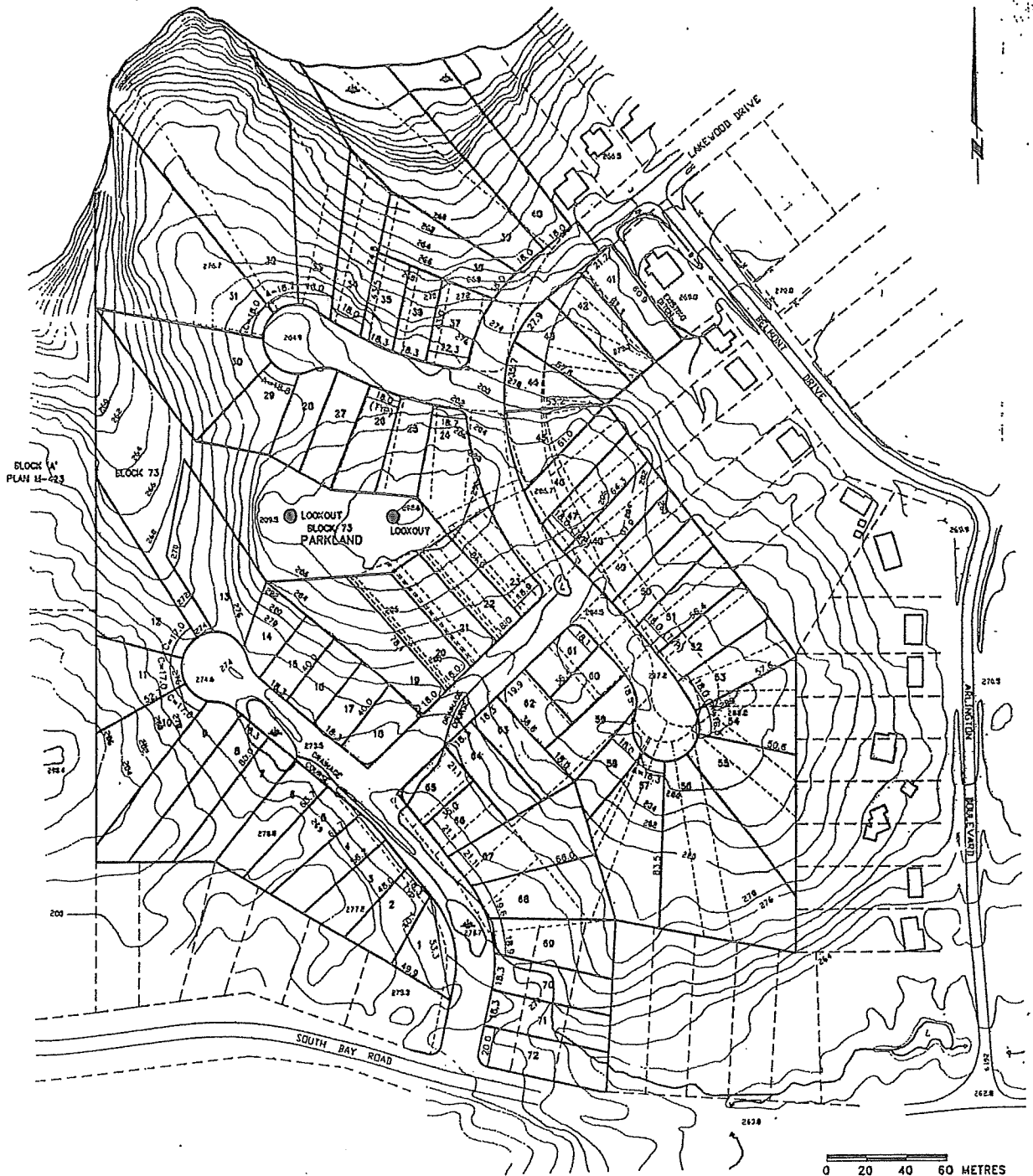
Sketch 1
NTS

751-6/03-01 & 780-6/03001

Date: 2013.10.28

BETHEL

LAKE



DALRON HOMES

TWIN LAKES SUBDIVISION

REVISED LAYOUT

2003-04-30
2003-05-05
2003-05-27
2004-02-20



DENNIS CONSULTANTS
CIVIL ENGINEERS
a division of R.V. Anderson Associates Limited

Issued Mar. 29/04

PARKLAND DATA

BLOCK 'A' = 179 ha.
BLOCK 73 = 0.95 ha.

TOTAL PARKLAND DEDICATION = 2.74 ha.
OR 21% OF THE AREA OF APPLICATION

PREVIOUS PARKLAND DEDICATION = 1.03 ha.
OR 8% OF THE AREA OF APPLICATION

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COUNCIL'S CONDITIONS APPLYING TO THE APPROVAL OF THE FINAL PLAN FOR REGISTRATION OF THE SUBJECT SUBDIVISION ARE AS FOLLOWS:

1. That this draft approval applies to the draft plan of subdivision of Part of Parcel 49532, Lots 163 to 165, Plan M-423, and Part of Lakewood Drive, all in Lot 2, Concession 2, McKim Township as shown on a plan of subdivision prepared by Terry Del Bosco, O.L.S., dated December 24th, 2002, as amended by Dennis Consultants on May 21st, 2003 and attached to the staff report dated May 21st, 2003, and as further amended by a plan issued by Dennis Consultants on March 29, 2004 under the title 'Twin Lakes Subdivision - Revised Layout'.
2. That the street(s) shall be named to the satisfaction of the City of Greater Sudbury.
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 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.
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 of Greater Sudbury for parks purposes in accordance with Section 51.(1) of The Planning Act.
9. 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.

10. 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, watermains, roads to a 20 year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services.
11. 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 April 15th, 2003. Suitable provisions shall be incorporated into the Subdivision Agreement to ensure that treatment is undertaken to the satisfaction of the General Manager of Growth and Infrastructure.
12. 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 Growth and Infrastructure. Suitable provisions shall be incorporated in the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the General Manager of Growth and Infrastructure.
13. Prior to the submission of servicing plans, the owner shall have a stormwater management report and plan prepared, signed, sealed, and dated by a professional engineer with a valid certificate of authorization. Said report shall establish how the quantity and quality of stormwater will be managed for the subdivision development and assess the impact of stormwater runoff from this developed subdivision on abutting lands, on the downstream storm sewer outlet systems and on downstream water courses. The report shall deal with the control of both the 1:5 year and Regional Storm events, so as to limit the volume of flow generated on the site to pre-development levels. The Regional Storm flow path is to be set out on the plan(s). The report shall set out any necessary improvements to downstream storm sewers and water courses. The civil engineering consultant shall meet with the Development Approvals Section prior to commencing the stormwater management report.
14. 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.
15. The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, storm sewers and related appurtenances.
16. 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, sanitary sewers, watermains, storm sewers and surface drainage facilities.

17. Draft approval does not guarantee an allocation of sewer or water capacity. Prior to the signing of the final plan, the Director of Planning 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.
18. The developer will be required to construct a 300 mm watermain along Street "A" to Street "B", along Street "B" and then along Lakeview Drive to the easterly boundary of the subdivision.
19. The developer shall be required to provide a 1.6 m walkway and associated works on Block 73 to the satisfaction of the General Manager of Growth and Infrastructure.
20. That this draft approval shall lapse on June 24, 2020.
21. a) That prior to any drilling and blasting work being conducted on the subject property the owner shall investigate all private wells used for domestic water sources for all properties abutting the subject property; that during and following blasting these same wells be monitored by the owner of the subject property for any loss of quantity or quality of water; and, that the owner agree to the satisfaction of the General Manager of Growth and Infrastructure to rectify any situations where there is a loss in quantity and/or quality of water in an existing well.

b) That a peer review be undertaken of the above described study, by a qualified consultant, chosen by the municipality, at the cost of the owner.

c) The agreement in a) shall contain provisions for deposits for financial guarantees and suitable time limits for the resolution of water problems should they occur as a result of the subdivision development.
22. That in accordance with the phasing as shown on the Revised Draft Plan dated May 21, 2003 only Phase 1 shall be permitted prior to June, 2005.
23. That in accordance with the phasing as shown on the Revised Draft Plan dated May 21, 2003, Phase 4 shall not be permitted until such time as municipal sanitary sewer and water services have been extended to service the opened portion of Arlington Drive and Belmont Drive and Lakewood Drive west of Belmont Drive.
24. That prior to the signing of the final plan the Planning Services Division is to be advised by the City Solicitor that Conditions #3, #5, #6, #7, #11, #12, #14, #16, #21, #31 and #32 have been complied with to his satisfaction.
25. Deleted.

26. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Hydro services, Bell, Union Gas, Eastlink and Canada Post.. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.
27. The owner 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.
28. The owner 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.
29. The applicant/owner shall provide to the City, as part of the submission of servicing plans a Siltation 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 General Manager of Growth and Infrastructure and 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.
30. The roadways connecting South Bay Road to Lakewood Drive be constructed to an urban residential standard with a sidewalk on one side. It is recommended that a sidewalk be constructed along one side of the most southerly cul-de-sac to connect with the walkway that is required on Block 73.
31. The owner shall to the satisfaction of the Director of Planning Services of the City of Greater Sudbury and Canada Post agree in the subdivision agreement to include in all offers of purchase and sale, a statement:
 - i. That advises the prospective purchaser that the home/business mail delivery will be from a designated Centralized Mail Box; and,
 - ii. That the owner be responsible for officially notifying the purchasers of the Centralized Mail Box locations prior to the closing of any home sales."
32. The owner further agrees in the subdivision agreement to:
 - a) Work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations, which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision;

- b) Install a concrete pad in accordance with the requirements of, and in locations to be approved by, Canada Post to facilitate the placement of Community Mail Boxes;
 - c) Identify the pad above on the engineering servicing drawings. The pad is to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision; and,
 - d) Determine the location of all centralized mail facilities in cooperation with Canada Post and to post the location of these sites on appropriate maps, information boards and plans.”
33. The owner shall provide a geotechnical report to the satisfaction of the Chief Building Official 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.
34. A blasting consultant shall be retained by the owner 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 their 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.
35. Prior to the commencement of any removal of rock by blasting the owner shall submit a geotechnical report to the satisfaction of the Chief Building Official which will provide recommendations and specifications on the following activity as a minimum but not limited to:
- i. Pre-blast survey of surface structures and infrastructure within affected area;
 - ii. Trial blast activities;
 - iii. Procedures during blasting;
 - iv. Procedures for addressing blasting damage complaints;
 - v. Blast notification mechanism to adjoining residences; and,
 - vi. Structural stability of exposed rock faces.”
36. Should the 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.
37. Deleted.

38. Deleted.
39. The owner shall be responsible to have a storm-water management report prepared to assess how the quality and quantity of storm-water will be managed for the subdivision development, in addition to the flows generated from upstream lands. The report shall establish how the quantity of storm-water generated within the subdivision will be controlled to the new MOECC 20% reduction of pre-development flow for the 1:2, 1:100 and Regional Storm events. The owner shall be required to submit a comprehensive drainage plan of the subject lands and any upstream areas draining through the subdivision. The quality of the storm-water must meet an 85% TSS removal of the 50 micron particle size. The plan shall be submitted to the satisfaction of the Director of Planning Services and the Nickel District Conservation Authority.
40. The 100 year or Regional Storm flow path is to be engineered and delineated on the stormsewer drainage area plan and the subdivision grading plan. Major storm overland flow for the subdivision is to remain within City road allowances and City drainage blocks.
41. That prior to the signing of the final plan, the owner shall contact the Ministry of Natural Resources and Forestry (MNRF), Sudbury District Office, and satisfy all requirements set out by MNRF under the Endangered Species Act. In addition, the owner shall to the satisfaction of the Director of Planning Services, demonstrate that all requirements set out by MNRF under the Endangered Species Act have been satisfied prior to any site alteration or development taking place on the subject lands.
42. 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.
43. 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.

NOTES:

1. In accordance with Planning Committee Recommendation #2003-95, which was ratified by Council on June 12, 2003, this draft approval shall not come into effect until Official Plan Amendment # 220 to the Official Plan for the Sudbury Planning Area comes into affect.

January 20, 2020

Connie Rossi
Secretary of Development Approvals
Planning Services
The City of Greater Sudbury

Reference: File 780-6/03001, Lakewood Dr.

Mme Rossi,

Thank you for contacting Canada Post regarding plans for a new subdivision at Twin Lakes—Lakewood Dr.

Please see Canada Post's feedback regarding the proposal, below.

Service type and location

1. Canada Post will provide mail delivery service to the subdivision through centralized Community Mail Boxes (CMBs).
2. Given the number and the layout of the lots in the subdivision, we have determined that the CMB(s) will be installed on **1** site. This site is listed below and is identified on the site plan
 - a. **North – East of lot 65**
 - b. **North – East of lot 23**
3. If the development includes plans for (a) multi-unit building(s) with a common indoor entrance, the developer must supply, install and maintain the mail delivery equipment within these buildings to Canada Post's specifications.

Municipal requirements

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this subdivision application be approved, please provide notification of the new civic addresses as soon as possible.

Developer timeline and installation

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB(s).

Please see Appendix A for any additional requirements for this developer.

Regards,

RAY THERIAULT

Ray Theriault
PO BOX 8037 Ottawa T CSC
Ottawa, ON, K1G 3H6
613 325 4192
Raynald.theriault@canadapost.ca

Appendix A

Additional Developer Requirements:

- The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.
- The developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
- The developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
- The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.
- The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
 - Any required walkway across the boulevard, per municipal standards
 - Any required curb depressions for wheelchair access, with an opening of at least two meters (consult Canada Post for detailed specifications)

[Add subdivision plan showing proposed CMB sites as part of Appendix as applicable]

Request for Decision

Coniston Industrial Park Limited – Modification to details regarding Application for a cost sharing agreement between Coniston Industrial Park Limited and the City of Greater Sudbury

Presented To:	Planning Committee
Presented:	Monday, Jun 22, 2020
Report Date	Monday, Jun 01, 2020
Type:	Routine Management Reports

Resolution

THAT the City of Greater Sudbury approves the request for modification to the cost sharing request by the Coniston Industrial Park Limited regarding the installation of approximately 860 metre length of 250mm watermain within the laneway between Edward Avenue and William Avenue road allowances for a proposed industrial facility, as outlined in the report entitled “Coniston Industrial Park Limited”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 22, 2020.

Relationship to the Strategic Plan / Health Impact Assessment

The application to extend the cost sharing agreement is an operational matter under the City’s Cost Sharing policy to which the City is responding.

Report Summary

The applicant is requesting a modification to the agreement, detailing a different industrial tenant than that which was noted in the original report, along with updating the details of the funding sources, and extending the sunset clause for the agreement, which must be approved by Council.

Financial Implications

Total estimated cost of this project is \$2,028,312.50 with equal funding of \$507,078 from NOHFC, FedNor, Developer, and the City. The City portion of funding has been approved within the 2019 Water Capital Budget. If actual costs exceed the estimate, then these will be cost shared 50/50 between the Developer and the City.

Signed By

Report Prepared By

Robert Webb
Supervisor of Development
Engineering
Digitally Signed Jun 1, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Jun 1, 20

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed Jun 1, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Jun 8, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and
Infrastructure
Digitally Signed Jun 8, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jun 8, 20

Title: Coniston Industrial Park Limited

Date: May 29, 2020

STAFF REPORT

Applicant:

Coniston Industrial Park Limited

Location:

Parcel 49300, Remainder Part 1, 53R-12910, Remainder Parts 1 to 4, 53R-12909, Lots 2 and 3, Concession 3, Township of Neelon, Edward Avenue, Coniston

Application:

To modify the details of the original request for a cost sharing agreement, detailing a different industrial tenant than that which was noted in the original report, along with updating the details of an additional external funding source, and extending the sunset clause for the agreement, as set out in the original approval from the June 25, 2018 Planning Committee meeting. A copy of the original staff report is attached.

Proposal:

Based on the following information received regarding the parties involved in what is proposed to be the cost sharing agreement regarding this site, it is the purpose of this report to provide the information and extend the date of the sunset clause for entering into the agreement:

Economic Development

Economic Development staff have been working closely with the Coniston Industrial Park on the growth of the industrial park. There has been a change to the industrial tenant identified in the original report. The lithium production company originally identified has ultimately decided not to establish operations in Greater Sudbury. The Coniston Industrial Park has been successful in attracting another industrial tenant to the park. The tenant is new to the community. The development project will see the creation of 15-25 new positions for the community and involve an investment of \$3M in new infrastructure from the new tenant and the Coniston Industrial Park to support the project. The project will support the growth of current tenants located in the Coniston Industrial Park and lead to further investment and employment. Both FedNor and NOHFC have been advised of the change in tenancy and have confirmed their continued commitment for support for the project.

Development Engineering

The original request for cost sharing attributed to this project with one source of external funding from NOHFC resulted in a City share of approximately \$760,617.19 of the approximate \$2,028,312.50 cost of construction for the entire project. Since the original approval, the project has successfully acquired funding from FedNor, in addition to the NOHFC funding. This reduces the City's share of the project to approximately \$507,078.13.

Summary

Staff has reviewed the updated information with respect to the change in tenant for Coniston Industrial Park Corporation and the confirmation of the two external funding sources for the project. As such, staff are satisfied with this information and support a modification to the cost sharing request and three year extension for the fulfilment of the cost sharing agreement, as described in this report.

Request for Decision

Cost Sharing Agreement Application

Presented To:	Planning Committee
Presented:	Monday, Jun 25, 2018
Report Date	Thursday, Jun 07, 2018
Type:	Routine Management Reports

Resolution

THAT the City of Greater Sudbury approves the cost sharing request by the Coniston Industrial Park Limited for the installation of approximately 860 metre length of 250mm watermain within the laneway between Edward Avenue and William Avenue road allowances for a proposed industrial facility as outlined in the report entitled "Cost Sharing Agreement Application" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of June 25, 2018;

AND THAT the General Manager of Growth and Infrastructure be directed to negotiate and enter into a Cost Sharing Agreement with the registered owner that includes, but is not limited to the following parameters:

A breakdown of eligible cost sharing for the installation of watermain at 50% cost for the developer and 50% cost for the City of Greater Sudbury, to be equally reduced by any funding provided from other levels of government.

A sunset clause limiting the duration of the agreement to 3 years from the date of Council's approval with any extension to the agreement to be approved by Council.

AND FURTHER THAT the source of funding for the City's share of actual costs which is estimated at \$1,014,156.25 before any external grants be split 50:50 from the Industrial Reserve Fund and the 2019 Capital Budget for Water.

Signed By

Report Prepared By

Robert Webb
Supervisor of Development
Engineering
Digitally Signed Jun 7, 18

Manager Review

Eric Taylor
Manager of Development Approvals
Digitally Signed Jun 7, 18

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed Jun 7, 18

Financial Implications

Jim Lister
Manager of Financial Planning and
Budgeting
Digitally Signed Jun 7, 18

Recommended by the Department

Tony Cecutti
General Manager of Growth and
Infrastructure
Digitally Signed Jun 12, 18

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jun 12, 18

Relationship to the Strategic Plan / Health Impact Assessment

The application for cost sharing is a matter under the City's Policy on Development Cost Sharing 2016 to which the City is responding.

Report Summary

The application requests cost sharing for 50% of the replacement cost of a watermain in the south end of Coniston between the City of Greater Sudbury and Coniston Industrial Park Ltd. Funding from other sources is also being sought by the City which would reduce the costs for both the owner and the City.

The City's share is calculated to be approximately \$1,014,156.25 plus applicable HST. With approval of external funding sources (FedNor and Northern Ontario Heritage Fund Corporation) for this project, the City's and the developer's shares could be lowered to approximately \$507,078.13 for each plus applicable HST.

It is recommended that a combination of the City's "Industrial Reserve Fund" and the "2019 Capital Budget for Water" be used as the sources of funding for the City's portion.

Financial Implications

The City's share is calculated to be approximately \$1,014,156.25 plus applicable HST based on the full project cost. This share is reduced to \$760,617.19 based on the funding committed by NOHFC and could be further reduced to approximately \$507,078.13 plus applicable HST if the City is successful with the funding request that is currently under review by FedNor.

The City's share will be funded equally from the Industrial Reserve Fund and the 2019 capital budget for water.

Title: Cost Sharing – Coniston Industrial Park and City of Greater Sudbury

Date: May 28, 2018

STAFF REPORT

Applicant:

Coniston Industrial Park Limited

Location:

Parcel 49300, Remainder Part 1, 53R-12910, Remainder Parts 1 to 4, 53R-12909, Lots 2 and 3, Concession 3, Township of Neelon, Edward Avenue, Coniston

Application:

Request for a cost sharing agreement between the applicant and the City based on the City's Policy on Development Cost Sharing 2016.

Proposal:

The cost sharing agreement request is to upgrade the existing 150mm watermain in the laneway between Edward and William Avenues to an upgraded 250mm watermain from Allan Street to Smelter Road. The upgrade is required in order to increase fire flow in the area and provide a proposed development with fire protection.

The applicant is requesting a cost sharing agreement with the City on 50% of the total costs to replace the watermain. The City is also seeking funding for 50% of the total costs through Northern Ontario Heritage Fund Corporation (NOHFC) and FedNor. As of March 23, 2018, NOHFC has indicated that they will provide 25% of the project cost up to \$507,078.13 and the City is continuing discussions with FedNor regarding funding for an additional 25% of the project cost. The City's and Coniston Industrial Park Limited's share of the project cost would be reduced equally by the contributions from NOHFC and FedNor.

The proposed development, on the lands located at 84 Smelter Road, comprises the construction of a new 80,000 sq. ft. industrial facility that will produce battery-grade lithium for use in electric vehicles.

Departmental & Agency Comments:

Greater Sudbury Development Corporation

Economic Development staff are working with Coniston Industrial Park Ltd. and an investor to establish a new industrial facility in the park that will produce battery-grade lithium for use in electric vehicles. Once operational, the new 80,000 sq. ft. facility, with an estimated value of approximately \$65 million (CAD) is expected to employ 70 full-time staff. The proposed water infrastructure upgrades are required in order to accommodate the needs of the new facility.

Water/Wastewater

The watermain upgrades will increase fire flow in the area along Edward Avenue and William Avenue in addition to renewing the City's infrastructure. It is recommended that the City's share of the costs be funded from both the Industrial Reserve Fund and the 2019 Capital Budget for Water.

Title: Cost Sharing – Coniston Industrial Park and City of Greater Sudbury

Date: May 28, 2018

Background:

Edward and William Avenues are serviced with a 150mm watermain located in the laneway between these streets from Allen Street in the north through to Smelter Road in the south. The fire flow has been modeled and shown to be deficient in this area of Coniston and thus to service the proposed industrial use at Smelter Road, this watermain requires upgrading. The City recently upgraded the watermain on Second Avenue under Capital Project ENG 16-7 which included the replacement of the watermain on Second Avenue from Highway 17 southwards to Balsam Street and First Avenue under Capital Project ENG 17-3 which included the replacement of the watermain on First Avenue from Balsam Street southwards to Coniston Centennial Park. Council also approved a request in September 2016 from Coniston Seniors Non-Profit Housing Corporation for cost sharing to replace the watermain on Elm Street from First Avenue westerly. This cost shared project has not yet been constructed.

Both the Capital Projects (ENG 16-7 and ENG 17-3) and the upgrading that is the subject of this report are required in order to provide sufficient fire flow to the industrial development site at Smelter Road.

Cost Sharing

The City's 2012 Development Cost Sharing Policy was recently reviewed and replaced by Council approving on August 9, 2016 a new Development Cost Sharing Policy. This policy establishes a basis for the City to share the costs of upgrading certain infrastructure with private land owners and developers. The cost distribution between the developer and the City will be applied as follows based on the 2016 policy.

The Cost Sharing Policy in Section 4.3 External Services C) states that "In situations where a new development creates a deficiency in the external system and there are no existing deficiencies, the developer shall be responsible for 100% of the cost. In situations where there is an existing deficiency; the City shall be responsible for 50% of the cost.

An existing 150mm watermain with insufficient capacity is currently installed in the laneway between Edward Avenue and William Avenue and this is the subject of the cost sharing application. The developer will be required to pay 100% of the cost for their service connection from their site to the watermain location at the intersection of Edward Avenue and Smelter Road.

Estimated Costs

The Developer's Engineering cost estimate for the works (see attached) includes a total estimated cost of \$2,028,312.50 for the construction of the works and associated engineering. Development Engineering staff have reviewed the cost estimate and are satisfied that this reflects a useful construction cost estimate for funding purposes. The actual amount of the City's portion of the cost sharing will be determined based on actual costs of construction of the works after construction is complete as per section 3.0 of the Cost Sharing Policy – Definition of Terms for "cost" within the road allowance for the laneway between Edward Avenue and William Avenue. It is anticipated that the City would undertake the works as part of its capital construction program and Coniston Industrial Park Limited would provide the City with their share of the costs along with those from other external sources (FedNor and NOHFC). Any watermain installation on private lands would be considered a watermain connection and the developer would be responsible for 100% of these costs.

Title: Cost Sharing – Coniston Industrial Park and City of Greater Sudbury

Date: May 28, 2018

Funding Source:

It is recommended that the funding source for the City's share of the costs come from a combination of the City's Industrial Reserve Fund which currently has a balance of approximately \$2.36 million and the 2019 Capital Budget for Water. The industrial reserve fund can be used to fund the City's share for upgrading City related infrastructure (i.e. Roads, Water/Wastewater pipes, etc.) relating to Industrial land development and/or related to the Development Cost Sharing Policy.

Sunset Clause:

Section 2.2 g) of the 2016 Development Cost Sharing Policy allows for the City to include a sunset clause in the cost sharing agreement that limits the amount of time that City funds would be reserved exclusively for a particular project. To this effect, the cost sharing agreement would contain a clause limiting the duration of the agreement to three (3) years from the date that the request is approved by Council. Any extension to the duration of the agreement must be approved by Council.

Summary:

The application for cost sharing is supported by staff based on the information submitted and the City's Policy on Development Cost Sharing.

Planning Services recommends that the City enter into a 50/50 cost sharing agreement with Coniston Industrial Park Limited for watermain upgrading to service the proposed industrial development detailed in the engineer's breakdown of costs as reviewed by Development Engineering staff.

The City's share is calculated to be approximately \$1,014,156.25 plus applicable HST based on the full project cost. This share is reduced to \$760,617.19 based on the funding committed by NOHFC and could be further reduced to approximately \$507,078.13 plus applicable HST if the City is successful with the funding request that is currently under review by FedNor.

The associated cost sharing agreement will have a sunset clause of three years from the date that the request gains approval by Council.

Coniston - Industrial Park Ltd.
Cost Sharing Application
Water Supply Servicing

Allan Street

Walter Street

Nickel Street

William Avenue

Edward Avenue

Walter Street

Gloria Avenue

Samuel Street

Subject
Location

Proposed
Development

Smelter Road



February 9, 2018

Perry and Perry Architects Inc.
174 Larch Street
Sudbury ON
P3E 1C6

Attention: Chris Perry, Architect, B.E.S B.Arch., OAA

Re: Construction Cost Estimate – Coniston Watermain

Per your request **Exp** is pleased to provide a preliminary construction cost estimate for funding purposes, for the installation of approximately 860 meters of 250 mm diameter watermain replacement for a section of watermain which runs from Allan St. to Smelter Rd in Coniston.

Unit prices from the recently completed project, **Watermain Upgrades & Road Reconstruction/Rehabilitation – Frist Avenue (Coniston)**, were used for our estimate adjusted with an inflation factor.

The Total Current Preliminary Estimated Construction Cost for this project is: \$2,028,312.50 Excl. HST

Sincerely,

exp Services Inc.

A handwritten signature in black ink, appearing to read "M. Langille", written in a cursive style.

Mark Langille, P.Eng.,
Infrastructure Manager

Construction Cost Estimate

City of Greater Sudbury



Watermain Upgrades & Road Reconstruction/Rehabilitation Coniston

Date : 2018-02-09

PART A - CONTRACT AND GENERAL REQUIREMENTS						
Item	OPSS	Description	Unit	Qty	Unit Price	Total
1		Bonding, Insurance	L.S.	1	\$ 50,000.00	\$ 50,000.00
2		Mobilization/Demobilization	L.S.	1	\$ 20,000.00	\$ 20,000.00
3	Nil	Waste Management	L.S.	1	\$ 5,000.00	\$ 5,000.00
TOTAL PART A						\$ 75,000.00

PART B - WATERMAIN						
Item	OPSS	Description	Unit	Qty	Unit Price	Total
1	441 SP #12	150mm Dia. Watermains (including Fittings)	m	200	\$ 375.00	\$ 75,000.00
2	441 SP #12	250mm Dia. Watermains (including Fittings)	m	860	\$ 500.00	\$ 430,000.00
3	441 SP	Jack and bore 457mm dia. Schd 40 steel casing	m	60	\$ 2,500.00	\$ 150,000.00
4	441 SP #12	Connection to Existing Watermain	each	5	\$ 5,000.00	\$ 25,000.00
5	441 SP #13	Watermain Service Connections including Appurtenances (Main to Lot Line) GSSD 1104.010(25mm Copper)	each	37	\$ 2,200.00	\$ 81,400.00
6	441 SP #13	Watermain Service Connections including Appurtenances (Main to Lot Line) GSSD 1104.010(40mm Copper)	each	1	\$ 4,000.00	\$ 4,000.00
7	441	Hydrant Sets (includes bends, corrosion protection, tees, lead, valves and valve boxes) GSSD 1105.010	each	9	\$ 8,500.00	\$ 76,500.00
8	441 SP #12	150mm Watermain Gate Valve Complete with Valve Box GSSD 1101.020	each	6	\$ 2,000.00	\$ 12,000.00
9	441 SP #12	250mm Watermain Gate Valve Complete with Valve Box GSSD 1101.020	each	4	\$ 3,500.00	\$ 14,000.00
10	510 MUNI	Removals - Valve Boxes	each	14	\$ 2,000.00	\$ 28,000.00
11	510 MUNI	Removals - Hydrants	each	9	\$ 100.00	\$ 900.00
12	493	Temporary Potable Water Service	L.S.	1	\$ 50,000.00	\$ 50,000.00
13	410 MUNI SP#20	Trench Stabilization - Excavation of Unsuitable Material (Below Bedding Line)	cu.m	100	\$ 25.00	\$ 2,500.00
14	410 MUNI SP#21	Trench Stabilization - Granular 'A'	tonne	2,500	\$ 20.00	\$ 50,000.00
15	511 SP#22	Trench Stabilization - Geotextile Terratrack 400w	sq.m	100	\$ 10.00	\$ 1,000.00
16	Nil	Misc. Restoration to Private Property	L.S.	1	\$ 50,000.00	\$ 50,000.00
TOTAL PART B						\$ 1,050,300.00

PART C - ROAD RECONSTRUCTION						
1	206 MUNI	Excavation (Grading) Earth	cu.m	3,900	\$30.00	\$117,000.00
2	308	Tack Coat RS-1	sq.m	2,700	\$5.00	\$13,500.00
3	310	Hot Mix Asphalt Binder HL8 (50mm Lift) PG 64-34 with Polymer	tonne	325	\$200.00	\$65,000.00
4	310	Hot Mix Asphalt Surface HL3 (40mm Lift) PG 64-34 with Polymer	tonne	265	\$200.00	\$53,000.00
5	314	Granular Materials Granular "A" Crushed	tonne	1,800	\$25.00	\$45,000.00
6	314	Granular Materials Granular "B" Type II	tonne	5,800	\$20.00	\$116,000.00
7	511	Geotextile Terratrack 400w	sq.m	4,800	\$10.00	\$48,000.00
8	351	Concrete Sidewalk GSSD 310.010	sq.m	380	\$150.00	\$57,000.00
9	353	Concrete Curb and Gutter GSSD 600.010	m	370	\$130.00	\$48,100.00
10	405	Pipe Subdrain (150mm) GSSD 225.010	m	570	\$20.00	\$11,400.00
11	410 MUNI	Adjusting structures	each	10	\$700.00	\$7,000.00
12	510 MUNI	Removal of Asphalt Pavement	sq.m	2,700	\$15.00	\$40,500.00
13	510 MUNI	Removal of Concrete Curb and Gutter (All Types)	m	370	\$15.00	\$5,550.00
14	510 MUNI	Removal of Concrete Sidewalks	sq.m	380	\$15.00	\$5,700.00
15	710	Pavement Markings Permanent	m	285	\$20.00	\$5,700.00

TOTAL PART C

\$638,450.00

Total Part 'A' - Contract and General Requirements	\$	75,000.00
Total Part 'B' - Watermain	\$	1,050,300.00
Total Part 'C' - Road Reconstruction	\$	638,450.00
 Total Parts 'A' to 'C'	\$	1,763,750.00
Contingency (15%)	\$	264,562.50
 Total Construction Cost Estimate	\$	2,028,312.50 +HST

Request for Decision

Denis Gratton Construction Limited - Request for extension of conditional approval of rezoning application File # 751-5/17-3, 3160 Highway 144, Chelmsford

Presented To:	Planning Committee
Presented:	Monday, Jun 22, 2020
Report Date	Friday, May 29, 2020
Type:	Routine Management Reports
File Number:	751-5/17-3

Resolution

THAT the City of Greater Sudbury approves the extension of rezoning application File # 751-5/17-3 by Denis Gratton Construction Limited on lands described as Part of PIN 73350-0625, Part of Parcel 7583 S.W.S., Part 1, Plan 53R-20596 in Lot 4, Concession 3, Township of Balfour, as outlined in the report entitled "Denis Gratton Construction Limited", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 22, 2020, for a period of two (2) years to August 14, 2022.

Relationship to the Strategic Plan / Health Impact Assessment

The application to extend conditional zoning approval is an operational matter under the Planning Act to which the City is responding. The application can be viewed as a form of business retention and growth, which aligns with the goals and objectives of the 2019-2027 City of Greater Sudbury Strategic Plan.

Report Summary

The owner has requested an extension to the conditional zoning approval of File # 751-5/17-3 for a period of two (2) years to August 14, 2022. The rezoning application is concurrent with an Official Plan Amendment which seeks a site-specific exception in order to permit a contractor's yard in an area designated as Rural. Planning Staff are recommending approval of the extension.

Financial Implications

If approved, any change in taxation is unknown at this time as the change in zoning may increase the

Signed By

Report Prepared By

Mauro Manzon
Senior Planner
Digitally Signed May 29, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed May 29, 20

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed May 30, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Jun 4, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Jun 5, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jun 11, 20

assessment value.

There would be development charges on the existing building when the building permit is issued but staff is unable to calculate the amount of development charges based on the information available.

With respect to the request by the owner of financial relief due to COVID-19, it would not be recommended under Section 106 of the Municipal Act, which is considered bonusing.

Date: May 26, 2020

STAFF REPORT

Applicant:

Denis Gratton Construction Limited

Location:

Part of PIN 73350-0625, Part of Parcel 7583 S.W.S., Part 1, Plan 53R-20596 in Lot 4, Concession 3, Township of Balfour (3160 Highway 144, Chelmsford)

Application:

To amend [By-law 2010-100Z](#) being the City of Greater Sudbury Zoning By-law from "RU", Rural to "RU(S)", Rural Special.

Proposal:

Applications for Official Plan Amendment and rezoning were submitted in 2017 in order to:

- Provide a site-specific exception from the policies of Section 5.2.5 of the Official Plan concerning Rural Industrial/Commercial uses in Rural Areas in order to permit an existing contractor's yard with outdoor storage including the use of shipping containers; and;
- Rezone the subject lands to "RU(S)", Rural Special in order to permit an existing contractor's yard with outdoor storage including the use of shipping containers.

Background:

The following recommendation PL2018-146 was passed by Planning Committee and ratified by City Council on August 14, 2018:

THAT the City of Greater Sudbury approves the application by Denis Gratton Construction Limited to amend Zoning By-law 2010-100Z by changing the zoning classification from "RU", Rural to "RU(S)", Rural Special on lands described as Part of PIN 73350-0625, Part of Parcel 7583 S.W.S., Part 1, Plan 53R-20596 in Lot 4, Concession 3, Township of Balfour, as outlined in the report entitled "Denis Gratton Construction Limited" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of August 14, 2018, subject to the following conditions:

1. That prior to the adoption of the amending by-law, the owner shall address the following conditions:
 - i) Provide the Development Approvals Section with a registered survey plan outlining the southerly lands to be rezoned to enable the preparation of an amending zoning by-law;
 - ii) Enter into a Site Plan Control Agreement with the City; and,
 - iii) Submit a building permit application for the existing building to the satisfaction of the Chief Building Official.
2. That the amending by-law includes the following site-specific provisions:
 - i) In addition to the uses permitted in the Rural zone, a contractor's yard with outdoor storage shall also be permitted;
 - ii) Outdoor storage shall be permitted subject to the provisions of Section 4.28, except no outdoor storage shall be located within the designated flood plain;

Date: May 26, 2020

- iii) The use of shipping containers accessory to a contractor's yard shall be permitted; and,
 - iv) Any additional relief required in order to implement the final site plan.
3. Conditional approval shall lapse on August 14, 2020 unless Condition 1 above has been met or an extension has been granted by Council.

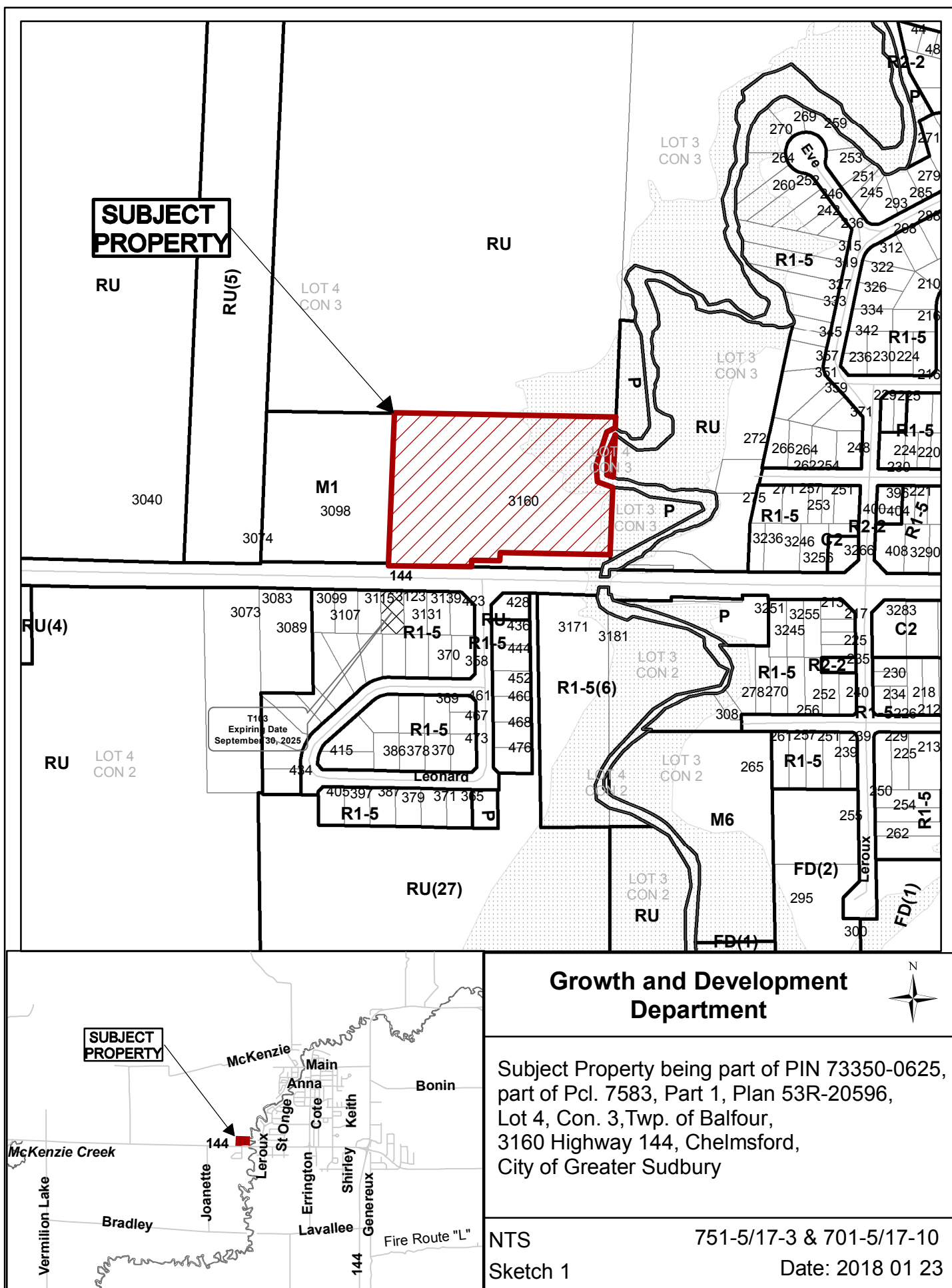
To date, none of the conditions outlined in Part 1 of the resolution have been addressed.

Planning considerations:

A formal pre-consultation for the site plan process took place on March 6, 2019. A Pre-consultation Understanding was subsequently provided to the proponents on March 27, 2019. To date, there have been no submissions of site plan drawings, or an application for a building permit to address the building that is currently being used as an office and maintenance garage. A final plan of survey is also required to enact the amending by-law.

Although none of Council's conditions of approval have been addressed to date, there are extenuating circumstances to take into consideration, including the emergency order currently in effect, as well as the added complexity of the site plan process. Furthermore, the application represents an opportunity to finally resolve the non-complying use of the property, which has been an outstanding matter since 1988. Planning Services therefore recommends that the request for a two-year extension be approved.

The owner's letter requesting a reimbursement of the extension fee of \$3,170 is attached for the Committee's consideration.



Denis Gratton Construction Ltd.

*Specialized Transportation
Open PCV, C,D,W,X Licenses
Gravel Pit, Aggregate Sales, Construction and Crushing Services*

Box 5109, Chelmsford, Ontario, P0M 1L0

Phone: (705)855-2194 / (705)855-3980

Toll Free: 1-800-461-6300

Fax: (705)855-5594

www.grattonconstruction.com

Administration@grattonconstruction.com

City of Greater Sudbury
200 Brady Street
Sudbury, Ontario
P3A 5P3

RECEIVED

APR 14 2020

March 26th, 2020

PLANNING SERVICES


Attn: Mauro Manzon, MPL, MCIP, RPP
Senior Planner
Development Approvals Section
Planning Services Division
City of Greater Sudbury

Re: Extension to Rezoning Application Matters

Denis Gratton Construction Ltd would like to have an extension to the Rezoning Application Matters (conditional zoning approval). I have been instructed by Vivian Gibbons to get in contact with you so that we can have this issue brought to City Council for approval. Considering the current status of the Covid-19 we have no idea when we would be able to get up and running on this file again. A two year extension would be idealistic. We Thank you for your attention to this matter.

I have also included a cheque in the amount of \$3,170.00 for the two year option. We are requesting a possible relief from the City due to the economic hardship Covid-19 is causing our company.

Regards,


Denis Gratton
President

Request for Decision

Denis Gratton Construction Limited - Applications for Official Plan amendment and rezoning in order to permit a contractor's yard with outdoor storage on lands designated and zoned as Rural, 3160 Highway 144, Chelmsford

Presented To:	Planning Committee
Presented:	Tuesday, Aug 14, 2018
Report Date	Monday, Jun 04, 2018
Type:	Public Hearings
File Number:	751-5/17-3 & 701-5/17-10

Resolution

Resolution regarding the Official Plan Amendment:

THAT the City of Greater Sudbury approves the application by Denis Gratton Construction Limited to amend the City of Greater Sudbury Official Plan to provide a site-specific exception from the policies of Section 5.2.5 concerning Rural Industrial/Commercial uses in Rural Areas in order to permit a contractor's yard with outdoor storage on lands described as Part of PIN 73350-0625, Part of Parcel 7583 S.W.S., Part 1, Plan 53R-20596 in Lot 4, Concession 3, Township of Balfour, as outlined in the report entitled "Denis Gratton Construction Limited" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of August 14, 2018.

Resolution regarding the Rezoning Application:

THAT the City of Greater Sudbury approves the application by Denis Gratton Construction Limited to amend Zoning By-law 2010-100Z by changing the zoning classification from "RU", Rural to "RU(S)", Rural Special on lands described as Part of PIN 73350-0625, Part of Parcel 7583 S.W.S., Part 1, Plan 53R-20596 in Lot 4, Concession 3, Township of Balfour, as outlined in the report entitled "Denis Gratton Construction Limited" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of August 14, 2018, subject to the following conditions:

1. That prior to the adoption of the amending by-law, the owner shall address the following conditions:

- i) Provide the Development Approvals Section with a registered survey plan outlining the southerly lands to be rezoned to enable the preparation of an amending zoning by-law;
- ii) Enter into a Site Plan Control Agreement with the City; and,

Signed By

Report Prepared By

Mauro Manzon
Senior Planner
Digitally Signed Jun 4, 18

Manager Review

Eric Taylor
Manager of Development Approvals
Digitally Signed Jun 4, 18

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed Jul 16, 18

Financial Implications

Jim Lister
Manager of Financial Planning and Budgeting
Digitally Signed Jul 20, 18

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Jul 25, 18

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jul 26, 18

iii) Submit a building permit application for the existing building to the satisfaction of the Chief Building Official.

2. That the amending by-law includes the following site-specific provisions:

i) In addition to the uses permitted in the Rural zone, a contractor's yard with outdoor storage shall also be permitted;

ii) Outdoor storage shall be permitted subject to the provisions of Section 4.28, except no outdoor storage shall be located within the designated flood plain;

iii) The use of shipping containers accessory to a contractor's yard shall be permitted; and,

iv) Any additional relief required in order to implement the final site plan.

3. Conditional approval shall lapse on August 14, 2020 unless Condition 1 above has been met or an extension has been granted by Council.

Relationship to the Strategic Plan / Health Impact Assessment

The applications to amend the Official Plan and Zoning By-law are operational matters under the Planning Act to which the City is responding.

Report Summary

Applications for Official Plan amendment and rezoning have been submitted in order to:

- Provide a site-specific exception from the policies of Section 5.2.5 of the Official Plan concerning Rural Industrial/Commercial uses in Rural Areas in order to permit an existing contractor's yard with outdoor storage including the use of shipping containers; and;
- Rezone the subject lands to "RU(S)", Rural Special in order to permit an existing contractor's yard with outdoor storage including the use of shipping containers.

The subject property comprises a large rural parcel municipally known as 3160 Highway 144, which is located west of the Whitson River on the north side of Highway 144. The property is serviced by municipal water and sanitary sewer. Highway 144 is under the jurisdiction of the Ministry of Transportation. An easterly portion of the property falls within a designated flood plain associated with the Whitson River.

The proposal is deemed to be consistent with the 2014 Provincial Policy Statement as it does not propose the expansion of settlement area boundaries; the subject land is fully serviced and does not require the uneconomical expansion of infrastructure to accommodate the proposed use; and, the site is located on a Provincial Highway and is integrated into the existing transportation network.

Under the Official Plan, the subject land is designated as Rural, with a portion of the property located within the flood plain designated as Parks and Open Space. Uses permitted under the Rural designation are generally resource-based and may include agriculture, dry industrial/commercial uses and forestry. Staff can support an exception based on the following considerations:

- There is a history of industrial use on the property that pre-dates land use controls;
- The site is fully serviced with municipal water and sanitary sewer;
- Access issues have been resolved and the owner has installed a new commercial driveway entrance approved by the Ministry of Transportation.

In order to address land use compatibility and ensure appropriate development of the land, a Site Plan Control Agreement is recommended prior to the adoption of the amending zoning by-law. The agreement shall address such matters as screening and buffering, the relocated driveway entrance, the location and screening of outdoor storage including shipping containers, and the restriction of development within the flood plain in order to provide an adequate buffer for the Whitson River.

Planning Services recommend that the applications for official plan amendment and rezoning be approved subject to the following conditions to be addressed prior to the adoption of the zoning amendment:

- Provide the Development Approvals Section with a registered survey plan outlining the southerly lands to be rezoned to enable the preparation of an amending zoning by-law;
- Enter into a site plan control agreement with the City; and,
- Submit a building permit application for the existing building to the satisfaction of the Chief Building Official.

Financial Implications

If approved, any change in taxation is unknown at this time as the change in zoning may increase the assessment value.

There would be development charges on the existing building when the building permit is issued but staff is unable to calculate the amount of development charges based on the information available.

Title: Denis Gratton Construction Limited

Date: July 13, 2018

STAFF REPORT

Applicant:

Denis Gratton Construction Limited (Agent: Tulloch Engineering)

Location:

Part of PIN 73350-0625, Part of Parcel 7583 S.W.S., Part 1, Plan 53R-20596 in Lot 4, Concession 3, Township of Balfour (3160 Highway 144, Chelmsford)

Official Plan and Zoning By-law:

[Official Plan](#)

The subject property has a split land use designation, with the majority of the lands designated as Rural. The easterly portion adjacent to the Whitson River is designated Parks and Open Space, which essentially aligns with the boundary of the flood plain. As advised by the Conservation Sudbury (NDCA), no development is permitted in the flood plain.

Under Section 5.2.5, limited rural industrial/commercial uses are permitted in Rural Areas, particularly those activities that provide rural economic benefits that are balanced with protection of the natural environment and the agricultural resource base.

1. Rural industrial/commercial uses are generally resource-based and may include agriculture, dry industrial/commercial uses, and forestry.
2. Pits and quarries are permitted in appropriately zoned areas.
3. Rural industrial/commercial sites are to be located with adequate separation distances from residential areas, and provide proper buffering and landscaping along Arterial Road frontages. Entrances are restricted to Secondary Arterial and Local Roads, and no temporary structures, outside storage or sales displays may be visible from the frontage of abutting roads. All such development is subject to rezoning and site plan control.
4. New resource-related industries should not impact the natural resource base. Rural industrial/commercial uses must generate limited amounts of wastewater and minimize land use conflicts.

The application to permit a contractor's yard with outdoor storage does not conform to the Official Plan in regards to permitted Rural Industrial/Commercial uses in Rural Areas. An Official Plan amendment is therefore required.

[Zoning By-law](#)

The lands are currently zoned Rural, which permits the following uses: single detached dwelling, mobile home dwelling, bed and breakfast establishment, group home type 1, private home daycare, agricultural use, animal shelter, forestry use, hunting or fishing camp that is a legal existing use, garden nursery, kennel, public utility and veterinary clinic.

Title: Denis Gratton Construction Limited

Date: July 13, 2018

Site Description & Surrounding Land Uses:

The subject property comprises a large rural parcel located west of the Whitson River on the north side of Highway 144. The property is serviced by municipal water and sanitary sewer. Highway 144 is under the jurisdiction of the Ministry of Transportation. The lands are located outside the settlement area boundary of Chelmsford.

The portion of the property subject to the rezoning has an area of approximately 4.5 ha, with 263 metres of frontage and a depth of 168 metres. The site is occupied by a contractor's yard with outdoor storage areas that are not screened. A 320 m² building contains office space and a maintenance garage. The property is not subject to a site plan control agreement.

An easterly portion of the property falls within a designated flood plain, as illustrated on the attached flood plain map provided by Conservation Sudbury (Nickel District Conservation Authority). The use has been expanded into the regulated area without approval from NDCA (see Photo #2).

The northerly portion of the property shows evidence of site alteration. The owner's agent advised that this area is utilized for outdoor storage.

The abutting property to the west, which is a former MTO depot, is zoned "M1", Mixed Light Industrial/Service Commercial (Bross Quick Lube & Tire Sales). Two (2) farm properties with frontage on McKenzie Road abut the northerly limit of the parent parcel. The Whitson River forms the easterly boundary of the property.

Low density residential uses are located on the opposite side of the highway, including a residential subdivision that is accessed via Bathurst Street directly opposite the relocated driveway entrance to the subject land.

Applications:

1. To amend the City of Greater Sudbury Official Plan to provide a site-specific exception from the policies of Section 5.2.5; and,
2. To amend By law 2010-100Z being the City of Greater Sudbury Zoning By-law from "RU", Rural to "RU(S)", Rural Special.

Proposal:

Applications for Official Plan Amendment and rezoning in order to:

- Provide a site-specific exception from the policies of Section 5.2.5 of the Official Plan concerning Rural Industrial/Commercial uses in Rural Areas in order to permit an existing contractor's yard with outdoor storage including the use of shipping containers; and;
- Rezone the subject lands to "RU(S)", Rural Special in order to permit an existing contractor's yard with outdoor storage including the use of shipping containers.

Title: Denis Gratton Construction Limited

Date: July 13, 2018

Departmental/Agency Circulation:

Development Engineering confirmed that the property is serviced by municipal water and sanitary sewer.

Conservation Sudbury (NDCA) advised that no development is permitted within the designated flood plain located on the easterly portion of the property. Staff further recommend that the flood plain be delineated as part of a site plan process and be rezoned as Private Open Space in order to restrict development in the regulated area.

Ministry of Transportation indicated that they have no objection but advise the owner that any change in use is subject to their permit process.

Building Services advised that a building permit for a barn was applied for in 1991 but was never issued. A building permit is therefore required for the existing building, which now comprises an office and maintenance garage.

Neighbourhood Consultation:

The statutory notice of the public hearing was provided by newspaper along with a courtesy mail-out to property owners and tenants within a minimum of 240 metres of the property.

The applicant was advised of the City's policy recommending that applicants consult with their neighbours, ward councillor and key stakeholders to inform area residents on the application prior to the public hearing.

The owner's agent prepared an information letter that was sent to adjacent property owners utilizing the City's mailing list.

As of the date of this report, one written submission has been received in opposition to the application. Two (2) phone calls were also received by Planning Services.

Background:

In 1988, applications for Official Plan amendment and rezoning were submitted by the owner in order to recognize a non-conforming truck dispatch centre, permit the renovation of an existing farmhouse into a dispatch office, and allow the construction of a truck service building. Regional Council approved the applications in October 1988 (Recommendation #88-160).

The zoning amendment, which permitted a truck dispatch centre as a site-specific exception, applied only to the southerly portion of the property and was conditional upon the owner entering into a site plan control agreement with the City.

In 1991, the owner submitted a site plan application in order to address the conditional zoning approval. The site plan process was never finalized. A building permit application was also submitted for a barn and machine shed; however, the permit was never issued (Permit 91-4028).

Official Plan Amendment #103 was adopted in 1991 in order to change the land use designation from Agricultural to Rural with a site-specific exception to permit a truck dispatch centre (By-law 91-348). The amendment required approval from the Ministry of Municipal Affairs.

Date: July 13, 2018

In 1992, the owner's lawyer requested that the Ministry of Municipal Affairs refer OPA #103 to the Ontario Municipal Board (OMB), as the Ministry had not yet approved the amendment due to Ministry of Transportation (MTO) concerns related to a commercial driveway entrance on a controlled access highway.

In 2001, the owner withdrew the appeal to the OMB, and the Board subsequently issued an order to not approve OPA #103. As a result of the withdrawal of the appeal and the OMB order, the lands remain designated Rural and zoned as Rural, and the ongoing use of the property remains unresolved.

In 2015, MTO permitted the relocation of the driveway entrance to a location directly opposite Bathurst Street and issued a commercial driveway entrance permit subject to the following proviso: "This entrance permit recognizes the existing use of the entrance as access to a contractor's yard and is not intended to pre-empt land use regulations." The Whitson River bridge reconstruction project is currently under construction.

In January 2018, the owner submitted applications for Official Plan and zoning amendments in order to permit all General Industrial uses on the subject lands. The applications were subsequently revised in June 2018 to limit the proposed use to a contractor's yard with outdoor storage including the use of shipping containers. Draft Official Plan Amendment # 95 has been revised accordingly.

Planning Considerations:

[2014 Provincial Policy Statement \(PPS\)](#)

Under the 2014 Provincial Policy Statement, the subject property is defined as Rural Lands, which are Rural Areas located outside Settlement Areas and Prime Agricultural Areas. Under Section 1.1.5.2, the following uses are permitted on rural lands located in municipalities:

- a) the management or use of resources;
- b) resource-based recreational uses (including recreational dwellings);
- c) limited residential development;
- d) home occupations and home industries;
- e) cemeteries; and,
- f) other rural land uses.

Under Section 1.1.3.8 of the PPS, a planning authority may identify a settlement area or allow the expansion of a settlement area boundary only at the time of a comprehensive review and only where it has been demonstrated that:

- a) sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;
- b) the infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment.

Section 1.6.7 of the PPS speaks to the adequacy of transportation systems to accommodate development. Efficient use shall be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.

Date: July 13, 2018

The proposal is deemed to be consistent with the 2014 Provincial Policy Statement based on the following considerations:

- The revised application seeks an exception to the Rural policies of the Official Plan and does not propose the expansion of settlement area boundaries, which can only be considered as part of a comprehensive review of the plan and when there is a demonstrated need to designate additional lands;
- The subject land is fully serviced by municipal water and sanitary sewer and does not require the uneconomical expansion of infrastructure to accommodate the proposed use;
- The site is integrated into the existing transportation network, as there is direct access to a Provincial Highway utilizing a new commercial driveway entrance approved by the Ministry of Transportation.

2011 [Growth Plan for Northern Ontario](#) (GPNO)

The Growth Plan has no applicable land use policies for rural lands within municipalities. The Plan does identify Greater Sudbury as an Economic and Service Hub, which shall accommodate a significant portion of future population and employment growth and allow a diverse mix of land uses. Therefore it can be generally stated that the proposal does not conflict with the 2011 Growth Plan for Northern Ontario.

Official Plan

The subject land is currently designated as Rural, with a portion of the property located within the flood plain designated as Parks and Open Space. Although directly adjacent to the settlement area of Chelmsford, the lands are not designated for intensified development beyond those uses permitted under the Rural designation, which are generally resource-based and may include agriculture, dry industrial/commercial uses and forestry.

The owner is requesting a site-specific exception to the Official Plan in order to recognize the existing contractor's yard. Staff can support an exception based on the following considerations:

- There is a history of industrial use on the property that pre-dates land use controls;
- The site is fully serviced with municipal water and sanitary sewer;
- Access issues have been resolved and the owner has installed a new commercial driveway entrance approved by the Ministry of Transportation;
- Land use compatibility can be achieved through the implementation of a Site Plan Control Agreement, as required under Section 5.2.5 of the Official Plan.

Environmental matters

An easterly portion of the subject land falls within a designated flood plain. The owner has expanded the contractor's yard into the flood plain area without approval from Conservation Sudbury (NDCA). This is illustrated on the rezoning sketch, which shows a disturbed area encroaching beyond the flood plain boundary towards the Whitson River in a northeasterly direction. NDCA staff have attended the site and have advised the owner that the use must be pulled back from the designated flood plain area.

The proximity to the Whitson River presents additional environmental concerns. Environmental Planning Initiatives advised that operations on the site, including outdoor storage, should be restricted to the limits of the flood plain in order to protect fish habitat and address water quality concerns.

Title: Denis Gratton Construction Limited

Date: July 13, 2018

The above matters can be addressed through a Site Plan Control Agreement, which is recommended prior to the adoption of the amending zoning by-law.

Land use compatibility

The proximity to residential uses south of Highway 144 directly opposite the subject land presents concerns related to compatibility. The Ministry of the Environment and Climate Change (MOECC) provides guidelines related to adequate separation distances for industrial uses from sensitive land uses. Under [Guideline D-6: Compatibility between Industrial Facilities and Sensitive Land Uses](#), recommended separation distances range from 20 to 300 metres depending on the class of industrial use.

Based on the land use definitions provided under [Procedure D-1-3](#), the contractor's yard is defined as a Class II Industrial Facility based on the outdoor storage of materials and equipment, occasional nuisance factors such as noise, odour and dust, and the frequent movement of heavy trucks during daytime hours. The recommended minimum separation distance from sensitive land uses for Class II facilities is 70 metres.

In order to ensure that land use compatibility is achieved with adjacent uses, it is recommended that site plan control be implemented as a condition of approval, as was initiated under the previous 1988 approval. The 1991 site plan submission is attached for the Committee's information. The site plan control agreement could address such matters as screening and buffering, the relocated driveway entrance, the location and screening of outdoor storage including shipping containers, and the restriction of development within the flood plain in order to provide an adequate buffer for the Whitson River.

Summary

Planning Services recommends that the applications for Official Plan amendment and rezoning be approved subject to the conditions outlined in the Resolution section of this report.

Appendix 1

Departmental & Agency Comments

Files: 701-5/17-10 & 751-5/17-3

RE: Applications for Official Plan Amendment and Rezoning – Denis Gratton Construction Limited
Part of PIN 73350-0625, Part of Parcel 7583 S.W.S., Part 1, Plan 53R-20596 in Lot 4, Concession 3, Township of Balfour (3160 Highway 144, Chelmsford)

Development Engineering

This site is presently serviced with municipal water and sanitary sewer.

Roads and Transportation

We have no concerns with the proposed use of the subject property as long as sufficient parking spaces are provided on site to satisfy by-law requirements.

Building Services

1. The building on the property will require a building permit. A building permit was applied for but was never issued for the barn building in 1991. Prior to the rezoning, a building permit will need to be issued.
2. A Site Alteration Permit may be required for any changes to the existing grades on the property.

Environmental Planning Initiatives

The eastern edge of the disturbed, occupied area on the subject lands is quite close to the Whitson River and could be having negative impacts on fish habitat. Limiting the extent of the disturbed area to the limit of the flood plain would provide a sufficient buffer to mitigate possible negative impacts on fish habitat. There should be no storage of any kind, including temporary vehicle storage, within the limit of the flood plain to allow that area to regenerate naturally.

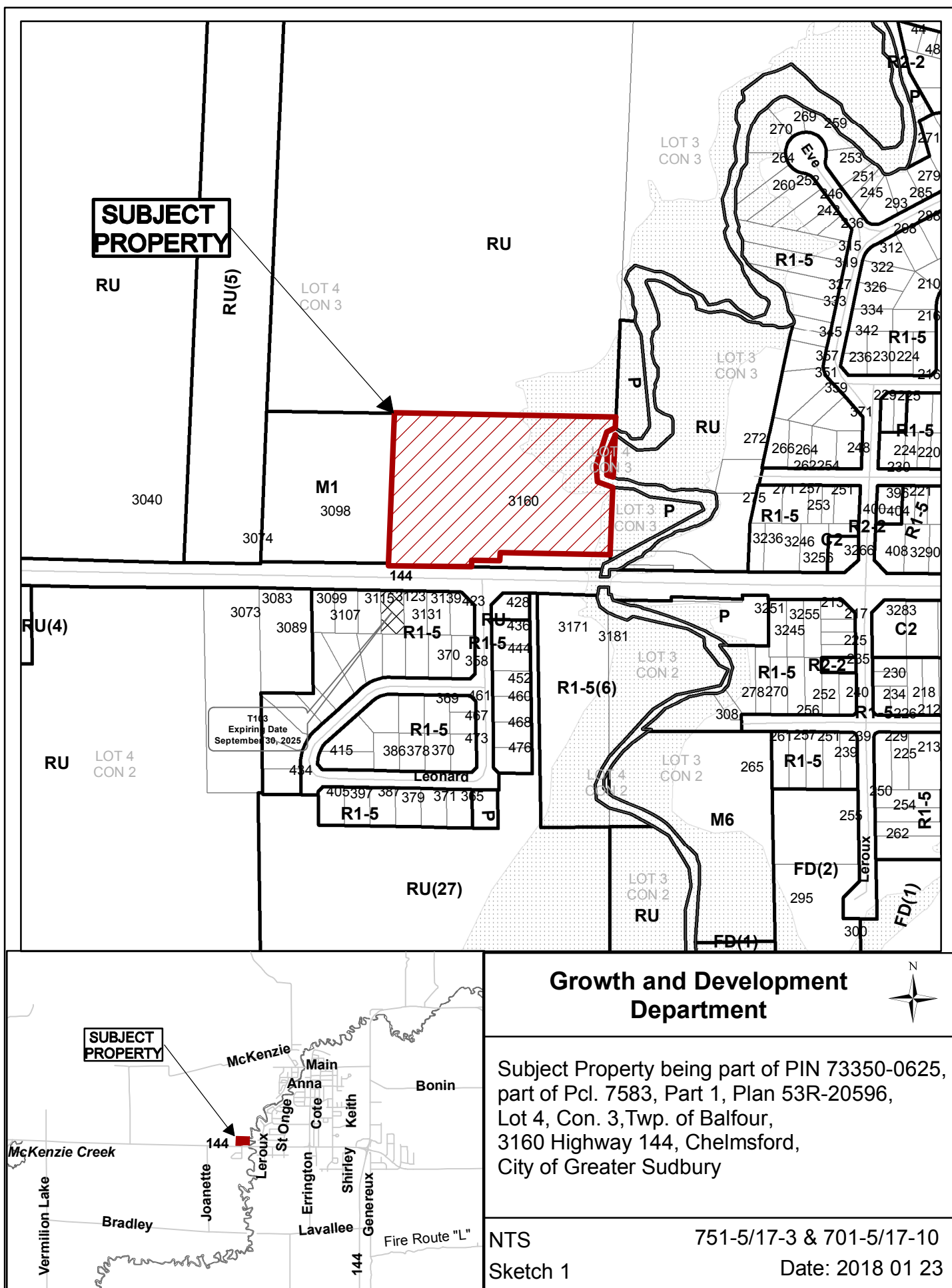
Conservation Sudbury (Nickel District Conservation Authority)

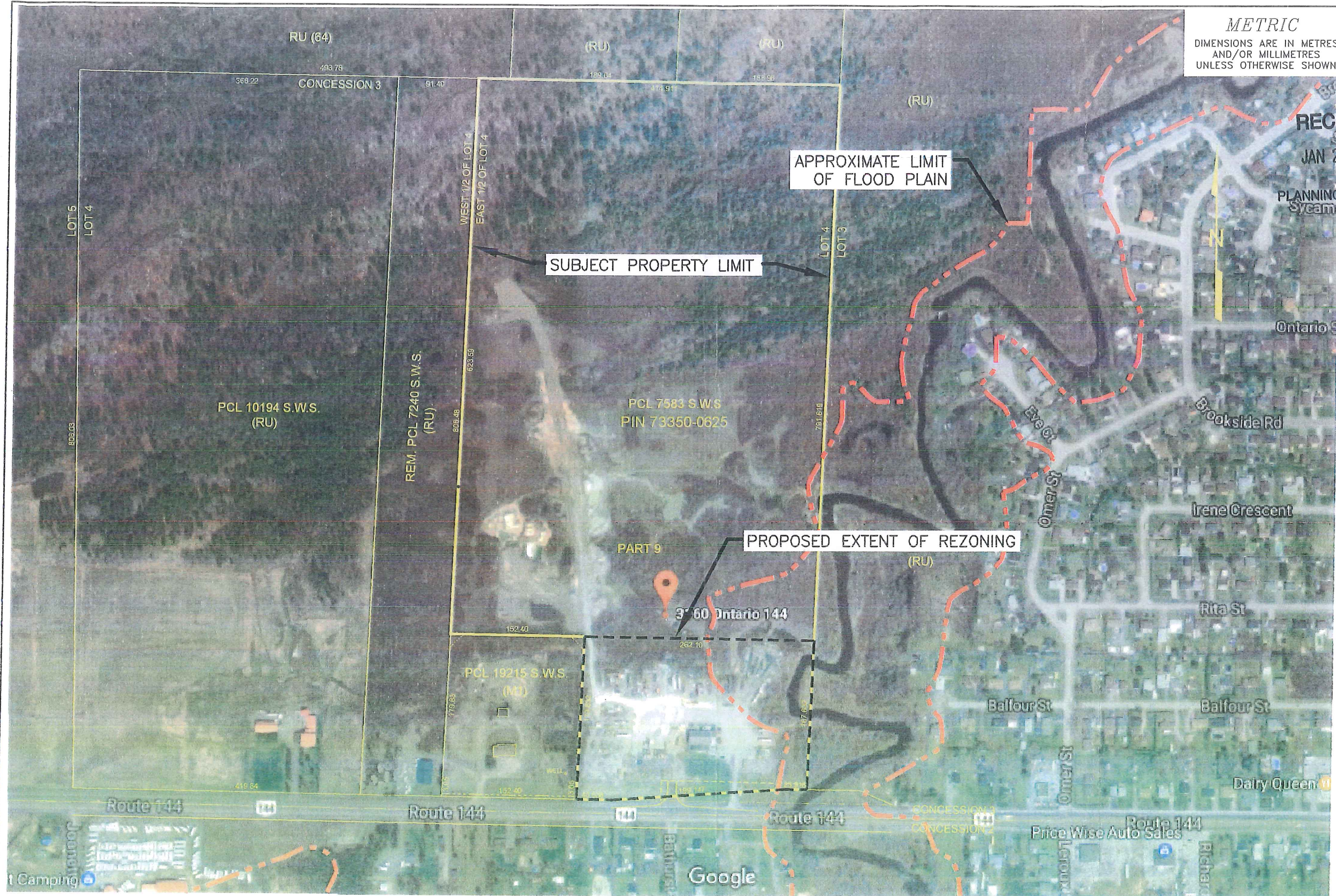
The subject property has some flood plain and regulated areas on the east edge of the parcel (see attached map). We would advise that the flood plain and regulated area be zoned as Open Space Private. As per the *Conservation Authorities Act*, 1990, section 28(2), it is the responsibility of the Conservation Authority to protect the flood plain and regulated area from any form of development. We would suggest that a site plan agreement be drafted between the City and the owner to define the flood plain area and the regulated area on subject property. No development shall occur on the flood plain and regulated areas.

Ministry of Transportation (MTO)

Please note that an MTO Entrance permit is required to reflect any changes in land use or land ownership, and prior to the construction of any new entrance. MTO building/land use permits are required for any proposed buildings, wells or septic systems located within 45 meters of the MTO right of way (ROW) limits.

Should the proponent intend to develop the property beyond existing uses they are recommended to contact the MTO to discuss the project. In that instance MTO permits may be required and studies (for example a traffic impact study) and plans (for example a stormwater management plan) may be required for MTO review and approval prior to this issuance of MTO permits.





METRIC
DIMENSIONS ARE IN METRES
AND/OR MILLIMETRES
UNLESS OTHERWISE SHOWN

RECEIVED
JAN 22 2018

PLANNING SERVICES
Sycamore

DATE	BY

C2S ENGINEERING
• CIVIL INFRASTRUCTURE, LAND DEVELOPMENT
• ROADS & BRIDGES, BUILDINGS, WATER RESOURCES
• PROJECT MANAGEMENT

Project: **DENIS GRATTON CONSTRUCTION LTD.**
3160 HWY 144, CHEMUNSFORD, ONTARIO
Drawing: **PROPOSED REZONING AREA**
PRELIMINARY

Drawn by: J.D.S.
Checked by: K.J.
Project No.: **SUD-1216**

Date: Nov. 16, 2017

Scale: 1 : 2000
Drawing No.:

SITE PLAN

DRAWING NOT TO BE SCALED
100 mm ON ORIGINAL DRAWING



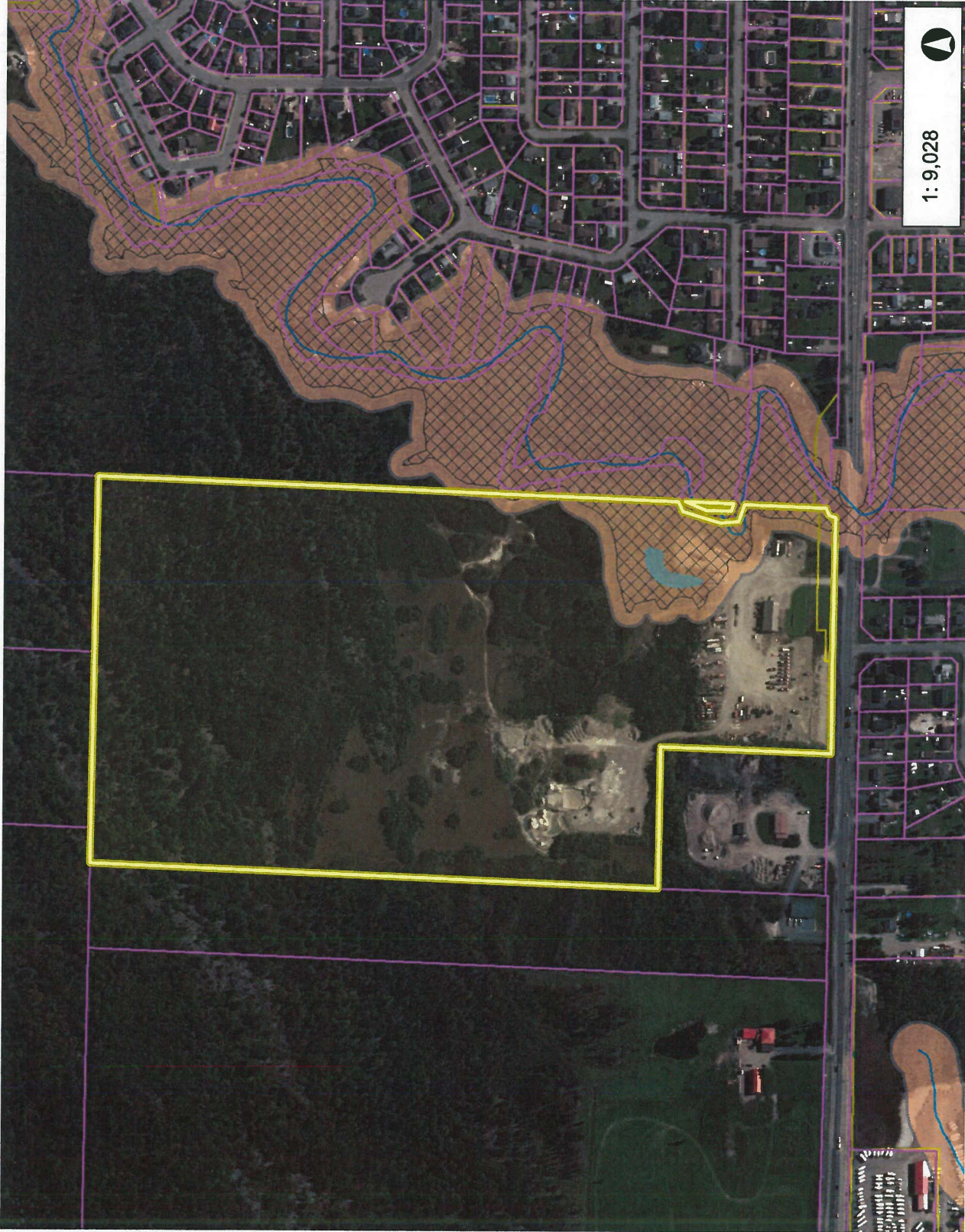
3160 Highway 144



Legend

- Parcela_DB
- Waterbody
- Wetlands
- Updated Watercourse (2017)
- Parcel Owners
- Flood Plain_UPDATED_May_2
- Regulation Limits_Updated_Se
- Municipal Boundary (CGS)
- NDCA Jurisdiction
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

Notes



1: 9,028



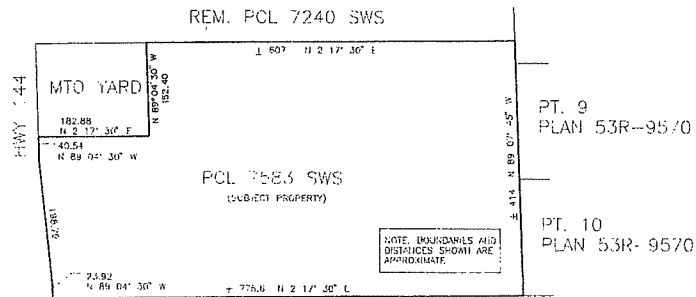
458.6 Meters 229.31 0 458.6 Meters

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

WG 1984 Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.

1991 SITE PLAN SUBMISSION



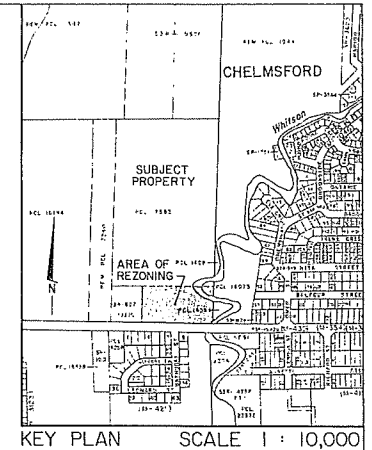
BOUNDARY SKETCH

SCALE 1:4000

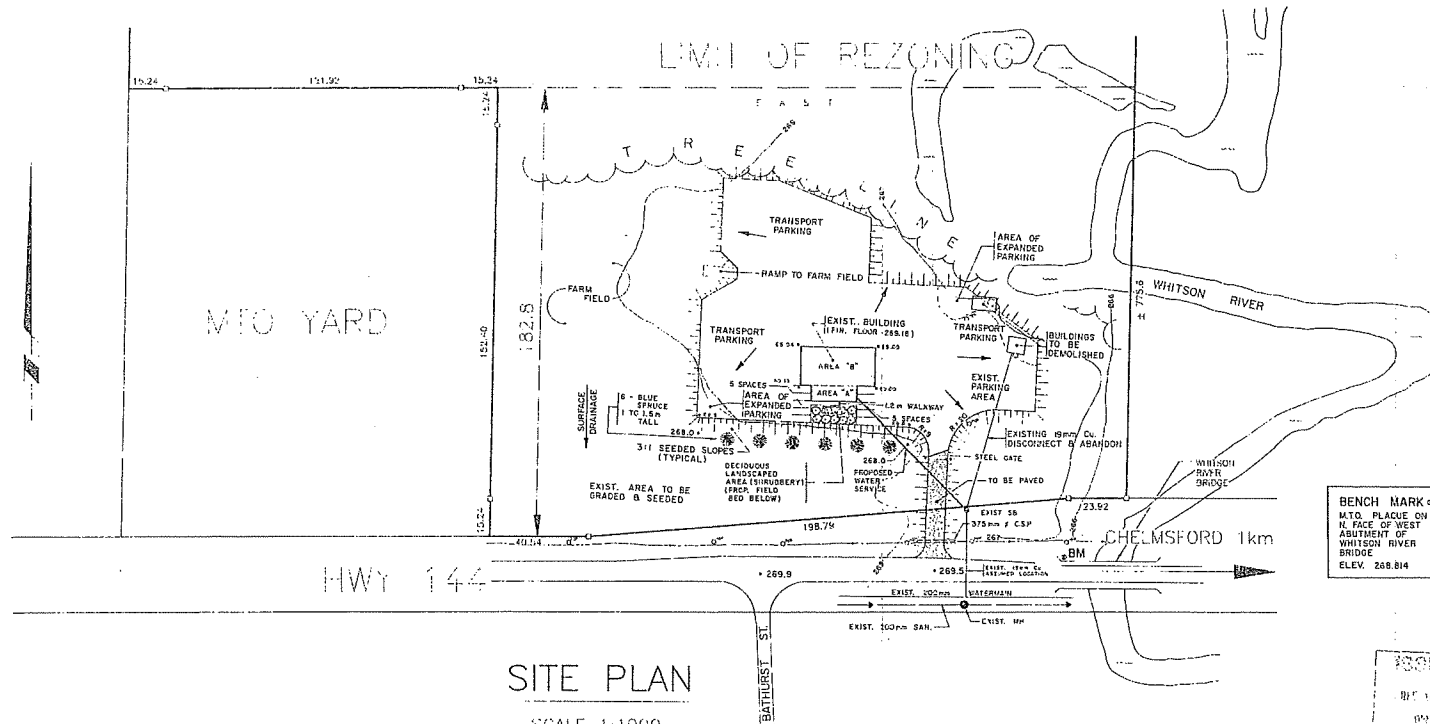
NOTES

- 1) Parking areas are gravel
 - 2) Area 'A' - office area = 123 m²
Area 'B' - repair shop = 465 m²
Max Height - 7.9 m
 - 3) Area of rezoning - 4.54 ha
Total area of subject property - 29.8 ha
 - 4) Required parking -

office	123	= 4.1 spaces
repair shop	465	= 5.2 spaces
	.90	
Total		= 9.3 spaces
- Total provided - 10 spaces



KEY PLAN SCALE 1 : 10,000



SITE PLAN

SCALE 1:1000

LEGEND

- PROPOSED DIRECTION OF SURFACE DRAINAGE
- EXIST CONTOUR
- PROP FINISHED GRADE ELEVATION (200 DATUM)
- 269.0 EXIST. ELEVATION

PARCEL 758.3 S.W.S.
PART OF
LOT 4, CONCESSION III
TOWNSHIP OF BALFOUR
TOWN OF RAYSIDE - BALFOUR
REGIONAL MUNICIPALITY OF SUDBURY
DISTRICT OF SUDBURY

RECEIVED

DEC 19 1991

BUILDING CONTROL
DEPARTMENT

RECEIVED
DEC 19 1991
BUILDING CONTROL
DEPARTMENT

DENNIS CONSULTANTS
CIVIL ENGINEERS
a division of B. J. Associates Limited
GRATTON TRANSPORT SITE PLAN

SCALE: AS NOTED DATE: AUGUST, 1991
DRAWN: DAN / J.L. JOB NUMBER: 91-933

REVISED 01 - 08 - 12 M
REVISED 01 - 08 - 12 M



PHOTO 1 3160 HIGHWAY 144, CHELMSFORD, MAIN BUILDING ON
SUBJECT LAND CONTAINING OFFICE AND GARAGE BAYS



PHOTO 2 3160 HIGHWAY 144, CHELMSFORD, EASTERLY INTERIOR
SIDE YARD FACING NORTHEAST

701-5/17-10 & 751-5/17-3
PHOTOGRAPHY MAY 3, 2018



PHOTO 3 3160 HIGHWAY 144, CHELMSFORD, VIEW OF WHITSON RIVER FACING EAST



PHOTO 4 3160 HIGHWAY 144, CHELMSFORD, REAR YARD BEHIND MAIN BUILDING FACING WEST

701-5/17-10 & 751-5/17-3
PHOTOGRAPHY MAY 3, 2018



PHOTO 5 3160 HIGHWAY 144, CHELMSFORD, WESTERLY INTERIOR
SIDE YARD



PHOTO 6 3160 HIGHWAY 144, CHELMSFORD, NEW DRIVEWAY
ENTRANCE TO THE SITE OPPOSITE BATHURST STREET

701-5/17-10 & 751-5/17-3
PHOTOGRAPHY MAY 3, 2018



PHOTO 7 3160 HIGHWAY 144, CHELMSFORD, SINGLE DETACHED DWELLINGS OPPOSITE SUBJECT LAND ON SOUTH SIDE OF HIGHWAY



PHOTO 8 3098 HIGHWAY 144, CHELMSFORD, INDUSTRIAL PROPERTY ZONED M1 ABUTTING WESTERLY (FORMER MTO DEPOT)

701-5/17-10 & 751-5/17-3
PHOTOGRAPHY MAY 3, 2018

Planning Justification Report

Official Plan Amendment & Zoning By-law Amendment

3160 HWY 144
PIN 73350-0625
City of Greater Sudbury

Prepared By:



November 2017
#175344

Prepared for:
Denis Gratton Construction Limited

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1.0 Introduction

Tulloch Engineering (TULLOCH) has been retained by Denis Gratton Construction Limited to complete a Planning Justification Report in support of applications for official plan and zoning by-law amendment to redesignate the subject property from Rural to General Industrial, and rezone such property from 'RU' *Rural* to 'M2' *Light Industrial*, for the property known as the E ½ of S ½ Lot 4 Concession 3, being PIN 73350-0625 in the Township of Balfour in the City of Greater Sudbury. This report provides a planning analysis and demonstrates consistency of the applications with relevant planning policy found the 2014 Provincial Policy Statement and the City of Greater Sudbury Official Plan.

2.0 Proposal

The proposed official plan and zoning by-law amendments seek to allow uses that are permitted within the General Industrial designation and M2 Light Industrial zone. At this time, no additional buildings or structures are proposed on the property. The subject applications are to facilitate the more flexible future use of the property for light industrial purposes.

The subject property is currently used as a general construction facility for the purposes of storing trucks and limited materials associated with the activities of a construction company that is involved in private construction, municipal infrastructure, and aggregate transportation projects of both a major and minor scale. An existing contractor shop and ancillary office are currently located on the property, along with a large vehicle storage area for vehicles and heavy equipment associated with the existing construction business.

Significant discussions have been held with the Ministry of Transportation (MTO) regarding access and egress to the property. In the early 1990's an application for official plan amendment and zoning by-law amendment and site plan control to permit a truck dispatch and service centre were made to the then Regional Municipality of Sudbury and Town of Rayside-Balfour. At that time, the only objection to the applications was from the Ministry of Transportation due to the proximity of the existing driveway to the adjacent Whitson River Bridge. Such applications were referred to the Ontario Municipal Board, but the associated hearing was adjourned prior to being heard.

Since that time, discussions have continued between the property owner and the Ministry of Transportation. In February 2017 the MTO provided confirmation of agreement that they had acquired lands along the frontage of the subject property to facilitate the replacement of the Whitson River Bridge on Highway 144 (Appendix 1), and as such the Ministry will issue a commercial entrance permit, construct a new commercial entrance to the property on behalf of the owner and subsequently remove the existing entrance. Given this agreement is now in place, the property owner seeks to move forward with *Planning Act* applications necessary to facilitate the best use of the property.

91.40 182.04 414.91 188.98

(RU)

LOT 4
LOT 3

SUBJECT PROPERTY LIMIT

PCL 7583 S.W.S.
PIN 73350-0625

PART 9

3160 Ontario 144

PCL 19215 S.W.S.
(M1)

ENTRANCE PROPOSED BY MTO

EXIST. CONTRACTOR SHOP BUILDING & OFFICES (APPROX. 720 m² G.F.A.)

PROPOSED HWY 144 R.O.W. LIMIT

EXIST. ENTRANCE TO BE REMOVED

Route 144

Concession 3

Google

3.0 Subject Lands and Surrounding Area

3.1 Subject Lands

The subject lands are located in the City of Greater Sudbury on the north side of Highway 144 directly abutting Whitson River to the east of the property. The subject property is approximately 30 hectares (74 acres) in size. The property is currently used for a contractors shop with related truck and heavy equipment storage and accessory office space.

3.2 Surrounding Area

The surrounding area is characterized by an industrial use (municipal facility), vacant land, and limited residential uses to the south. The subject property is bounded by the following:

- North: Vacant lands zoned 'RU' Rural
- South: Highway 144 and Single Detached Dwellings
- East: Whitson River and the Chelmsford Settlement Area
- West: Municipal depot (zoned M1) and vacant lands

Surrounding Lands (aerial with approximate property boundary)



4.0 Planning Analysis

4.1 Provincial Policy Statement 2014

The 2014 Provincial Policy Statement (PPS) provides provincial policy direction for planning approval authorities in preparing municipal planning documents, and in making decisions on *Planning Act* applications. Municipal Official Plans are to be consistent with the 2014 PPS. Applicable PPS policy to this development proposal is outlined and discussed below.

- "1.1.1 *Healthy, liveable and safe communities are sustained by:*
- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
 - ...
 - d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
 - e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;"*

The subject applications intend to facilitate General Industrial uses on the property. As discussed below, the property currently has full municipal services at the road frontage. While the property is outside of the settlement area boundary, the enhancement of use permissions on a property that has full municipal services and is on an existing highway that is designed for significant truck/industrial traffic promotes the efficient use of a property that will result in enhanced financial wellbeing for the municipality and province. Allowing more flexible uses on the property promotes the financial well-being of the municipality by utilizing such existing services and infrastructure, while minimizing land consumption and servicing costs by enhancing the marketability and potential for further employment uses on a property already used for an employment-generating use. Given the existing situation on the property, the provision of full municipal services and adequate transportation infrastructure to serve future general industrial uses, the subject applications meet the intent of the above PPS policies.

- "1.1.4.1 *Healthy, integrated and viable rural areas should be supported by:*
- ...
 - b) promoting regeneration, including the redevelopment of brownfield sites;*
 - e) using rural infrastructure and public service facilities efficiently;*
 - f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;"*

The subject property is within the rural area (outside of the settlement area), and located on rural lands within the City of Greater Sudbury Official Plan. The establishment of General Industrial uses on the property would facilitate employment opportunities in an area with existing municipal infrastructure and full municipal services that can meet the needs of future industrial uses on the property. Industrial operations that would provide opportunities for significant employment in the rural area (while being directly adjacent to the settlement area of Chelmsford) demonstrates conformity of the applications with the intent of above PPS policies relating to the diversification of the local rural economic base, and appropriate use of existing municipal infrastructure and services. Additional use permissions on the property would also promote future regeneration and development of the property, which otherwise could become a vacant brownfield site adjacent to a settlement area if such flexibility in uses was not established if the current operation ever ceased or relocated in the future.

"1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted."

The subject development is compatible with the rural landscape found in the area of the Whitson River and Highway 144. Any future general industrial uses would be sufficiently screened from neighbouring properties by virtue of the ability to enhance existing landscaping on the property, and by virtue of the existing buffer lands surrounding the property (being the Whitson River to the East, and a property zoned M1 directly to the west). As discussed previously, existing service and infrastructure levels in the area are sufficient to meet the needs of any future General Industrial operation. As such, the subject applications meet the intent of the above PPS policy.

"1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses."

The establishment of General Industrial uses on the property will support further diversification of the local rural economic base, while being appropriate to the unique servicing situation found on the property (being the existing full municipal services in a rural area). This diversification will not impact agricultural lands or other resource-related uses in the area, as the lands have not been identified as Prime Agricultural Lands and no farm operations are in close proximity to the property.

*"1.3.1 Planning authorities shall promote economic development and competitiveness by:
a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;*

b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;

...

d) ensuring the necessary infrastructure is provided to support current and projected needs."

As the property is currently used for a contractor/construction operation, permitting additional General Industrial uses promotes economic development and would provide for an enhanced mix of appropriate employment uses on a fully-serviced property. Providing for additional uses on the property also diversifies the economic base in and around Chelmsford, and would allow the existing and any future businesses to consider establishing diversified employment operations on a property that is in an appropriate location for such uses. As such, the subject applications meet the intent of the above PPS policy.

"1.6.6.1 Planning for sewage and water services shall:

a) direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing:

- 1. municipal sewage services and municipal water services; and*
- 2. private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available;*

...

d) integrate servicing and land use considerations at all stages of the planning process; and

e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5."

The subject property is fully serviced by municipal water and sewer infrastructure. Allowing additional General Industrial uses on the property would facilitate the directing of expected industrial growth and development in a manner that optimizes such existing services. As such, the subject applications meet the intent of the above PPS policies.

"1.7.1 Long-term economic prosperity should be supported by:

a) promoting opportunities for economic development and community investment-readiness;

b) optimizing the long-term availability and use of land, resources, infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities;

...

f) providing for an efficient, cost-effective, reliable multimodal

transportation system that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;"

The subject applications seek to broaden the permitted uses on the property to allow the full range of uses permitted in the General Industrial designation and M2 zone. As stated previously, the intent of these applications is to allow flexibility for future owner/operators in locating a range of operations on a property that is currently used for a construction operation. This envisioned flexibility does by its nature promote opportunities for economic development and community investment-readiness on a property that is directly adjacent to the settlement area of Chelmsford. Such inherent economic benefit, along with the appropriate placement of such economic development opportunities on a location that is fully serviced and has existing appropriate transportation infrastructure at its frontage provides a net economic-benefit to the Municipality. Given the discussed appropriateness of the property for enhanced uses (by virtue of the infrastructure and services available to the property), allowing additional General Industrial uses on the property optimizes the use of the land and promotes investment-readiness in the City of Sudbury in an appropriate location. As such, the subject applications meet the intent of such PPS policy.

"3.1.5 Development shall not be permitted to locate in hazardous lands and hazardous sites where the use is:

...

c) uses associated with the disposal, manufacture, treatment or storage of hazardous substances."

As shown in Appendix 2, the subject property does have limited areas of floodplain lands as a result of its proximity to the Whitson River. Discussions have been held with the Nickle District Conservation Authority regarding the appropriateness of establishing further uses through the subject official plan and zoning by-law amendments on this property. The Authority has expressed no concern with the subject applications, and reiterated that any future structures or site alteration on the property would need to be located outside of the existing floodplain. Given that the establishment of future industrial operations would be required to go through Site Plan Control approval and such Site Plan Control would be an appropriate tool to ensure development stays outside of the regulated floodplain area, the subject applications do not conflict with the above PPS policy regarding restricting development within hazardous lands.

4.2 City of Greater Sudbury Official Plan (2010)

The subject lands are currently designated Rural per Schedule 1c of the Official Plan. However, the subject application for official plan amendment would redesignate the property to a *General Industrial* use. The appropriateness of such a General Industrial designation being applied to the subject lands and the associated Official Plan policies related to General Industrial uses are discussed below.

"4.5.1 General Industrial Policies

1. *Permitted uses may include manufacturing, fabricating, processing and assembling of industrial and consumer products, repair, packaging and storage of goods and materials, and related industrial activities.*
2. *Complementary uses, such as administrative offices, which do not detract from, and which are compatible with, the operation of industrial uses are also permitted.*
3. *General Industrial uses must have minimal environmental impacts. Any use which may impact surrounding areas and cause nuisance will be appropriately buffered and screened.*
4. *Where development occurs in areas that are not fully serviced, only dry industries that generate less than 4,500 litres of wastewater a day may be permitted."*

General Industrial uses are to have minimal environmental impact and must be appropriately buffered/screened from adjacent uses to which the industrial use may cause a nuisance. The surrounding land use and environmental context of the subject property serves well to provide such buffering and screening, by virtue of the Whitson River buffering the property from the settlement area of Chelmsford (and the related residential uses) to the east, while to the west an existing municipal depot (zoned M1) and vacant bush lands would provide appropriate buffering of any future industrial operation from any sensitive uses. Future site plan control applications would be required to facilitate a new operation on the property, at which time appropriate screening could be established to mitigate any impact of the new use on the existing residential lands on the south side of Highway 144.

Regarding environmental impact, there is no expansion of operations on the property proposed at this time. Any future new or expansion to the existing operation would be required to go through site plan control. At such time, City Environmental Planning Initiatives staff would have the opportunity to ensure appropriate setbacks are maintained from any natural features or areas of potential species at risk. Given the site specific ability to adequately screen future general industrial uses from neighbouring sensitive uses and the future ability to mitigate environmental impact through site plan control, the subject applications meet the intent of the above official plan policies.

"5.0 Rural Areas:

Given Greater Sudbury's vast geographic area, a significant proportion of the municipality is comprised of Rural Areas. Although some areas are partially serviced by municipal water, most rural households, businesses and farms rely on private water"

As discussed, the subject property is unique with regards to having existing full municipal services available while being in the rural area. The general intent of having lands designated as Rural is to limit developments to those uses which are appropriate given typical rural service and infrastructure standards. However, as the subject property is fully serviced and directly adjacent to the settlement area of Chelmsford, it is reasonable to conclude that the existing Rural designation on the property is inappropriate and does not meet the intent of Plan policy speaking to the appropriate use of existing municipal infrastructure. Given this conclusion, the application to redesignate the property to General Industrial meets the intent of the overall Official Plan's intent in restricting such industrial uses to areas with full municipal services.

"12.2.2 New Development

Municipal sewer and water services are the preferred form of servicing for all new developments. Municipal sewer and water systems will accommodate all new development, except in unserved or partially serviced areas where different land use and servicing policies apply."

As discussed previously, the subject applications meet the intent of the above Official Plan policy by virtue of the property having full municipal services available at the property frontage.

"16.2.3 In addition to the more detailed discussion of *Economic Development* contained in *Chapter 17.0*, the following policies will apply:

1. Have regard for the City's economic development strategic plan in assessing development applications.

...

4. Where compatible, encourage the location of wealth-creating businesses in close proximity to existing communities."

The prior analysis of Plan policies regarding appropriate buffering of industrial operations from more sensitive uses has demonstrated that the establishment of a broad range of industrial uses on the subject property meets the above compatibility test for locating wealth-creating businesses in very close proximity to an existing community (Chelmsford). No negative impact on surrounding communities or properties has been demonstrated by virtue of existing buffer lands to the east and west being either zoned M1, being vacant and the property being adjacent to the Whitson River. Given that appropriate screening of any future operation from residences to the south

can be enacted through a future site plan control application, and given that Highway 144 already acts as a buffer between the property and such residences, and given such demonstration of compatibility and ability for future operations to be screened, the subject applications meet the intent of the above Official Plan policies.

"17.1

OBJECTIVES

It shall be the objective of Council to:

b. encourage further diversification of the local economy, especially in the value-added sectors that generate new wealth for the community;

...

d. ensure that a full range of infrastructure is in place to support economic development;

...

i. continue the development of Greater Sudbury as the Centre for Northeastern Ontario."

The range of uses permitted within the General Industrial designation and M2 zone will inherently provide for further diversification of the local economy, especially in a sector that generates new wealth for the Greater Sudbury community through the potential for enhanced employment opportunities and wealth generating business expansion in close proximity to areas where such workers would live (i.e. the Chelmsford settlement area). The enhancement of such wealth generating uses on the property utilizes existing municipal infrastructure, and would prevent further expansion of such municipal infrastructure in other non-serviced areas of the City to accommodate other future employment uses. Given the unique circumstances that allow for the diversification of wealth generating uses on a property that is already serviced, and given the potential for future requested uses to continue the 'development of Greater Sudbury as the Centre for Northeastern Ontario' from an employment perspective, the subject applications meet the intent of the above Official Plan policies.

4.3 City of Greater Sudbury Zoning By-law 2010-100Z

The subject lands are currently zoned 'RU' *Rural* in the City of Greater Sudbury Zoning By-law.

The intent of the subject zoning by-law amendment is to establish the lands as an 'M2' *Light Industrial* zone, permitting the suite of uses allowed in such M2 zone. Uses permitted in the M2 zone that are particularly envisioned for the property may include (but may not be limited to):

- Automotive body, service, lube and/or repair shops;
- Building Supply and Lumber Outlets;
- A Commercial or Public Garage;
- A Commercial Self-Storage Facility;

- Contractors Yard;
- Food Processing Plant;
- Garden Centre;
- Gas Bar;
- Heavy Equipment Sales and Rental;
- Home Improvement Centre;
- Modular Building Dealership;
- Recreation Vehicle Sales and Service Establishment;
- Service Trades;
- Transport Terminal;
- Warehouse.

Uses permitted in the M2 zone are appropriate given the unique situation found on the property, such as the provision of full municipal services at the Highway 144 frontage and given that the property directly abuts the settlement area of Chelmsford. The size of the property, surrounding uses and existing extent of site alteration would also permit any new operation to have sufficient buffering from abutting sensitive uses. Any specific standards regarding outdoor storage, screening, landscaping, and buffering of light industrial operations from the existing residential development to the south can be implemented through future applications for site plan control.

5.0 Summary

Given the analysis provided herein, the proposed General Industrial designation and zoning of the property to 'M2' *Light Industrial* is consistent with the goals, objectives and intent of the Provincial Policy Statement and the City of Greater Sudbury Official Plan. The proposal would establish an appropriate form of development in the rural area that can be serviced by existing full municipal services and transportation infrastructure, while being compatible with surrounding uses and the rural landscape. Employment opportunities would be introduced to an appropriate location within the rural area, with opportunities for screening and buffering to mitigate concerns regarding land use compatibility and environmental impacts of any future light industrial operations being possible through a future site plan control application.

Given the above, it is the author's opinion that the subject applications for official plan and zoning by-law amendment represent good planning.

Respectfully submitted,



Kevin Jarus, M.Pl.
Planning Project Manager
Tulloch Engineering

Appendix 1

MTO February 2017 Correspondence

RECEIVED

FEB 24 2017

Ministry of Transportation
Engineering Office
Property Section

Ministère des transports
Bureau du génie
Section des biens immobiliers



Northeastern Region
447 McKeown Avenue, Suite 301
North Bay ON P1B 9S9
Tel (705) 497-6817
Fax (705) 497-5509

Région du Nord-est
447 avenue McKeown, bureau 301
North Bay ON P1B 9S9
Tél (705) 497-6817
Téléc (705) 497-5509

February 21, 2017

Denis Gratton Construction Limited
3160 Highway 144
Chelmsford, Ontario P0M 1L0

Dear Mr. Gratton

**Re: Your entrance to Highway 144 at
3160, Hwy. 144, Chelmsford**

This is to confirm that the Ministry of Transportation has acquired property from you at the above location to facilitate replacement of the Whitson River Bridge on Highway 144, and intends to commence associated construction in June, 2017.

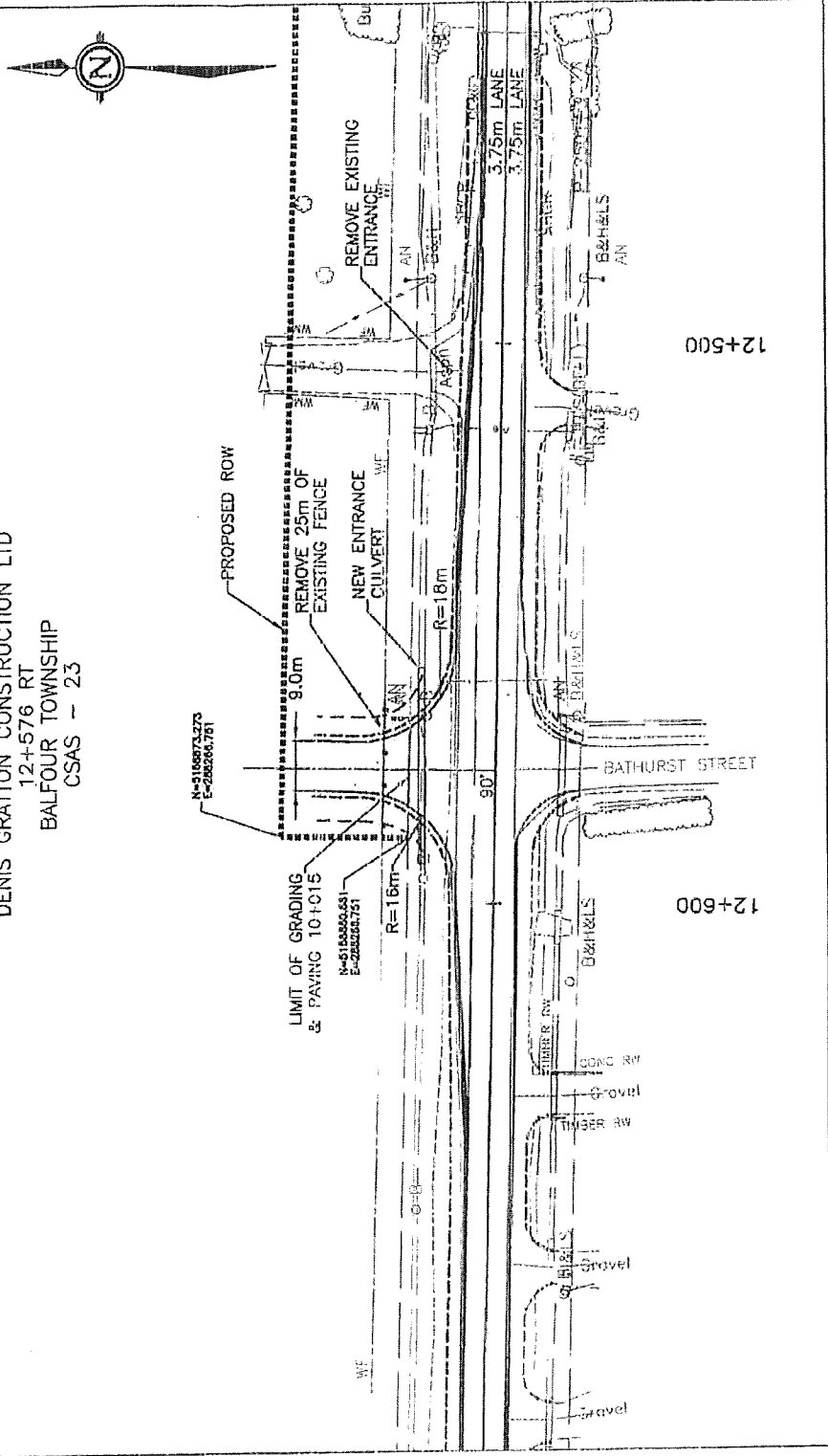
As per our property purchase agreement, as one of the first phases of construction this spring, the Ministry will construct a new commercial entrance to your property as illustrated on the enclosed drawing and will issue a commercial entrance permit for the new entrance. Once the new entrance is in place, the existing entrance will be removed.

If you have any questions, please contact me at the above number or address, or via e-mail at jeff.cole@ontario.ca

Yours truly,

Jeff Cole, Property Supervisor

DENIS GRATTON CONSTRUCTION LTD
12+576 RT
BALFOUR TOWNSHIP
CSAS - 23



Dated at _____ this _____ day of _____, 20____	
Print Name(s) (and position if corporation) _____	
Signature(s) _____	
Witness (where executing party is not a corporation) _____	
MINISTRY OF TRANSPORTATION OF ONTARIO NORTHERN REGION - PLANNING AND DESIGN OFFICE	
COMMERCIAL ENTRANCE CSAS - 23	
W.P. No. 5580-04-00	HWY. No. 144
P.R.	PROJ. MAN. O.D.
LOT 4	CON. 3
T.W.P. BALFOUR	DIST. SUDBURY
DWG. No. 144-01	DATE DEC 2014
REV. 0	SCALE NTS

Appendix 2

Existing Conditions Plan

751-5/17-10

701-5/17-3

RECEIVED

FEB - 7 2018

PLANNING SERVICES

February 2 2018
MARCEL BELANGER
407 Aurora Drive
Chelmsford Ontario
POM 1L0

ET ✓

mm ✓

Eric Taylor
Manager of Development Approvals
Planning Services Division
Box 5008 Station A
Sudbury Ontario P3A5P3

Dear Eric Taylor

This letter is in reference to a letter I received regarding a change of zoning requested by Alexis Gratton Construction Ltd.

My objection to this request is that future expansion to his operations will not only contribute to more noise, but also to poor air quality because of the machinery. I am totally against this change.

Yours Truly
Marcel Belanger

Minutes - August 14, 2018

Denis Gratton Construction Limited - Applications for Official Plan amendment and rezoning in order to permit a contractor's yard with outdoor storage on lands designated and zoned as Rural, 3160 Highway 144, Chelmsford

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

Report dated June 4, 2018 from the General Manager of Growth and Infrastructure regarding Denis Gratton Construction Limited - Applications for Official Plan amendment and rezoning in order to permit a contractor's yard with outdoor storage on lands designated and zoned as Rural, 3160 Highway 144, Chelmsford.

Kevin Jarus, Tulloch Engineering, agent for the applicant, was present.

Mauro Manzon, Senior Planner, outlined the report.

Mauro Manzon, Senior Planner, stated that landscaping or buffering would be included as part of the Site Plan Control Agreement, given the high visibility use on a major arterial road adjacent to a subdivision.

Eric Taylor, Manager of Development Approvals, stated that the landscaping and buffering would be included as part of the Site Plan Control Agreement. He further stated that the earlier submission was processed through the Regional Council in the 1990's. This application never received final approval and was appealed to the Ontario Municipal Board. In this situation the agreement would be registered on title and enforced by the municipality and it would ensure that a building permit was obtained to the satisfaction of the Chief Building Official.

Jason Ferrigan, Director of Planning Services, stated that there are mechanisms to ensure performance and the recommendation states that prior to the by-law being passed, conditions would need to be met and conditional approval would expire on August 14, 2020. If it expires, the applicant would need to reapply and come back to the Planning Committee, at which point the committee could see the progress they have made. He further stated that the use the Site Plan Agreement will ensure that the applicant is in conformity. No by-law would be approved until the applicant clears all of the conditions. The two years allows the conditions to be met and ensure that satisfactory progress has been made. In two years, the committee can decide whether to extend the approval. The application before the Committee today is to approve the uses for the site. The by-law would not be approved until all of the conditions are met and the Site Plan Agreement has been registered on the property. In this particular case, when dealing with conditional re-zoning, the by-law does not get approved until those conditions have been met. When a use exists and a developer wants to get a building permit and is subject to Site Plan approval, it is registered on title. There may be performance issues over time, such as landscaping for example, that have not been completed. Historically they have not performed audits on the Site Plan Agreement to ensure that conditions that were imposed by Council were met and

maintained, however, they are making improvements to the business process for the Site Plan. The first phase of the improvements is to document all of the steps followed for the Site Plan agreement. The second phase of that work, which they have just started using, focuses on efficiencies within the Site Plan process. We plan to work with the corporation and outside expertise to look at the process and improve transparency. Through this process, we will free resources up and additional resources will be available to monitor the existing Site Plan process. In 2019 the final phase will be the land and property management system, which is the business transformation between Building and Planning Services allowing them to automate many functions.

Mr. Jarus stated that in the 1990's, the subject property was part of an Official Plan and Zoning By-law Amendment. There were negotiations with the Ministry of Transportation over the access driveway, which has now been dealt with. When they first applied, they had asked for significant uses and have since scoped this down to ask for existing use only. In the original application it was felt that the property was a good spot for an industrial location, since it is located on a Ministry of Transportation highway. The property has full municipal services, which is unique for a rural property. The owner will go through the Site Plan Agreement process and they would like to see the rezoning process come to a conclusion. He advised that to ensure that the conditions are met, the City requires letters of credit and deposits.

Sylvie and Ronald Fortin, concerned residents, stated that they own the property across the river from the site. They have concerns regarding the noise coming from the property, which happens late at night. They would like them to consider installing a fence along the highway. They are also concerned about snow removal and do not want it placed near the creek as the water will rise and grease or contaminants could leach into the water. They would like to make sure they have set hours and do not do overnight work.

Eric Taylor, Manager of Development Approvals, stated that the snow storage and impacts on the river, grading, drainage and the outdoor storage areas will be dealt with through the Site Plan. The run-off and impacts on the watercourse would be addressed by the Nickel District Conservation Authority. With respect to the noise, the city does have a noise by-law.

Adam Kosnick, Manager of Regulated Services/Deputy City Clerk, stated that by-law 2018-29, section 7 states, "Except as otherwise specifically provided for in this By-law no person shall at any time, make, cause or permit any sound from any of the following activities, during the hours from 9:00 p.m. of one day and 7:00 a.m. of the next following day, if the sound, at the Point of Reception is of a type likely to disturb the inhabitants of the City:

- (a) the loading, unloading, delivering, packing, unpacking or otherwise handing of any containers, products or materials, unless necessary for the maintenance of essential services or the preservation of perishable goods;
- (b) the operation of any manufacturing business;
- (c) the operation of any auto repair shop; or
- (d) Construction Prohibited Fixed Hours.

Section 8 also states that "no person shall at any time, make, cause or permit of any sound from any of the following activities, during the hours from 9:00 p.m. of one day and 7:00 a.m. of the next following day;

(a) the operation of construction equipment or a vehicle or other engine or machine used in connection with construction.

Mr. Jarus stated that a permit regarding the floodplain is required from the Conservation Authority. The Site Plan process would address any concerns with water run-off controls. Buffering would be provided for noise control.

The Chair asked whether there was anyone 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 resolutions were presented:

Resolution regarding the Official Plan Amendment:

PL2018-145 Landry-Altmann/Sizer: THAT the City of Greater Sudbury approves the application by Denis Gratton Construction Limited to amend the City of Greater Sudbury Official Plan to provide a site-specific exception from the policies of Section 5.2.5 concerning Rural Industrial/Commercial uses in Rural Areas in order to permit a contractor's yard with outdoor storage on lands described as Part of PIN 73350-0625, Part of Parcel 7583 S.W.S., Part 1, Plan 53R-20596 in Lot 4, Concession 3, Township of Balfour, as outlined in the report entitled "Denis Gratton Construction Limited" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of August 14, 2018.

YEAS: Councillors McIntosh, Lapierre, Jakubo, Sizer, Landry-Altmann
CARRIED

Amended Resolution regarding the Rezoning Application:

PL2018-146 Landry-Altmann/Sizer: THAT the City of Greater Sudbury approves the application by Denis Gratton Construction Limited to amend Zoning By-law 2010-100Z by changing the zoning classification from "RU", Rural to "RU(S)", Rural Special on lands described as Part of PIN 73350-0625, Part of Parcel 7583 S.W.S., Part 1, Plan 53R-20596 in Lot 4, Concession 3, Township of Balfour, as outlined in the report entitled "Denis Gratton Construction Limited" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of August 14, 2018, subject to the following conditions:

1. That prior to the adoption of the amending by-law, the owner shall address the following conditions:

i) Provide the Development Approvals Section with a registered survey plan outlining the southerly lands to be rezoned to enable the preparation of an amending zoning by-law;

ii) Enter into a Site Plan Control Agreement with the City; and,

iii) Submit a building permit application for the existing building to the satisfaction of the Chief Building Official.

2. That the amending by-law includes the following site-specific provisions:

i) In addition to the uses permitted in the Rural zone, a contractor's yard with outdoor storage shall also be permitted;

ii) Outdoor storage shall be permitted subject to the provisions of Section 4.28, except no outdoor storage shall be located within the designated flood plain;

iii) The use of shipping containers accessory to a contractor's yard shall be permitted; and,

iv) Any additional relief required in order to implement the final site plan.

3. Conditional approval shall lapse on August 14, 2020 unless Condition 1 above has been met or an extension has been granted by Council.

YEAS: Councillors McIntosh, Lapierre, Sizer, Jakubo, Landry-Altmann
CARRIED

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

Presented To:	Planning Committee
Presented:	Monday, Jun 22, 2020
Report Date	Tuesday, May 26, 2020
Type:	Managers' Reports
File Number:	751-6/20-08

Request for Decision

Timestone Corporation - Application to remove the “H”, Holding Designation on lands zoned “H49I(49)”, Holding Institutional Special (Nottingham Avenue, Sudbury)

Resolution

THAT the City of Greater Sudbury approves the application by Timestone Corporation to amend Zoning By-law 2010-100Z by removing the “H”, Holding Designation on lands described as Part of PINs 73576-0116 & 73576-0138, Parts 1 and 2, Plan 53R-21176 in Lot 10, Concession 3, Township of Neelon, as outlined in the report entitled “Timestone Corporation”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 22, 2020, in order to permit a long-term care facility subject to the following condition:

(a) That prior to the adoption of the amending by-law, initial acceptance of the applicable infrastructure has been granted to the satisfaction of the General Manager of Growth and Infrastructure.

Relationship to the Strategic Plan / Health Impact Assessment

The application to lift a holding designation is an operational matter under the Planning Act to which the City is responding. The application contributes towards the goals and objectives of the 2019-2027 City of Greater Sudbury Strategic Plan by enhancing Greater Sudbury’s function as a regional centre of health care and health care innovation.

Report Summary

An application to lift a holding designation applied to lands zoned “H49I(49)”, Holding Institutional Special has been submitted in order to develop a 192-bed long-term care facility at the southerly limit of Nottingham Avenue. The application is recommended for approval provided initial acceptance of the applicable infrastructure is granted prior to the passing of the amending by-law.

Signed By

Report Prepared By

Mauro Manzon
Senior Planner
Digitally Signed May 29, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed May 29, 20

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed May 30, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Jun 4, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Jun 5, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jun 8, 20

Financial Implications

This report has no financial implications as it is recommended to remove a holding designation that will enable the development to continue to proceed as explained in Planning Committee report presented on May 27, 2019 and attached within this report.

This development may be exempt from development charges if the proposed structure will be a long term care home regulated under the Long Term Care Homes Act, 2007 and if exempt from property taxes as explained in the Development Charges By-Law 2019-100. If not, then the development charges would be approximately \$510,000 based on estimated 115,000 square feet based on the May 27, 2019 report with current rates as of the date of this report. This is lower than the May 27, 2019 report due to the new DC By-law approved in 2019 with lower rates for non-residential developments.

Title: Timestone Corporation

Date: May 26, 2020

STAFF REPORT

Applicant:

Timestone Corporation

Location:

Part of PINs 73576-0116 & 73576-0138, Parts 1 and 2, Plan 53R-21176 in Lot 10, Concession 3, Township of Neelon (Nottingham Avenue, Sudbury)

Application:

To amend [By-law 2010-100Z](#) being the City of Greater Sudbury Zoning By-law by removing the “H”, Holding Designation on lands zoned “H49I(49)”, Holding Institutional Special in order to construct a three-storey long-term care facility with 192 beds.

Proposal:

An application was submitted on May 4, 2020 in order to lift a holding designation identified as H49 in Zoning By-law 2010-100Z following extension of the roadway and installation of the necessary infrastructure.

Background:

An application for rezoning was approved by Council in 2019 in order to permit a 192-bed long-term care facility on lands located south of the Scenic View subdivision on Bancroft Drive in Sudbury (Recommendation PL2019-61). The subject site is designated as Living Area 1, which permits neighbourhood-based institutional uses. The development requires the extension of Nottingham Avenue, which forms part of a deemed subdivision. The conditions to rescinding the deeming by-law are outlined under Recommendation PL2012-221.

By-law 2019-119Z was adopted by Council on July 9, 2019 in order to rezone the subject lands to “H49I(49)”, Holding Institutional Special. The following site-specific provisions were applied:

“Notwithstanding any other provision hereof to the contrary, within any area designated I(49) on the Zone Maps, all provisions of this by law applicable to the “I”, Institutional zone shall apply subject to the following modifications:

- (i) The only permitted uses shall be a long-term care facility containing a maximum of 192 beds along with accessory uses that are directly related to the primary use being that of a long-term care facility;
- (ii) The maximum building height shall be three (3) storeys; and,
- (iii) The minimum lot frontage shall be 28 metres.”

A holding designation was applied to the subject land, which shall not be lifted by Council until such time that the following conditions are addressed:

- (i) Municipal water and sanitary services are available to service the development;
- (ii) Public road frontage exists for the lands subject to the Holding symbol.

Title: Timestone Corporation

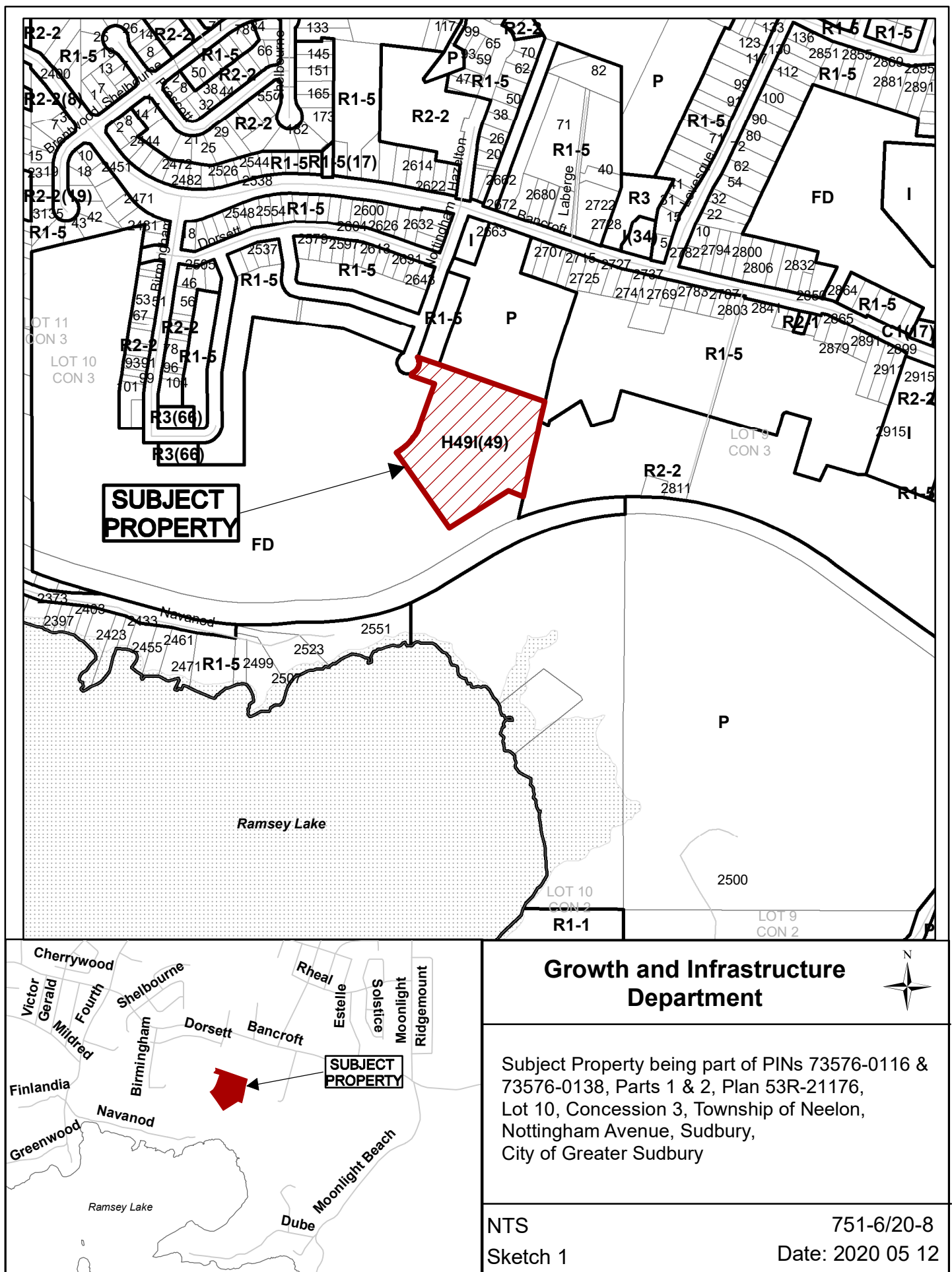
Date: May 26, 2020

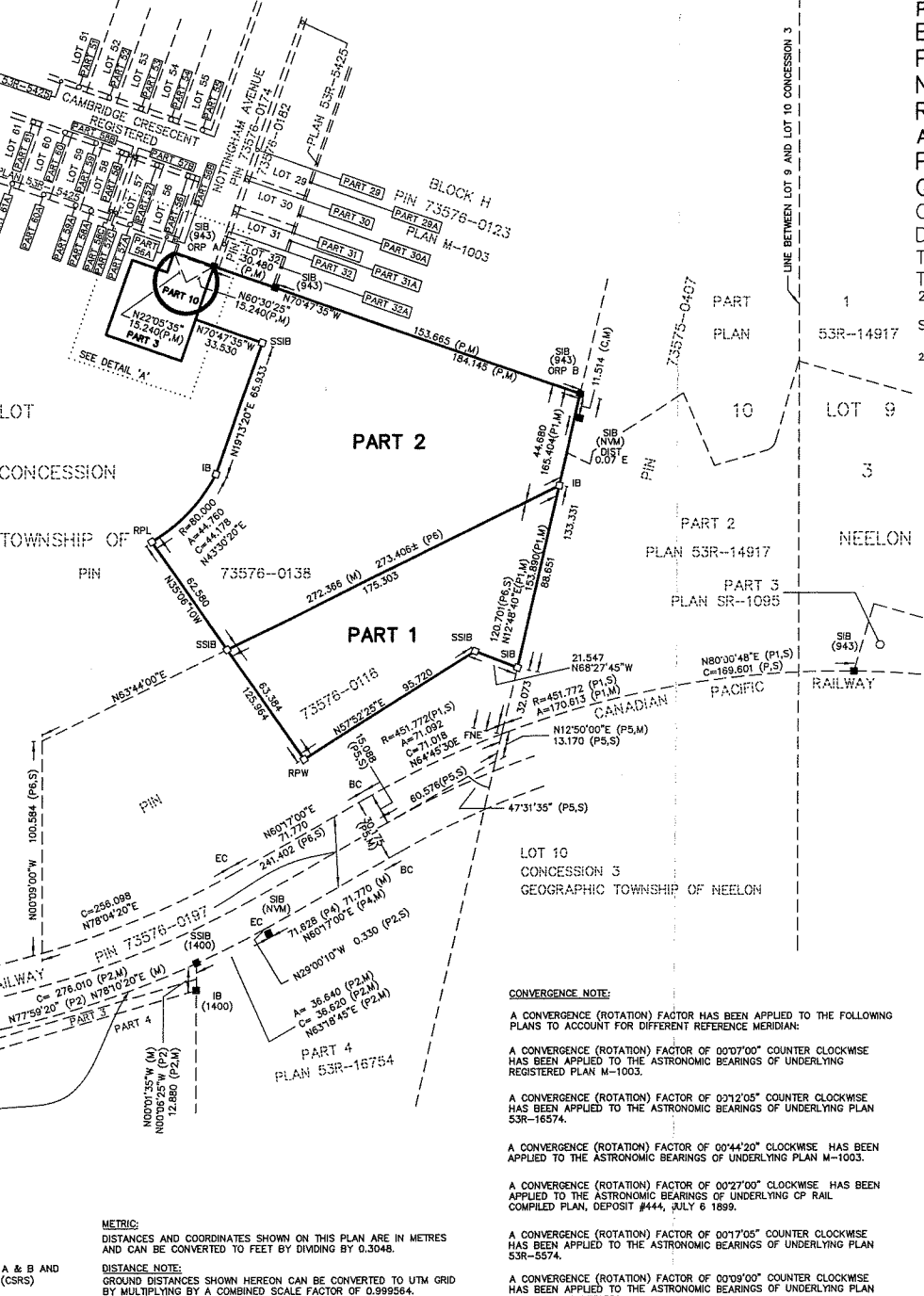
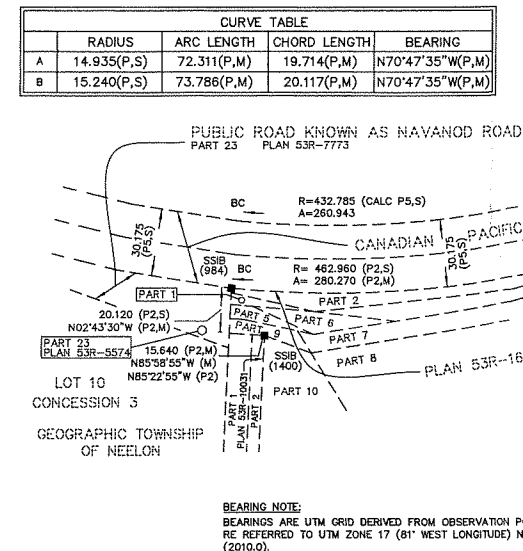
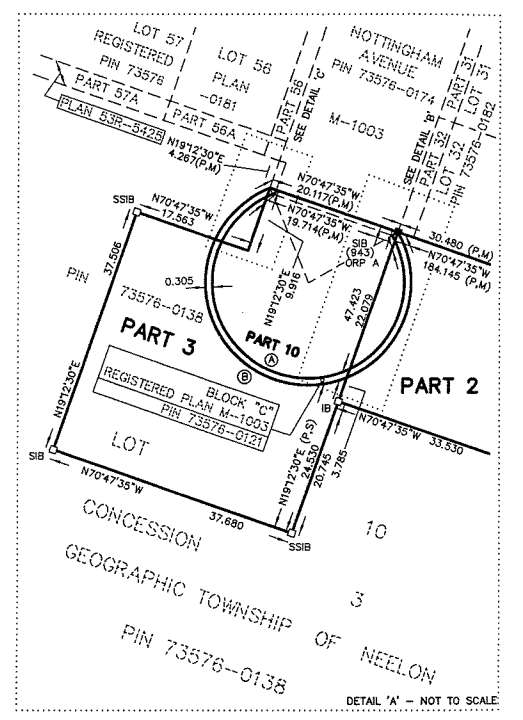
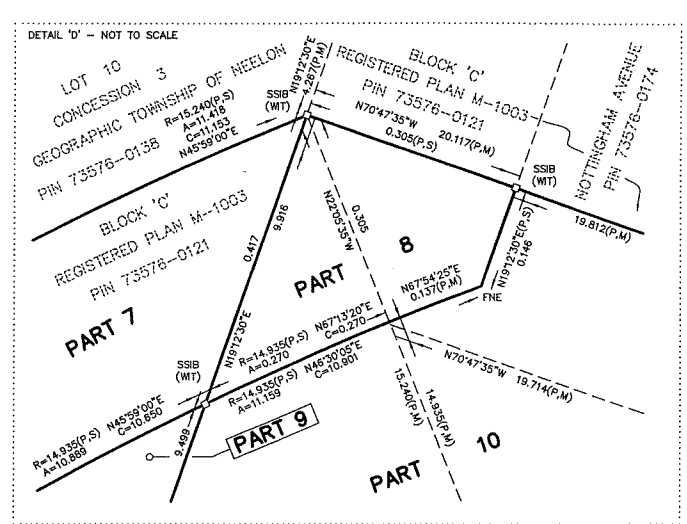
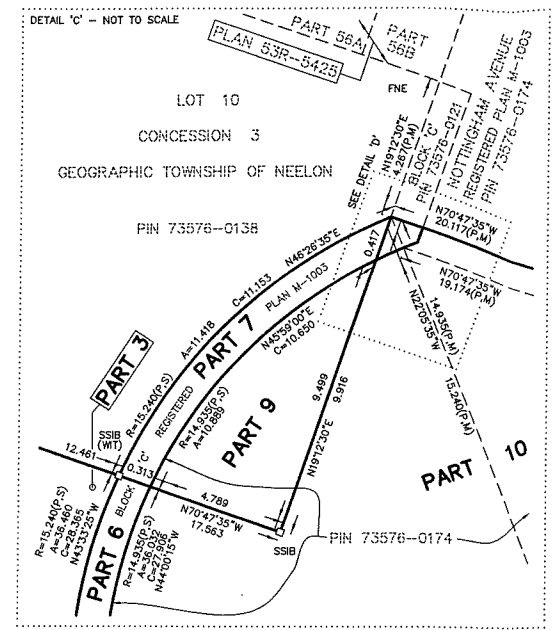
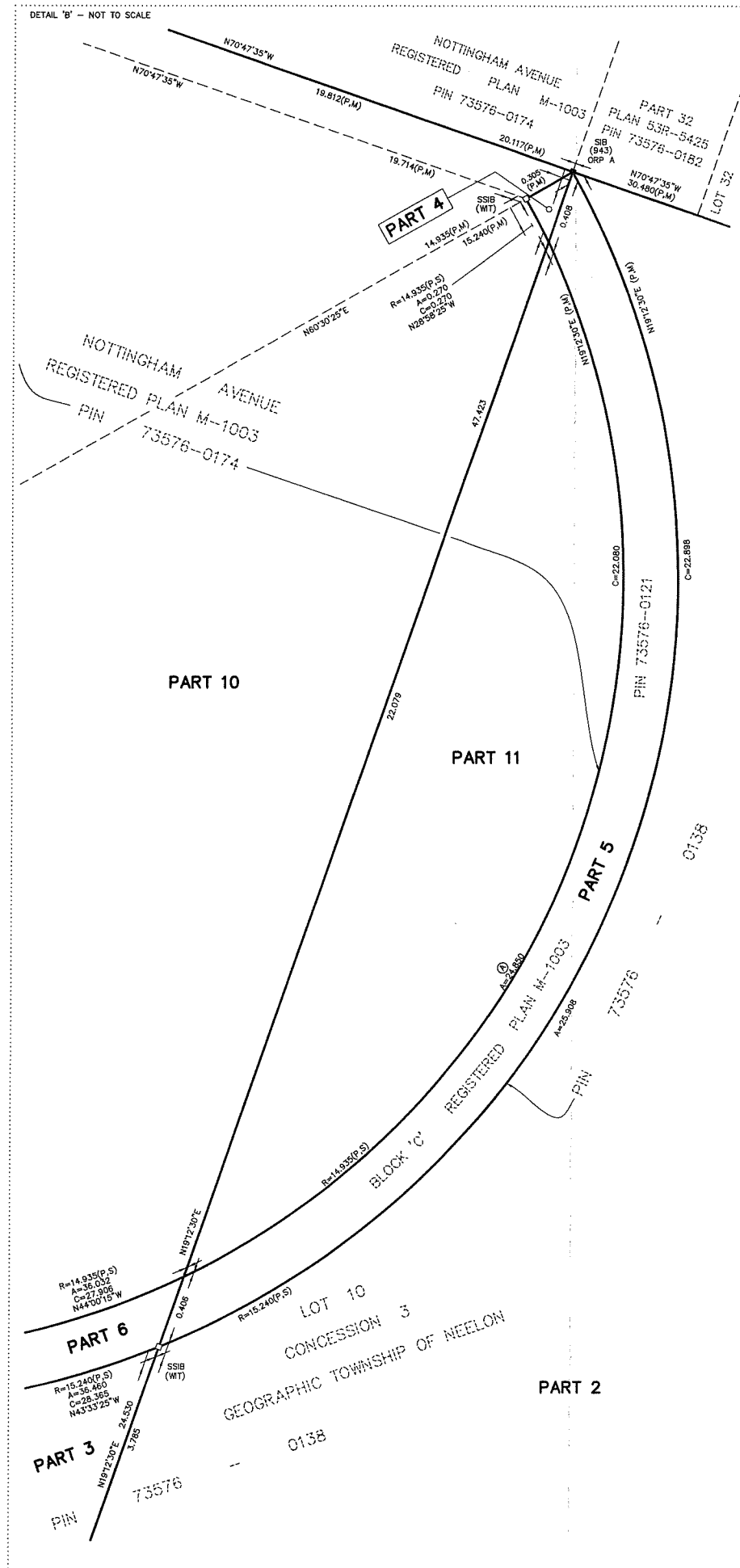
Planning considerations:

In anticipation of the registration of the development agreement for Phase 2 of the Scenic View subdivision, By-law 2020-88 was adopted by Council on May 19, 2020 in order to remove the deeming by-law on the applicable lots and road, being Lots 25 to 32, inclusive, on Plan M-1003, and that portion of Nottingham Avenue located south of Dorsett Drive. The rescinding by-law has no effect until registered on title, which will occur once all the conditions attached to Recommendation PL2012-221 have been addressed.

In regards to the holding provision, site preparation and installation of the necessary infrastructure have advanced to the stage whereby three of the four major infrastructure components have received initial acceptance (watermain, storm sewer, sanitary sewer), with the remaining component (road) forthcoming in June based on the developer's schedule.

It is therefore recommended that the holding provision be lifted; and further, that the amending by-law be adopted once initial acceptance of the applicable infrastructure has been granted to the satisfaction of the General Manager of Growth and Infrastructure.





I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.		PLAN 53R-21176	
JUNE 13, 2019 DATE		RECEIVED AND DEPOSITED June 14, 2019 DATE	
TERRY DEL BOSCO ONTARIO LAND SURVEYOR		"Sylvie Guenette" REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF SUDBURY (No. 53)	
SCHEDULE			
PART	LOT	CONCESSION/PLAN	AREA (m ²)
1			8607 ±
2	PART OF LOT 10	CONCESSION 3	19387 ±
3			1051 ±
4			0.04 ±
5			8 ±
6	PART OF BLOCK 'C'		11 ±
7			3 ±
8		REGISTERED PLAN M-1003	0.09 ±
9			30 ±
10	PART OF NOTTINGHAM AVENUE		551 ±
11			75 ±

PLAN OF SURVEY OF
PART OF
BLOCK 'C' AND
PART OF
NOTTINGHAM DRIVE
REGISTERED PLAN M-1003
AND
PART OF LOT 10 CONCESSION 3
GEOGRAPHIC TOWNSHIP OF NEELON
CITY OF GREATER SUDBURY
DISTRICT OF SUDBURY
TULLOCH GEOMATICS INC.
TERRY DEL BOSCO, O.L.S.
2019



INTEGRATION COORDINATE TABLE			
COORDINATES ARE DERIVED FROM GPS OBSERVATION USING REAL TIME NETWORK (RTN) AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE), NAD83 (CSRS) (2010).			
COORDINATE VALUES ARE TO URBAN ACCURACY IN ACCORDANCE WITH SECTION 14 (2) OF OREG 216/10.			
OBSERVED REFERENCE POINTS	NORTHING	EASTING	
B	5147986.882	506427.072	
B	5147928.339	506800.853	
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH THE CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.			

- LEGEND:
- DENOTES FOUND MONUMENT
 - DENOTES PLANTED MONUMENT
 - SSIB DENOTES STANDARD IRON BAR 0.025 x 0.025 x 1.22
 - IB DENOTES SHORT STANDARD IRON BAR 0.025 x 0.025 x 0.61
 - RB DENOTES IRON BAR 0.015 x 0.015 x 0.90
 - RPL DENOTES ROCK BAR 0.025 x 0.025 x 0.16
 - RPW DENOTES ROCK PLUG 0.015 x 0.015 x 0.07
 - BC DENOTES ROCK PIN AND WASHER
 - EC DENOTES BEGINNING OF CURVE
 - OC DENOTES CONCRETE MONUMENT
 - SCP DENOTES SPECIFIED CONTROL POINT
 - ORP DENOTES OBSERVED REFERENCE POINT
 - PIN DENOTES PARCEL IDENTIFICATION NUMBER
 - M DENOTES MEASURED
 - S DENOTES SET
 - PR DENOTES PROPORTIONED
 - WT DENOTES WITNESS
 - FNE DENOTES FOUND NO EVIDENCE
 - DIST DENOTES DISTURBED
 - NVM DENOTES NO VISIBLE MARKING
 - C DENOTES CALCULATION FROM P & P1
 - P DENOTES REGISTERED PLAN M-1003
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| P97 | P97 | P97 | P97 |
| P98 | P98 | P98 | P98 |
| P99 | P99 | P99 | P99 |
| P100 | P100 | P100 | P100 |

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

(1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

(2) THE SURVEY WAS COMPLETED ON THE 12th DAY OF JUNE, 2019.

JUNE 13, 2019
DATE

TERRY DEL BOSCO
ONTARIO LAND SURVEYOR

TULLOCH
GEOMATICS

1942 REGENT ST. UNIT 1
SUDBURY, ON
P3E 5V5

800-461-1888

DRAWN BY: EM

FILE: 19-2091

BEARING NOTE:
BEARINGS ARE UTM GRID DERIVED FROM OBSERVATION POINTS A & B AND RE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0).

METRIC:
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DISTANCE NOTE:
DISTANCES SHOWN HEREON CAN BE CONVERTED TO UTM GRID BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999564.

Presented To:	Planning Committee
Presented:	Monday, May 27, 2019
Report Date	Monday, May 06, 2019
Type:	Public Hearings
File Number:	751-6/18-20

Request for Decision

Timestone Corporation - Application for Rezoning in order to permit a three-storey long-term care facility to accommodate 192 persons, Nottingham Avenue, Sudbury

Resolution

THAT the City of Greater Sudbury approves the application by Timestone Corporation to amend Zoning By-law 2010-100Z by changing the zoning classification from "FD", Future Development to "HI(S)", Holding Institutional Special on lands described as Part of PINs 73576-0138 & 73576-0116, Part of Parcels 1545 & 4851 S.E.S., in Lot 10, Concession 3, Township of Neelon, as outlined in the report entitled "Timestone Corporation" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on May 27, 2019, subject to the following conditions:

1. That the owner provide the Development Approvals Section with a final plan of survey in order to enact the amending by-law;
2. That the amending by-include the following site-specific provisions:
 - a) The only permitted uses shall be a long-term care facility containing a maximum of 192 beds along with accessory uses that are directly related to the primary use being that of a long-term care facility;
 - b) The maximum building height shall be three (3) storeys;
 - c) The minimum lot frontage shall be 28 metres;
 - d) A Holding symbol which shall not be removed by the Council of the City of Greater Sudbury until the following conditions have been addressed to the satisfaction of the General Manager of Growth and Infrastructure:
 - i) Municipal water and sanitary services are available to service the development; ii) Public road frontage exists for the lands subject to the Holding symbol.

Until such time as the H symbol has been removed, the only permitted uses shall be those legally existing on the date that the amending by-law comes into effect.

Signed By

Report Prepared By

Mauro Manzon
Senior Planner
Digitally Signed May 6, 19

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed May 6, 19

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed May 6, 19

Financial Implications

Jim Lister
Manager of Financial Planning and Budgeting
Digitally Signed May 10, 19

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed May 13, 19

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed May 15, 19

3. That the owner install a fence along the southerly limit of Block H, Plan M-1003 (Dorsett Tot Lot) to the satisfaction of the Director of Leisure Services, to be implemented as part of the Site Plan Control Agreement;
4. Conditional approval shall lapse on June 11, 2021 unless Condition 1 above has been met or an extension has been granted by Council.

Relationship to the Strategic Plan / Health Impact Assessment

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding.

Report Summary

An application for rezoning has been submitted in order to permit a 192-bed long-term care facility on lands located south of the Scenic View subdivision off Bancroft Drive in Sudbury. The development requires the extension of Nottingham Avenue, which forms part of a deemed subdivision subject to Recommendation PL2012-221. The subject site is designated as Living Area 1, which permits neighbourhood-based institutional uses.

A review of the proposal demonstrates conformity with the applicable policies of the Official Plan and consistency with the 2014 Provincial Policy Statement.

A holding designation is recommended in order to address the construction of the necessary infrastructure. The H symbol shall not be removed by Council until such time that municipal sewer and water services are available and public road frontage exists to facilitate access and allow the severance of the subject land from the parent parcel.

Financial Implications

If approved, staff is unable to estimate the increase in taxation revenue, as the an estimated assessment value is not available.

Staff has estimated an increase in development charges revenue of approximately \$1,080,000 based on an estimate of 115,000 square feet of gross floor area and based on the rates in effect as of the date of this report.

STAFF REPORT

Applicant:

Timestone Corporation

Location:

Part of PINs 73576-0138 & 73576-0116, Part of Parcels 1545 & 4851 S.E.S., in Lot 10, Concession 3, Township of Neelon (Nottingham Avenue, Sudbury)

Official Plan and Zoning By-law:

[Official Plan](#)

a. Living Area 1

The subject property is designated as Living Area 1 in the City of Greater Sudbury Official Plan. Within these areas, a range of residential uses and mix of densities are permitted. Applications for rezoning in Living Area 1 are reviewed based on criteria established under Section 3.2.1 of the Plan:

- the suitability of the site;
- proposed density and built form;
- land use compatibility;
- the availability of on-site parking; and,
- the traffic impact on local streets.

Neighbourhood institutional uses are also permitted in Living Area 1, as they are deemed to be appropriate in a residential setting. Such uses include elementary schools, libraries, places of worship, day nurseries, retirement homes and other neighbourhood-based institutions that form an integral part of community life.

b. Institutional uses

Section 4.4 of the Official Plan outlines policies applied to new institutional uses.

In considering the establishment of new institutional uses or the expansion of existing facilities on lands not specifically designated for institutional purposes, Council will ensure that:

- sewer and water services are adequate to service the site;
- adequate traffic circulation can be provided;
- adequate parking for the public is provided on-site;
- public transit services can be provided economically for the site;
- the proposed institutional use can be integrated into the area and is compatible with surrounding uses; and,
- adequate buffering and landscaping is provided.

Smaller scale institutional uses that are compatible with the residential function of

neighbourhoods are not shown on Schedules 1a, 1b and 1c, Land Use Map as Institutional. The precise location of these institutional uses will be determined on a site-specific basis by amendment to the Zoning By-law.

c. Housing policies

The Official Plan also contains policies intended to promote the provision of housing for persons with special needs. Under the Healthy Community provisions of Section 16.2.4 of the Plan, Council shall promote policies that support the growing health care needs of the elderly, such as seniors' apartments, assisted-living complexes and nursing homes (long-term care facilities).

Council has adopted policies to encourage a greater mix of housing types and tenure, as implemented through the Official Plan. In particular, Section 18.2.6 encourages supportive housing which can be integrated into existing neighbourhoods and communities on a scale compatible with neighbourhood design.

[Zoning By-law](#)

The subject land is zoned "FD", Future Development under By-law 2010-100Z. The FD zoning classification is typically applied to lands within settlement areas that are earmarked for future development in conformity with the underlying land use designation in the Official Plan. A single detached dwelling is permitted as an interim use on a legal existing lot zoned FD.

Site Description & Surrounding Land Uses:

The subject property is located approximately 130 metres south of the open portion of Nottingham Avenue in the east end of Sudbury. Municipal sewer and water services will have to be extended to the site as part of the conditions applied to the Scenic View subdivision. Currently the sanitary sewer is approximately 125 metres from the site and the municipal watermain is approximately 105 metres, as measured to the centre of the proposed cul-de-sac.

The existing portion of Nottingham Avenue is classified as a Local Road and is constructed to an urban standard with a sidewalk on the west side. The road will have to be extended to the site along with other services.

Total site area is 2.79 ha, with 28 metres of road frontage proposed where a minimum 30 metres is required for an Institutional use. The unimproved site presents typical local conditions, with significant rock outcrops and varied tree cover including second-growth birch.

The land abuts undeveloped residential lands to the east and west. A public park abuts the northerly limit of the site (Dorsett Tot Lot). The CPR rail corridor is located south of the subject lands.

The lands are located within Ramsey Lake Intake Protection Zone 3 under the Source Protection Plan. The owner submitted an Application for Section 59 Notice under the [Clean Water Act, 2006](#) concurrent with the rezoning.

Application:

To amend By-law 2010-100Z being the City of Greater Sudbury Zoning By-law from "FD", Future Development to "I", Institutional.

Proposal:

An application for rezoning has been submitted in order to permit a three-storey long-term care facility to accommodate 192 persons. The development requires the extension of Nottingham Avenue in conformity with the conditions of approval applied to the Scenic View subdivision by Council under Recommendation PL2012-221 (attached for reference).

As part of a complete application, the owner provided the following background materials in support of the application:

- Noise Feasibility Study, Proposed Long Term Care Facility (HGC Engineering – February 11, 2019)
- Eastern Whip-poor-will Survey, Part of Lot 10 Concession 3, Geographic Township of Neelon (FRi Ecological Services – October 2018 and addendum dated December 11, 2018)
- Comparison of Traffic Generating Characteristics of Nursing Homes Versus Low Density Residential (Tranplan Associates – April 26, 2019)

Departmental/Agency Circulation:

Development Engineering Section has referenced the conditions of approval applied to Scenic View subdivision, which shall be addressed in order to construct the necessary infrastructure to accommodate development on the subject site.

Water/Wastewater Services advised the owner that the site is subject to the Source Protection Plan, including policies applied to the application of road salt and the storage of snow. Drainage Section indicated that an enhanced level of stormwater quality and quantity control will be required at the site plan stage due to the location in the Ramsey Lake watershed.

Traffic and Transportation Section have reviewed the 2012 Traffic Impact Study and the traffic analysis provided as part of this application. No road upgrades are required at this time based on the additional traffic generated by the long-term care facility.

Neighbourhood Consultation:

The statutory notice of the public hearing was provided by newspaper along with a courtesy mail-out to property owners and tenants based on an expanded mailing radius requested by the Ward Councillor.

The applicant was advised of the City's policy recommending that applicants consult with their neighbours, ward councillor and key stakeholders to inform area residents on the application prior to the public hearing.

The owner conducted a public open house between 5 and 7 pm at 20 Hazelton Drive on Thursday, March 7, 2019. The neighbourhood was canvassed in advance of the open house.

As of the date of this report, three (3) written submissions and a petition with 23 names in opposition to the application have been received by Planning Services.

Background:

Access, servicing and public road frontage are to be provided by extending Nottingham Avenue, which forms part of a deemed subdivision abutting to the north. Council's conditions to lifting the deeming by-law are set out in Planning Committee Recommendation PL2012-221 (copy attached).

Planning Considerations:

The land use merits of the proposal are reviewed based on the following considerations:

- Suitability of the site to accommodate the use, including the provision of on-site of parking, the availability of services, and any physical constraints to development;
- Physical compatibility with existing adjacent uses, including proposed built form, residential density, minimum setbacks and the provision of buffering and screening;
- Traffic impacts on the local road network;
- Environmental matters including potential habitat for Species at Risk;
- Potential impact on the abutting public park.

Suitability of site

a) Parking

The current parking standard for a long-term care facility is 0.5 space per bed, plus 1 per 20 m² of net floor area for any accessory use. The parking requirement for a 192-bed facility is 96 parking spaces, including a minimum of 4 barrier-free spaces based on the accessible parking requirements for a hospital or medical office. The application does not indicate any proposed accessory uses.

The rezoning sketch indicates 95 parking spaces, including 7 barrier-free spaces. One additional space is required in order to meet the minimum requirement. Two (2) loading spaces are provided as required under Section 5.6 of the Zoning By-law. No relief has been requested for bicycle parking (24 spaces).

There are no concerns related to the provision of on-site parking and loading. There is sufficient site area to accommodate additional parking if needed and no off-site parking impacts are anticipated.

b) Servicing

The extension of municipal water and sewer services will be required in order to service the

proposed facility. These requirements have been set out under Recommendation PL2012-221, which are the conditions to be addressed prior to rescinding the deeming by-law on the various blocks of lots comprising the undeveloped portion of Scenic View subdivision. Nottingham Avenue will also have to be extended in order to provide public road frontage for the subject land, which is required to provide access and to ultimately sever the land from the parent parcel.

As a condition of approval, it is recommended that a holding provision be implemented until such time that the necessary infrastructure is installed to accommodate development.

c) Physical constraints

The site is sufficiently large to accommodate the proposed development. Lot coverage is approximately 14%, which is well below the maximum of 50% permitted under Institutional zoning. The proposal complies with all applicable zoning standards, with the exception of lot frontage, relief for which is considered minor in nature.

Rock outcrops form the main physical constraint and rock removal will be required. Protocols related to blasting are included in the Scenic View conditions, and will also be addressed as part of the Site Plan Control Agreement. If blasting and rock removal is required prior to the development agreement having been signed, a site alteration permit is required under By-law #2009-170. At minimum a geotechnical report is required, addressing such matters as pre-blast surveys, blasting procedures, damage complaints, and notification of adjacent residences, amongst other matters.

As a general observation, there may be less site alteration required with the long-term care facility compared to a conventional plan of subdivision, which would conceivably extend to the limits of the property if the land was to be subdivided for low density housing.

Land use compatibility

a) Built form

The proposed building height is three (3) storeys, with setbacks that exceed 10 metres from all lot lines. As a result, there are no concerns related to negative visual impacts on existing adjacent uses. The closest dwelling is more than 90 metres away, as measured from lot line to lot line. The facility itself will be set back even further onto the site, with interior side yard setbacks that exceed 36 metres based on the preliminary plan.

The interface with the lots comprising future phases of the Scenic View subdivision will be addressed at site plan stage, and at minimum a planting strip will be required in order to address screening and buffering. In general, the large site affords generous setbacks from the lot lines, which will mitigate the impact on future residential development abutting the site.

In order to address the scale and intensity of use, the following site-specific zoning provisions are recommended:

- The maximum number of long-term beds shall be restricted to 192 beds as proposed;
- The only permitted use shall be a long-term care facility and related accessory uses, to be implemented as an Institutional special zoning; and,
- The maximum building height shall not exceed three (3) storeys.

b) Residential density

Although the long-term care facility may be appropriately viewed as a type of health care facility, it would be useful to have an approximation of residential density. In similar cases, the City has applied a conversion factor to the number of beds based on a ratio of 1 dwelling unit equal to 1.25 beds. This ratio has been utilized for other site-specific zonings including the Finlandia complex. In this case, the conversion results in 154 equivalent to residential units (ERUs).

Based on the above estimate, the residential density is calculated at approximately 55 dwelling units per hectare (du/ha). The resultant density is above the maximum density of 36 du/ha applied to low density subdivisions, but below the maximum density of 90 du/ha permitted for medium density development under the Official Plan.

The intensity of use is considered appropriate based on the location in a built-up residential area that is predominantly low density in character.

c) Noise impacts

The owner submitted a Noise Feasibility Study as part of a complete application due to the proximity to the CP railway line (attached for review). The study recommends alternative means of ventilation for those units with direct exposure to the rail corridor. In addition, upgrades such as brick exterior walls and upgraded glazing are also recommended for these units. The report concludes that the proposed long-term care facility is feasible from a noise impact perspective provided suitable controls are applied to the building design.

Local traffic impacts

The owner commissioned a traffic analysis from Tranplan Associates in order to provide an approximation of the traffic generated by the proposed long-term care facility, with a specific comparison to low density housing, including R1 and R2 housing types.

The results of the analysis are summarized as follows:

- The proposed long-term care facility is expected to generate 33 trips in the morning peak hour, 43 trips in the afternoon peak hour, and 588 trips over a 24-hour period on a typical weekday.
- The long-term care facility would generate more traffic during peak periods compared to 27 single detached dwellings on the site.
- Semi-detached dwellings (assuming 40 units) would generate peak hour traffic volumes that are similar to the long-term care facility.
- The long-term care facility would generate higher total volumes over 24 hours on a typical weekday compared to low density residential uses.

The following additional observations can be made:

- The traffic analysis utilized fairly conservative residential densities as the basis of comparison (i.e., it did not inflate the number of potential R1 and R2 units to obtain better results);
- Residents of long-term care facilities do not drive and most traffic is generated by employees, visitors and occasional deliveries;
- Work shifts at Extendicare facilities typically start/end at 6:45, 14:45 and 22:45 and thus do not coincide with the peak hour of the adjacent street;
- Public transit is available on Bancroft Drive as alternative transportation for employees and visitors (Routes 101 & 102; future Route 7 under Transit Plan);
- A sidewalk is required on the future extension of Nottingham Avenue to provide a safe pedestrian connection to Bancroft Drive;
- Traffic and Transportation Section advised that the increase in traffic generation does not warrant upgrades to existing roads infrastructure including the need for a left-turn lane on Bancroft Drive.

Species at risk

As part of a complete application, the owner submitted a report in order to assess potential habitat for Species at Risk (SAR). In this case, the study is focused on the presence of Eastern Whip-poor-will, which is identified as a threatened species under the [Endangered Species Act, 2007](#).

Field investigations for whip-poor-will were conducted on June 21, July 4 and July 10, 2017 under appropriate conditions. The surveys confirmed the presence of whip-poor-wills to the south and east of the subject property. The estimated calling locations were mapped to provide an approximate territory boundary. The analysis determined that the proposed development does not encroach into Category 1 and 2 habitats and that the development site is approximately 60 metres from the delineated 9 hectare whip-poor-will territory based on MNRF's [general habitat description](#).

The proposal is deemed to conform to the 2014 Provincial Policy Statement as it relates to Section 2.1, Natural Heritage.

Source Protection Plan

The subject property is located within the Ramsey Lake watershed, which is deemed to be a vulnerable area under the Source Protection Plan. As per the Source Protection Plan's salt and snow policies, the owner is advised that a Risk Management Plan may be required for the application of road salt and storage of snow if the exterior parking lot is equal to or greater than one (1) hectare in area. The handling and storage of road salt (0.5 tonnes or greater) is prohibited. For the information of the Committee, the parking area on the preliminary plan is approximately 0.5 ha in area.

The proposal will be reviewed in greater detail at the site plan stage if this application is approved. An Application for Section 59 Notice will also be required at that time.

Dorsett Tot Lot

The Dorsett Tot Lot was conveyed to the City as part of the registration of the Scenic View subdivision in 1974. The lands comprise approximately 21.5% of Phases 1 and 2 of the development (Plan M-1003) and 8% if the entire land holdings were to be included (Plan M-1003 plus Future Development lands to the south).

The existing park has some play structures and a popular sliding hill. Leisure Services indicated that there are no concerns related to any potential impact on the park. The proposed development site is well separated from the areas of park activity. However, in order to better delineate the park boundaries, Leisure Services is requesting a fence along the southerly limit of the park as a condition of approval to be implemented at site plan stage.

The owner is advised that a fence will also be required along the rear lot lines of the deemed lots abutting the westerly limit of the park, to be implemented under the conditions of Recommendation PL2012-221. The fence shall be installed to an appropriate standard to the satisfaction of the Director of Leisure Services.

Official Plan

The proposal presents conformity with Official Plan policies based on the following observations:

- The subject land is located in Living Area 1, which permits neighbourhood-based institutional uses subject to site-specific amendments to the Zoning By-law. This interpretation has been consistently applied by the City to other long-term care facilities and retirement homes;
- The lot is suitable for the proposed use based on the resultant density, built form and availability of on-site parking;
- The intensity of use can be addressed by limiting the number of beds and restricting the building height to three (3) storeys;
- No upgrades to the existing road network are required to accommodate the proposed long-term care facility;
- The proposed institutional use can be integrated into the area while addressing compatibility with existing and future residential uses. There is adequate separation distance from existing dwellings and the setbacks being proposed from the lot lines exceed minimum requirements;
- Public transit is available on Bancroft Drive, an approximate walking distance of 225 metres from the site boundary to the nearest transit stop (approximately 2 to 3 minutes); and,
- The long-term care facility addresses the demand for special needs facilities in the community.

[2014 Provincial Policy Statement \(PPS\)](#)

Under Section 1.1.1 of the PPS, municipalities shall accommodate an appropriate range and mix of residential uses in order to meet long-term needs, including housing for older persons

and institutional uses such as long-term care homes.

The development site is located within the settlement area boundaries of Sudbury, which under Section 1.1.3 shall be the focus of growth and development. Council shall encourage a mix of densities and land uses in order to utilize existing or planned infrastructure.

Under the housing policies of Section 1.4, Council shall provide an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents, including special needs requirements.

The application is consistent with Provincial policies applied to settlement areas and long-term housing needs.

[2011 Growth Plan for Northern Ontario \(GPNO\)](#)

There is no conflict with the GPNO, which contains various policies under Section 3.4.2 aimed at improving access to health care services, which would encompass long-term care facilities and other special needs facilities.

Summary

A holding designation is recommended in order to address the construction of the necessary infrastructure. The H symbol shall not be removed by Council until such time that municipal sewer and water services are available and public road frontage exists to facilitate access and allow the severance of the subject land from the parent parcel.

Planning Services recommends that the application for rezoning be approved subject to the conditions outlined in the Resolution section of this report.

Appendix 1

Departmental & Agency Comments

File: 751-6/18-20

RE: Application for Rezoning – Timestone Corporation
Part of PINs 73576-0138 & 73576-0116, Part of Parcels 1545 & 4851 S.E.S., in Lot 10,
Concession 3, Township of Neelon (Nottingham Avenue, Sudbury)

Development Engineering

This site is not currently serviced with municipal water and sanitary sewer. All associated costs to bringing the services to the lot line would be borne entirely by the owner.

We understand that this site will be subject to a Site Plan Control Agreement and the development of Nottingham Avenue through the conditions to rescind the deeming by-law as set out under Council Resolution PL2012-221, and as such we would comment in detail on the development at that time.

A noise study, geotechnical report, detailed lot grading plan, and stormwater management report are required for this development. The owner shall provide proof of sufficient fire flow and sufficient sanitary sewer capacity. A preliminary analysis of the sanitary sewer system shows that the proposed sanitary flow will contribute to capacity issues on Bancroft Drive. As such, the developer must enter into a cost sharing agreement with the City to deal with these capacity issues. Any required upgrading of the existing water or sewer mains on Nottingham Avenue will be at the developer's expense. A test manhole will be required to be constructed on the sanitary service to the building.

We have no objection to changing the zoning classification from "FD", Future Development to "I", Institutional.

Traffic and Transportation

The Traffic Impact Study conducted in 2012 did not recommend any mitigation measures on Bancroft Drive or the need for a left-turn lane on Bancroft Drive.

The additional traffic generated by the proposed nursing home does not change those conclusions outlined in the 2012 Traffic Impact Study.

Drainage Section

The subject property to be rezoned is located within the Ramsey Lake watershed. A Canadian Pacific Railway culvert exists downstream of the property to convey stormwater across the railway tracks prior to outletting to Ramsey Lake.

At the Site Plan stage, on-site stormwater quantity and quality controls are required. In addition, 20% over-control of the quantity of stormwater from the site is required as the site is within the Ramsey Lake watershed.

Water/Wastewater Services (Source Protection Plan)

No activity or activities engaged in or proposed to be engaged in on the above noted property are considered to be significant drinking water threats at this time. As per the Source Protection Plan's salt and snow policies, the owner is advised that a Risk Management Plan will be required for the application of road salt and storage of snow if the exterior parking lots are equal to or greater than one (1) hectare in area. The handling and storage of road salt (0.5 tonnes or greater) is prohibited.

Building Services

Building Services can advise that we have no objections to this application. For the applicant's information, the development will be subject to a Site Plan Control Agreement.

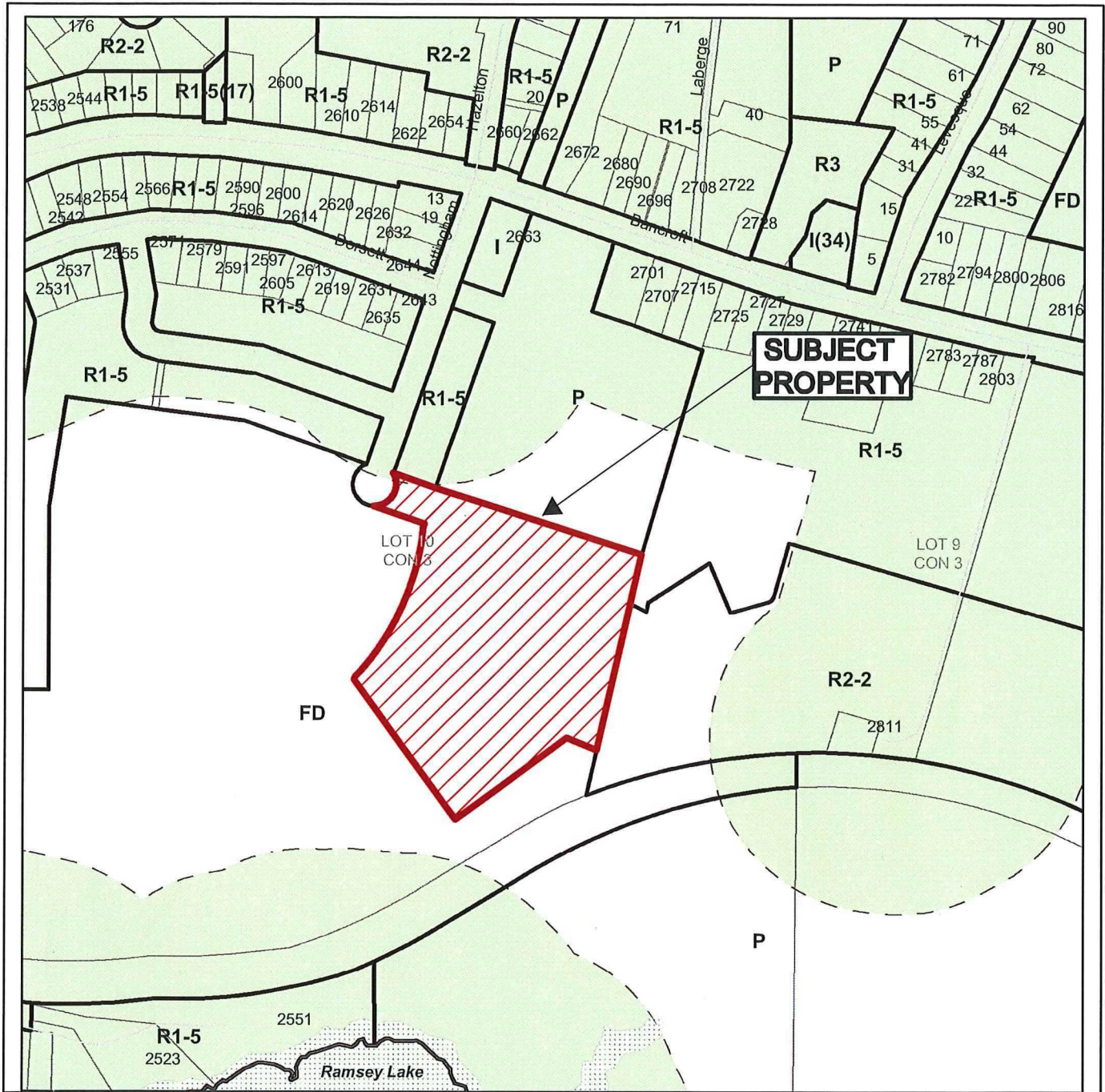
Leisure Services

Please include the requirement for fencing along southerly limit of Dorsett Playground.

Conservation Sudbury

No objection.

Source Protection Plan Map



Growth and Infrastructure Department

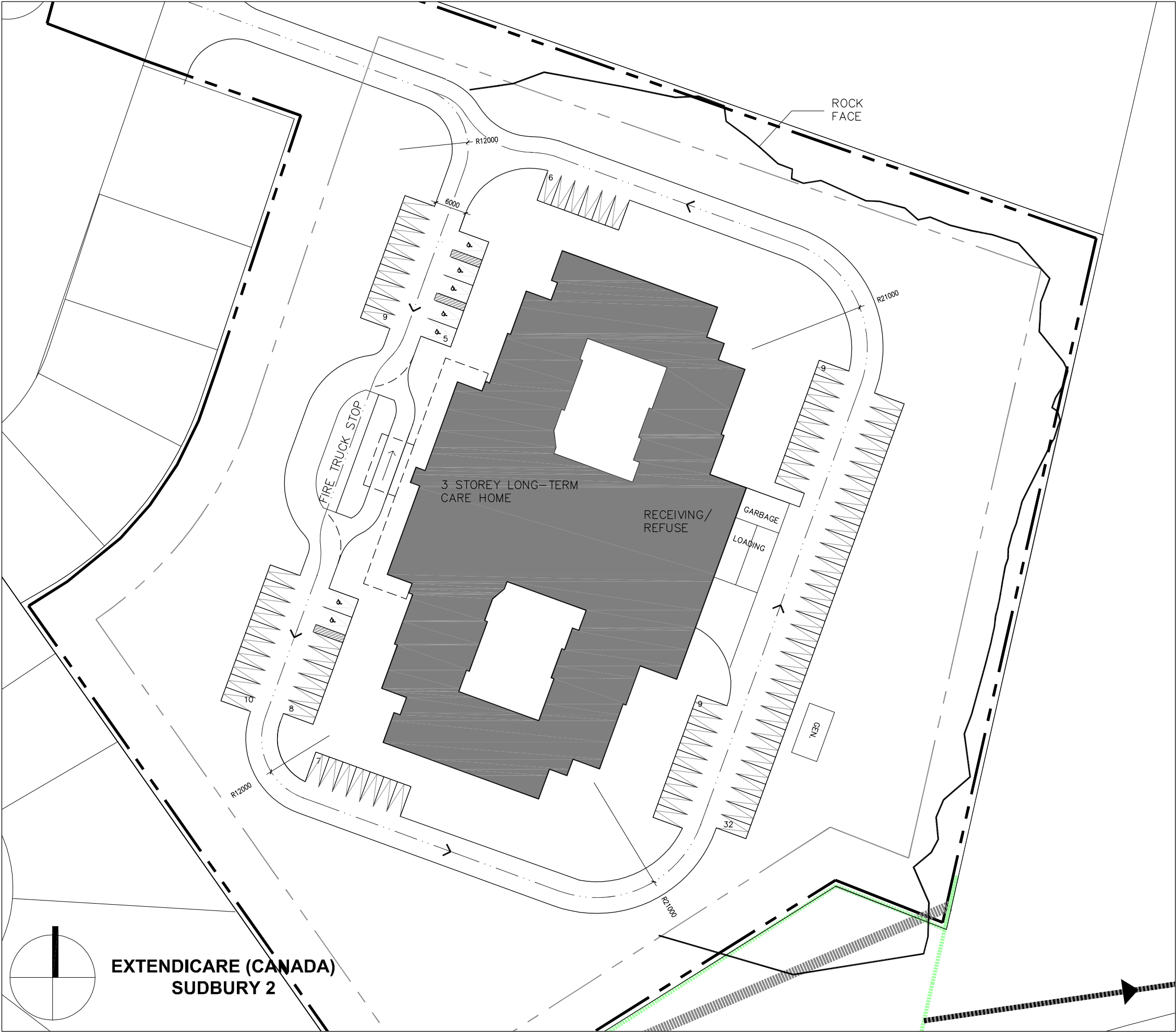


Subject Property being Part of PINs 73576-0138 & 73576-0116, Part of Pcls 1545 & 4851 SES, Lot 10, Concession 3, Township of Neelon, Nottingham Avenue, Sudbury, City of Greater Sudbury

SPP: Ramsey Lake Watershed, IPZ 3

Sketch 1
NTS

751-6/18-20
Date: 2018 12 31



DETAILS OF PROPOSED DEVELOPMENT

SETBACKS

West Lot Line:	9m
South Lot Line:	9m
North Lot Line:	9m
East Lot Line:	9m

STATISTICS

Lot Area	28,630 sq.m
Building Coverage	4035 sq.m
# of LTC Residents	192

PARKING

Parking (Total)	95
Barrier Free Parking	7
Loading Space (9m x 3.6m)	2

EXTENDICARE - SUDBURY 2

OPTION 2

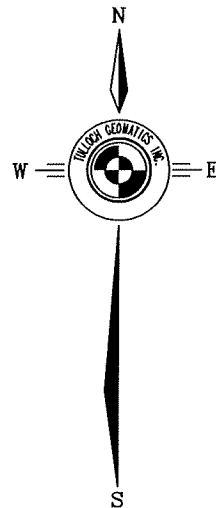
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SK-2

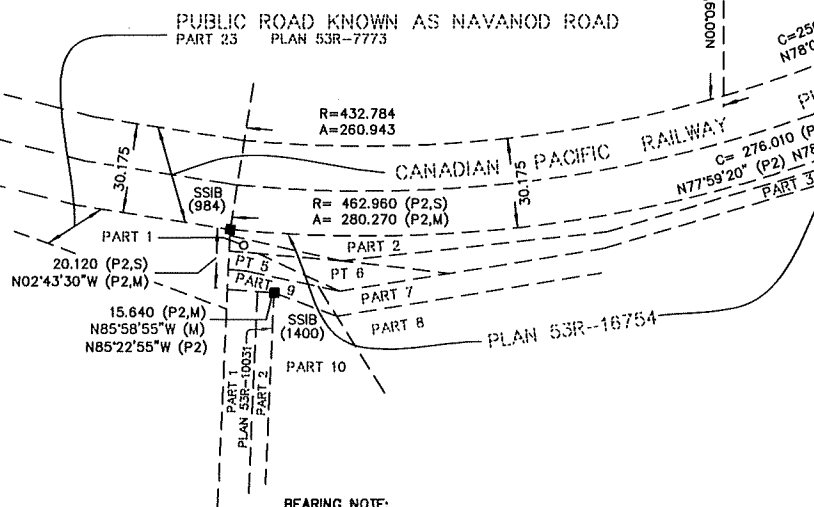
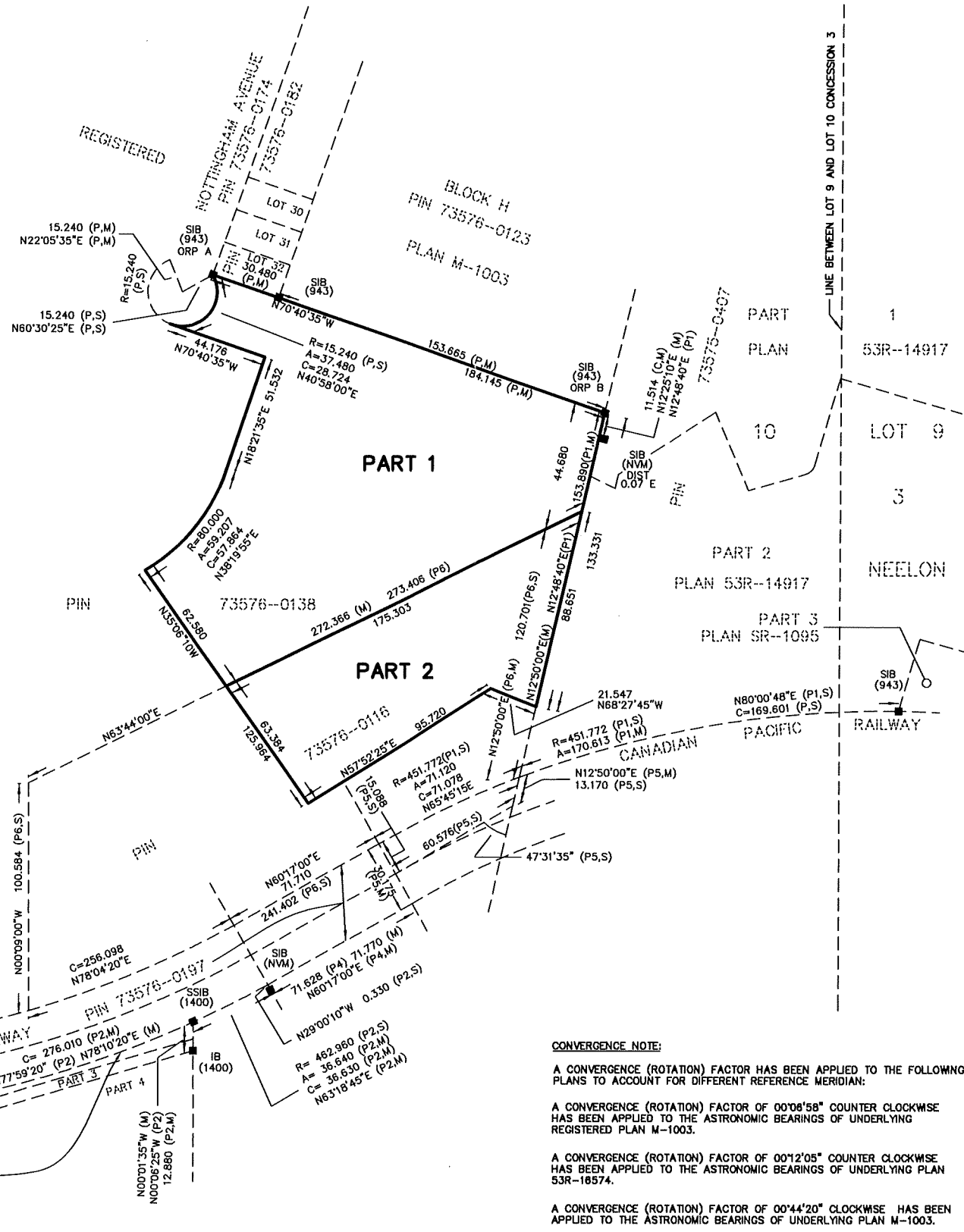
MontgomerySisam



INTEGRATION COORDINATE TABLE		
COORDINATES ARE DERIVED FROM GPS OBSERVATION USING REAL TIME NETWORK (RTN) AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE), NAD83 (CSRS) (2010).		
COORDINATE VALUES ARE TO URBAN ACCURACY IN ACCORDANCE WITH SECTION 14 (2) OF O.REG 216/10.		
OBSERVED REFERENCE POINTS	NORTHING	EASTING
A	5147988.882	506427.072
B	5147928.339	506800.853
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH THE CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		



LOT
CONCESSION
TOWNSHIP OF



BEARING NOTE:
BEARINGS ARE UTM GRID DERIVED FROM OBSERVATION POINTS A & B AND RE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0).

METRIC:
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DISTANCE NOTE:
GROUND DISTANCES SHOWN HEREON CAN BE CONVERTED TO UTM GRID BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.899564.

CONVERGENCE NOTE:

A CONVERGENCE (ROTATION) FACTOR HAS BEEN APPLIED TO THE FOLLOWING PLANS TO ACCOUNT FOR DIFFERENT REFERENCE MERIDIAN:

A CONVERGENCE (ROTATION) FACTOR OF 00°08'58" COUNTER CLOCKWISE HAS BEEN APPLIED TO THE ASTRONOMIC BEARINGS OF UNDERLYING REGISTERED PLAN M-1003.

A CONVERGENCE (ROTATION) FACTOR OF 00°12'05" COUNTER CLOCKWISE HAS BEEN APPLIED TO THE ASTRONOMIC BEARINGS OF UNDERLYING PLAN 53R-16574.

A CONVERGENCE (ROTATION) FACTOR OF 00°44'20" COUNTER CLOCKWISE HAS BEEN APPLIED TO THE ASTRONOMIC BEARINGS OF UNDERLYING PLAN M-1003.

A CONVERGENCE (ROTATION) FACTOR OF 00°27'00" COUNTER CLOCKWISE HAS BEEN APPLIED TO THE ASTRONOMIC BEARINGS OF UNDERLYING CP RAIL COMPILED PLAN, DEPOSIT #444, JULY 6 1899.

A CONVERGENCE (ROTATION) FACTOR OF 00°17'05" COUNTER CLOCKWISE HAS BEEN APPLIED TO THE ASTRONOMIC BEARINGS OF UNDERLYING PLAN 53R-5574.

A CONVERGENCE (ROTATION) FACTOR OF 00°09'00" COUNTER CLOCKWISE HAS BEEN APPLIED TO THE ASTRONOMIC BEARINGS OF UNDERLYING PLAN ATTACHED TO LT31361.

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

PLAN 53R-

RECEIVED AND DEPOSITED

DATE

DATE

TERRY DEL BOSCO
ONTARIO LAND SURVEYOR

REPRESENTATIVE FOR THE LAND REGISTRAR FOR
THE LAND TITLES DIVISION OF SUDBURY (No. 53)

SCHEDULE				
PART	LOT	CONCESSION	PIN	AREA(m²)
1	PART OF LOT 10	3	PART OF PIN 73576-0138	19348 ±
2			PART OF PIN 73576-0116	8599 ±

GEOGRAPHIC TOWNSHIP OF NEELON

PART 1, BEING PART OF PIN 73576-0138
PART 2, BEING PART OF PIN 73576-0116

PLAN OF SURVEY OF
PART OF LOT 10 CONCESSION 3
GEOGRAPHIC TOWNSHIP OF NEELON
CITY OF GREATER SUDBURY
DISTRICT OF SUDBURY
TULLOCH GEOMATICS INC.
TERRY DEL BOSCO, O.L.S.
2018

SCALE 1:1500



LEGEND:

- DENOTES FOUND MONUMENT
- DENOTES PLANTED MONUMENT
- SIB DENOTES STANDARD IRON BAR 0.025 x 0.025 x 1.22
- SSIB DENOTES SHORT STANDARD IRON BAR 0.025 x 0.025 x 0.61
- IB DENOTES IRON BAR 0.015 x 0.015 x 0.90
- RB DENOTES ROCK BAR 0.025 x 0.025 x 0.18
- RPL DENOTES ROCK PLUG 0.015 x 0.015 x 0.07
- CM DENOTES CONCRETE MONUMENT
- SCP DENOTES SPECIFIED CONTROL POINT
- ORP DENOTES OBSERVED REFERENCE POINT
- PIN DENOTES PARCEL IDENTIFICATION NUMBER
- M DENOTES MEASURED
- S DENOTES SET
- PR DENOTES PROPORTIONED
- WT DENOTES WITNESS
- DIST DENOTES DISTURBED
- PT DENOTES PART
- NVM DENOTES NO VISIBLE MARKING
- C DENOTES CALCULATION FROM P & P1
- P DENOTES REGISTERED PLAN M-1003
- P1 DENOTES PLAN 53R-14917
- P2 DENOTES PLAN 53R-16754
- P3 DENOTES PLAN 53R-10031
- P4 DENOTES CP RAIL COMPILED PLAN, DEPOSIT #444, JULY 6, 1899
- P5 DENOTES PLAN 53R-5574
- P6 DENOTES PLAN PLAN ATTACHED TO LT31361
- 943 DENOTES D.W. ENDLEMAN, O.L.S.
- 984 DENOTES M.R. MAHER, O.L.S.
- 1400 DENOTES D.S. DORLAND, O.L.S.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- (1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- (2) THE SURVEY WAS COMPLETED ON THE 12th DAY OF DECEMBER, 2018.

DECEMBER 14, 2018
DATE

TERRY DEL BOSCO
ONTARIO LAND SURVEYOR

	TULLOCH GEOMATICS INC.	
	1942 REGENT ST.	T. 705 671.2295
	UNIT L	F. 705 671.9477
	SUDBURY, ON	800 810.1937
	P3E 5V5	
	mudbury@tulloch.ca	
	DRAWN BY: EM	FILE: 19-2091

Item C-2
Request to Rescind
Deeming By-law 91-
18, Scenic View –
Zulich Enterprises
Limited

Report dated October 16, 2012 was received from the General Manager of Growth and Development regarding a request to rescind Deeming By-law 91-18, Subdivision M-1003, Scenic View, Lot 10, Concession 3, Township of Neelon – Zulich Enterprises Limited.

Rules of Procedure

The Committee unanimously agreed to suspend with the Rules of Procedure, Section 3.02 to hear Councillor Kett, Ward Councillor.

Councillor Kett stated there is a need to improve requirements for holding neighbourhood meetings to be able to resolve the concerns and issues of the residents. He has received confirmation from this developer to hold a neighbourhood meeting; however it was not a requirement of the request to rescind the deeming by-law. He believes these meeting help to lower the concerns of the residents and inform them of the developer's plans. He believes a policy should be set regarding neighbourhood meetings being held for all subdivisions.

The General Manager of Growth and Development stated neighbourhood meetings are a requirement of all subdivision applications; however for deemed developments, it is not a requirement.

The Committee agreed to the request to have all subdivision applications require a neighbourhood meeting prior to the Planning meeting.

PL2012-221 Craig/Bellil: THAT the City of Greater Sudbury approve the request by Zulich Enterprises Limited to rescind Deeming By-law 91-18 on the lands described as Subdivision M-1003, Lots 25 to 32, 45 to 69, and 74 to 106, 110 to 130, and Lot 133, Lot 10, Concession 3, Township of Neelon subject to the following conditions:

1. That prior to the rescinding of the deeming by-law the applicant shall enter into a development agreement(s) with the City of Greater Sudbury, addressing the provision of infrastructure and other improvements, for each phase of the development of the lots to the satisfaction of the General Manager of Growth and Development.
2. That the owner finalize the Tranplan October 2012 Traffic Impact Study and agree to participate in the cost of any upgrades or improvements including the owner to be responsible for the construction of a sidewalk on the existing section of Birmingham Drive between Dorsett Drive and Bancroft Drive to the satisfaction of the General Manager of Infrastructure Services.

ROUTINE MANAGEMENT REPORTS (CONT'D)

Item C-2
Request to Rescind
Deeming By-law 91-
18, Scenic View –
Zulich Enterprises
Limited (cont'd)

3. 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.

4. All streets will be constructed to an urban standard, including the required curbs and gutters.

5. 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.

6. The owner agrees to provide the required soils 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.

7. The owner shall develop a siltation control plan for the subdivision construction period to the satisfaction of the Director of Planning Services, Nickel District Conservation Authority and Fisheries and Oceans Canada.

8. Any streetlights required for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.

ROUTINE MANAGEMENT REPORTS (CONT'D)

Item C-2
Request to Rescind
Deeming By-law 91-
18, Scenic View –
Zulich Enterprises
Limited (cont'd)

9. 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 Development Agreement to ensure that the treatment is undertaken to the satisfaction of the Director of Planning Services.

10. 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, Union Gas, Canada Post and Persona. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.

11. 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.

12. 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. Any and all development charges associated with the sanitary sewer flow directed to the Levesque Lift Station must be paid at the time of the owner entering into the development agreement for the development of the effected lots.

13. The subject phase to be developed will be required to provide a cash contribution in lieu of onsite stormwater management controls and will be required to contribute towards downstream stormwater conveyance and stormwater management control improvements to be completed by the City.

14. The owner is required to construct a stormwater system to inlet stormwater from the rear of the current phase of the development to the existing storm sewer on Dorsett Drive.

15. The property shall require a development agreement and during that process, based on anticipated quantities of removal of rock through blasting, the following conditions will be imposed:

a. The 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.

ROUTINE MANAGEMENT REPORTS (CONT'D)

Item C-2
Request to Rescind
Deeming By-law 91-
18, Scenic View –
Zulich Enterprises
Limited (cont'd)

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 his 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
- Structural stability of exposed rock faces

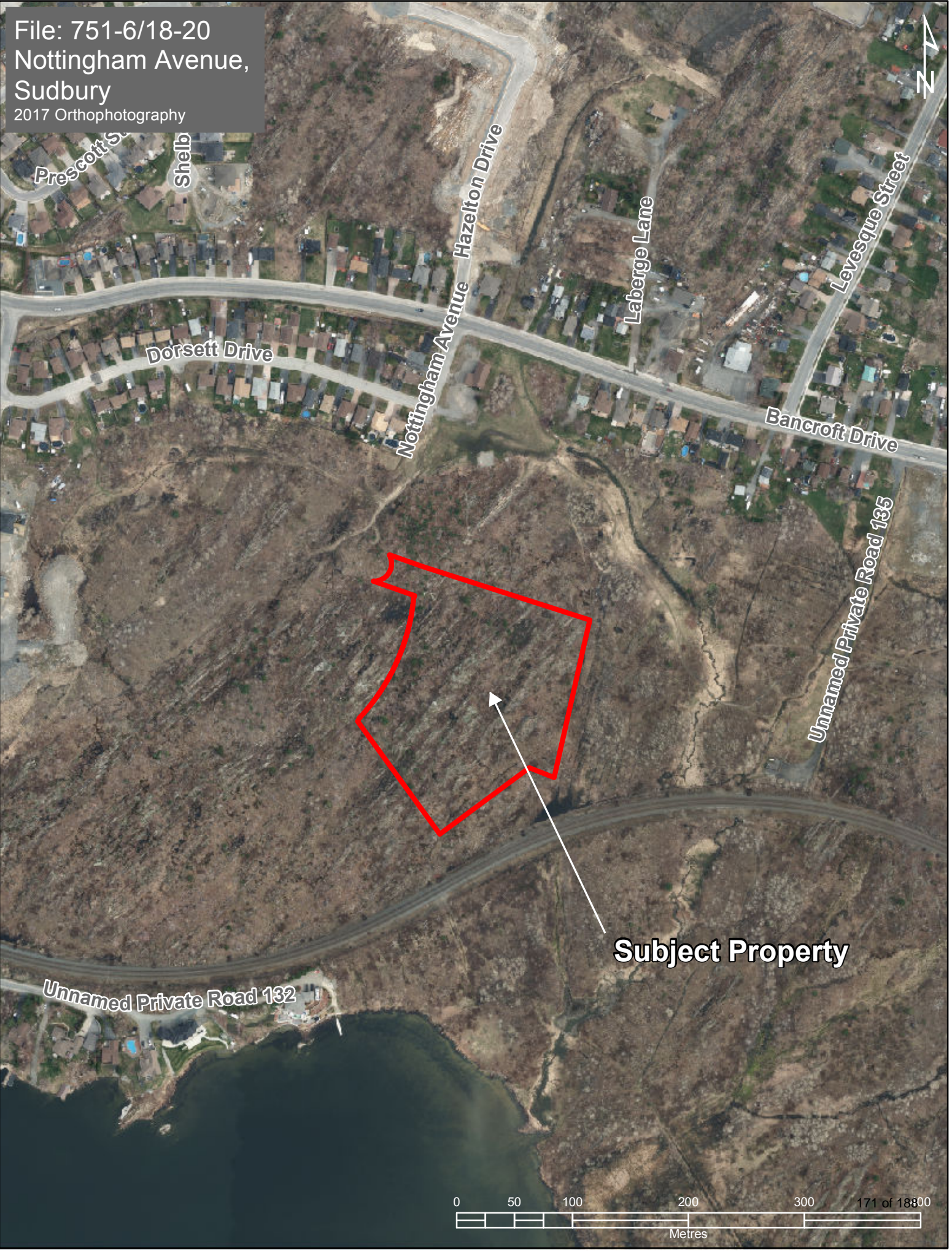
d. The above report shall be submitted for review to the satisfaction of the Chief Building Official prior to the commencement of any removal of rock by blasting.

e. Should the developer's schedule require to commence blasting and rock removal prior to the development 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.

16. Prior to the submission of servicing plans, the owner shall have a stormwater management report and plan prepared, signed, sealed and dated by a professional engineer with a valid certificate of authorization. Said report shall establish how the quantity and quality of stormwater will be managed for the subdivision development and assess the impact of stormwater from this developed subdivision on abutting land, on the downstream storm sewer outlet systems and on downstream

CARRIED

File: 751-6/18-20
Nottingham Avenue,
Sudbury
2017 Orthophotography



Subject Property



Photo 1: Nottingham Avenue, Sudbury
View of Dorsett Tot Lot from street line facing east
File 751-6/18-20 Photography April 17, 2019



Photo 2: Nottingham Avenue, Sudbury
Place of worship at southeast corner of Nottingham and Bancroft
File 751-6/18-20 Photography April 17, 2019



Photo 3: Nottingham Avenue, Sudbury
View of Dorsett Drive facing west from Nottingham intersection
File 751-6/18-20 Photography April 17, 2019



Photo 4: Nottingham Avenue, Sudbury
Single detached dwellings on west side of Nottingham Avenue
File 751-6/18-20 Photography April 17, 2019



Photo 5: Nottingham Avenue, Sudbury
View of sliding hill in Dorsett Tot Lot
File 751-6/18-20 Photography April 17, 2019



Photo 6: Nottingham Avenue, Sudbury
View facing south towards subject land from top of sliding hill
File 751-6/18-20 Photography April 17, 2019



Photo 7: Nottingham Avenue, Sudbury
Location of proposed Nottingham Avenue extension facing south towards
subject land
File 751-6/18-20 Photography April 17, 2019



Photo 8: Nottingham Avenue, Sudbury
View of subject land from general vicinity of proposed cul-de-sac
File 751-6/18-20 Photography April 17, 2019

Connie Rossi - Rezoning of Nottingham Drive

From: [REDACTED]
To: <Mauro.Manzon@greatersudbury.ca>
Date: 4/9/2019 2:33 PM
Subject: Rezoning of Nottingham Drive
Attachments: rezoning petition 2.jpg; rezoning petition 1.jpg

RECEIVED

APR 10 2019

PLANNING SERVICES

Mr. Manzon

Please find attached a petition against the rezoning on Nottingham Drive. I was able to get an answer at 27 homes on Nottingham Dr., Dorsett Dr. and Birmingham Dr. The main concern of these citizens are the increase of traffic to and from the long term care facility. These residents believe that the increased traffic will create a serious safety issue for the children living in this neighbourhood. The shift change times for the long term care facility would coincide with bus pick up and drop off.

Thank you

Diane Deacon

<p>We the residents of Birmingham Avenue, Dorsett Drive, Nottingham Avenue and Bancroft Drive oppose the rezoning of parts of PINs 73576-0138, 73576-0116, Part of Parcels 1545 & 4851 S.E.S., in Lot 10, Concession 3, Township of Neelon (Nottingham Avenue, Sudbury)</p>	
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[illegible]

oppose the rezoning of parts of PINs 73576-0138, 73576-0116, Part of Parcels 1545 & 4851 S.E.S.,
in Lot 10, Concession 3, Township of Neelon (Nottingham Avenue, Sudbury)

Name	Address	Signature
George Denise Malolepszy	2600 Dorsett Dr	Denise Malolepszy
Chris Muccor	2596 Dorsett Dr.	Chris Muccor
Joanette Ken	2590 Dorsett Dr.	Joanette Ken
Rob Vallancourt	2505 Dorsett Dr.	Rob Vallancourt
Gerald Bellarm	2585 Dorsett Dr.	Gerald Bellarm
Nicole Bosse	2613 Dorsett Dr.	Nicole Bosse
Lisa & Andrew Minor	2626 Dorsett Dr.	Lisa Willmott
Stephano Girard	13 Nottingham	Stephano Girard
Angela & Randy Paris	2643 Dorsett Dr	Angela & Randy Paris
David Cuyler	2610 Bancroft Dr	David Cuyler
MATT Brown	2635 Dorsett Dr.	MATT Brown
Chloe Gordon	2537 Dorsett Dr.	Chloe Gordon
Kanis Fatema	2531 Dorsett Dr.	Kanis Fatema
Don Lemieux	2509 Dorsett Dr	Don Lemieux
Darlene Lemieux	2509 Dorsett Dr	Darlene Lemieux
JOHN DEACON	2614 DORSETT DR	John Deacon

Connie Rossi - Application for amendment to zoning by-law from FD to I

From: deacons [REDACTED]
To: <Mauro.manzon@greater.eastlink.ca>, [REDACTED]
Date: 3/14/2019 1:00 PM
Subject: Application for amendment to zoning by-law from FD to I

Mr. Manzon

My name is John Deacon and I reside at 2614 Dorsett Drive, Sudbury

I offer the following comments in regards to an application the city of Greater Sudbury has received from the Timestone Corporation regarding a zoning change along Nottingham Avenue, Sudbury. The application for rezoning is to permit a three storey long term care facility to accommodate 192 persons.

I realize Extendicare's choice of location for this facility would not be of concern to the Planning Department but I must say I am baffled by the choice of a significant rock outcrop near a residential neighborhood, as the best location for this facility. Surely the city of Sudbury or local school boards would have suitable property with much lower costs to develop. Again I realize this is not an issue for discussion.

I have a concern with the increase in traffic on Brancroft Dr. Nottingham Ave. and Dorsett Dr. In the construction phase there will be heavy equipment and trucks hauling rock using Nottingham and Brancroft. As you are aware the city owns 5 acres of Park land adjacent to the proposed site. There is minimal park equipment present but it is still used by children in the neighborhood. So during construction and after completion the increase in traffic will pose a safety concern for children attempting to access the park.

There will most definitely be an increase in traffic if the project is completed. Staff and visitors will experience difficulty turning left from Nottingham onto Brancroft traveling west as there is a hedge along the property on the southwest side of the intersection which obstructs view of vehicles traveling east on Brancroft. This same problem exists in the winter due to snow banks (not just the winter of 18-19). I believe this will result in increased traffic on Dorsett as drivers from the proposed facility will travel on Dorsett to Birmingham and then to the intersection of Birmingham and Brancroft where the site lines are much better. At present there are no sidewalks on Dorsett so an increase in traffic is a safety concern.

I also have a concern with what will happen to the park area. The park equipment although minimal is still used to some extent. There is also a sliding hill which has frequent use during the winter months by neighborhood residents and also nearby residents who drive to this location. Neither of the recreational resources should be impacted in a negative way.

Damage from blasting is also a concern particularly where irreparable damage is caused. From my perspective there is considerable rock to remove.

I am also opposed to having a three storey building, adjacent to a residential area.

I do not speak for anyone else although the concerns I have noted are not mine alone. I do hope some consideration will be given to these concerns in reaching a decision with regards to the previously mentioned application. I also trust that somewhere in this process an environmental impact study will be done.

Sincerely
John Deacon

Connie Rossi - Fwd: File 751-6/18-20 - Timestone Corporation - Long-Term Care Facility

From: Alex Singbush
To: Mauro Manzon; Connie Rossi; clerks
Date: 3/1/2019 11:11 AM
Subject: Fwd: File 751-6/18-20 - Timestone Corporation - Long-Term Care Facility

>>> Rob Vaillancourt [REDACTED] 3/1/2019 9:41 AM >>>

Hello Mr. Singbush:

I have received a notice that an Application for an amend to the law is underway for File 751-6/18-20 to construct a 3 storey long-term care facility at the end of my street.
Can I get a lot more details please.

Our quiet neighbourhood is under constant and disruptive construction now for the past 6.5 years due to building construction and it's only just begun it seems. Phase 1 of 3 has taken 6.5 years to build only 8 or 9 units of the first 17 in the first phase alone. The constant blasting, dust, noise of construction and heavy equipment and disruption to quiet home life is taxing and makes it hard to come home and enjoy peace and quiet.

Now the proposal for a 3 storey -192 bed facility in our quiet residential neighbourhood at the end of my street.....is before the Planning Department / Committee too.

The thought of ambulances, and huge amounts of traffic on our quiet side streets concerns me and my neighbours. No one I have spoken to on our streets are happy with this proposal.

Bancroft Drive is already too congested and with all the new development with homes and the proposed Kingsway Entertainment District also using Brancroft Dr., Levesque St/Second Ave/Third Ave/ Moonlight Beach Road, the amount of traffic will be horrific. I agree that long-term care facilities are required. But I believe that proper planning and a better location out of quiet residential neighbourhoods is a better option.

Looking forward to your reply and helpful comments.

Mr. R. Vaillancourt

Minutes - May 27, 2019

Timestone Corporation - Application for Rezoning in order to permit a three-storey long-term care facility to accommodate 192 persons, Nottingham Avenue, Sudbury

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

Report dated May 6, 2019 from the General Manager of Growth and Infrastructure regarding Timestone Corporation - Application for Rezoning in order to permit a three-storey long-term care facility to accommodate 192 persons, Nottingham Avenue, Sudbury.

John Zulich, Timestone Corporation, the applicant and Peter McConnachie and Keith Clement, Extendicare, agents for the applicant were present.

Mauro Manzon, Senior Planner, outlined the report.

Mauro Manzon, Senior Planner, stated that the background reports they received were based on 192 beds for this application. If the owner wanted to modify this, there is an opportunity to change that which would require an update to the traffic comparative analysis. Generally speaking, when dealing with infill applications, particularly when you have a proximity to sensitive land use such as low density housing, it is normal practice to use site specific zoning which speaks to the scale and intensity of the use. If you look at other long term care facilities, many of those projects are infill so zoning is tailored around what is being proposed.

Jason Ferrigan, Director of Planning Services, stated the Planning Act gives municipalities the added flexibility to provide approval through other applications. If the applicant decided they wanted the number of beds increased to 200 they have the ability to apply for a minor variance application. A larger change to the number of units would require separate rezoning and a separate public hearing. The City's Official Plan designates that the lands and surrounding lands for this area are deemed for residential land uses. The city has the ability to change the rezoning subject to certain external factors including provincial government direction.

Mr. Zulich stated that Timestone Corporation is owned by the Zulich group of properties. They purchased this area which will include a subdivision with 89 lots and there are 50 acres of development land. There is a need for long term care facilities in Sudbury. This particular site was chosen by Extendicare as the best fit, after they looked at ten (10) different sites. It is adjacent to a park, has lake views and is close to public transportation. There is currently institutional uses in the area including a church. On the Nottingham Avenue extension there is a proposed subdivision that will be developed regardless if this application is approved. They received letters of concern regarding traffic and blasting. They commissioned a traffic study which found there would be a limited amount of increased traffic. Once the subdivision on Nottingham Avenue is developed a traffic study will have to happen at that time. Extendicare has indicated that almost none of their residents drive so the increased traffic will solely be staff members. Blasting is a necessary

evil in Sudbury and they will follow all requirements to mitigate any blasting issues. The residential lots for the subdivision will be blasted at the same time as this application so that there will be less disturbance in the future.

Mauro Manzon, Senior Planner, stated that the conditions in terms of necessary upgrades address Birmingham Drive and Nottingham Avenue not Dorsett Drive. With this proposed development there is a requirement to extend the road and provide sidewalks but does not include upgrading the sidewalks on Dorsett Drive. The Traffic and Transportation department did not feel that this was necessary for this application. He advised that signage to calm traffic does not usually have an impact. A better solution may be other traffic calming techniques. This is something that would be looked at with greater detail at the site plan stage. He further stated that they would be hesitant to impose conditions regarding upgrading Dorsett Drive.

Alex Singbush, Manager of Development Approvals, stated that in regards to sidewalks on Nottingham Avenue, part of this application relies on an extension of the subdivision itself, which would be the responsibility of the subdivision developer. Extencicare may have a cost sharing agreement with Timestone Corporation but that is not part of this application.

The Chair asked whether there was anyone 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.

Rules of Procedure

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

PL2019-61 Cormier/Kirwan: THAT the City of Greater Sudbury approves the application by Timestone Corporation to amend Zoning By-law 2010-100Z by changing the zoning classification from "FD", Future Development to "HI(S)", Holding Institutional Special on lands described as Part of PINs 73576-0138 & 73576-0116, Part of Parcels 1545 & 4851 S.E.S., in Lot 10, Concession 3, Township of Neelon, as outlined in the report entitled "Timestone Corporation" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on May 27, 2019, subject to the following conditions:

1. That the owner provide the Development Approvals Section with a final plan of survey in order to enact the amending by-law;
2. That the amending by-law include the following site-specific provisions:
 - a) The only permitted uses shall be a long-term care facility containing a maximum of 192 beds along with accessory uses that are directly related to the primary use being that of a long-term care facility;
 - b) The maximum building height shall be three (3) storeys;
 - c) The minimum lot frontage shall be 28 metres;

d) A Holding symbol which shall not be removed by the Council of the City of Greater Sudbury until the following conditions have been addressed to the satisfaction of the General Manager of Growth and Infrastructure:

- i) Municipal water and sanitary services are available to service the development;
- ii) Public road frontage exists for the lands subject to the Holding symbol.

Until such time as the H symbol has been removed, the only permitted uses shall be those legally existing on the date that the amending by-law comes into effect.

3. That the owner install a fence along the southerly limit of Block H, Plan M-1003 (Dorsett Tot Lot) to the satisfaction of the Director of Leisure Services, to be implemented as part of the Site Plan Control Agreement;

4. Conditional approval shall lapse on June 11, 2021 unless Condition 1 above has been met or an extension has been granted by Council.

YEAS: Councillors Cormier, Landry-Altmann, Sizer, Kirwan, McCausland
CARRIED

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