

Greenwood Subdivision, Sudbury

Presented To:	Planning Committee
Meeting Date:	September 13, 2021
Type:	Referred & Deferred Matters
Prepared by:	Glen Ferguson Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	780-6-07002

Report Summary

This report provides a recommendation regarding a request to extend the draft approval for the Greenwood Subdivision, Sudbury.

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 73578-0515, Part 1, Plan 53R-18272, Part of Lots 11 & 12, Concession 3, Township of Neelon, File # 780- 6/07002, as outlined in the report entitled "Greenwood Subdivision, Sudbury", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on February 19, 2020, upon payment of Council's processing fee in the amount of \$2,418 as follows:

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

"10. That this draft approval shall lapse on November 28, 2022."

2. By adding the following words at the end of Condition #11:

"... A soils caution agreement, if required, shall be registered on title, to the satisfaction of the Chief Building Official and the City Solicitor."

3. By adding the following words at the end of Condition #12:

"... A lot grading agreement, if required, shall be registered on title, to the satisfaction of the Director of Planning Services and the City Solicitor."

4. By deleting Condition #13 entirely and replacing it with the following:

- “13. 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 2 year design storm. The permissible minor storm discharge from the subject development must be limited to the existing pre-development site runoff resulting from a 2 year design storm. Any resulting post development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision;
 - b) The overland flow system within the plan of subdivision must be designed to accommodate and/or convey the major storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City’s 100 year design storm or Regional storm event, whichever is greater, without causing damage to proposed and adjacent public and private properties. The permissible major storm discharge from the subject development must be limited to the existing predevelopment runoff resulting from a 100 year design storm or Regional storm event, whichever is greater. Any resulting post development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision;
 - 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) The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any storm-water management plan;
 - e) 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;
 - f) Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties; and,
 - g) Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted.”

5. By adding a new Condition #35 as follows:

- “35. That in accordance with Section 59(4) of the Development Charges Act, a notice of agreement shall be registered on title to ensure that persons who first purchase the subdivided land after registration of the plan of subdivision are informed, at the time the land is transferred, of all development charges related to development.”

6. By adding a new Condition #36 as follows:

- “36. 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 and Community Energy & Emissions Plan (CEEP)

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

Financial Implications

If approved, staff estimates approximately \$338,000 in taxation revenue, based on the assumption of 52 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 \$920,000 based on the assumption of 52 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 (i.e. roads, water/wastewater linear pipes, etc).

Background

The owner has requested an extension to the draft plan of subdivision approval of the Greenwood Subdivision (File # 780-6/07002) in Sudbury for a period of three years until November 28, 2022. The Planning Services Division is recommending approval of the application.

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. Amendments to the conditions of draft approval where necessary have been identified and are included in the Resolution section of the report.

Staff Report

Applicant:

Dalron Construction Ltd.

Location:

PIN 73578-0515, Part 1, Plan 53R-18272, Part of Lots 11 & 12, Concession 3, Township of Neelon (Greenwood Subdivision, Sudbury)

Application:

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on November 28, 2007. The draft approval was most recently extended by Council on July 11, 2017, until November 28, 2019, for a plan of subdivision on those lands described as PIN 73578-0515, Part 1, Plan 53R-18272, Part of Lots 11 & 12, Concession 3, Township of Neelon. Staff granted a temporary administrative extension to the draft approval on May 28, 2020 in order to ensure agencies and departments had sufficient time to review the request and to have the extension request considered by Planning Committee and a decision ratified by Council.

The owner is also again requesting an amendment to Condition #25 which would reduce the design speed of Greenwood Drive from 60 km/h to 40 km/h at Street "A" as shown on the draft plan of subdivision. The owner has requested a reduction in the design speed in order to reduce the extent of remedial works required on the existing road network.

Proposal:

The owner is requesting that the draft approval conditions for the above noted lands be extended for a period of three years until November 28, 2022 and that Condition #25 be amended as per the request noted above.

Background:

The City received a written request from Dalron Construction Ltd. on September 11, 2019, to extend the draft approval on a plan of subdivision for a period of three years on those lands described as PIN 73578-0515, Part 1, Plan 53R-18272, Part of Lots 11 & 12, Concession 3, Township of Neelon. The draft approved plan of subdivision was initially approved by Council for a total of 52 urban residential lots.

The lots are to be accessed from Greenwood Drive. At the time of writing this report, none of the 52 lots are within the draft approved plan of subdivision have been registered. The draft approval was set to expire again on November 28, 2019 and staff has circulated the request to relevant agencies and departments and is now bringing forward this report to extend the draft approval to November 28, 2022. It is noted that a temporary administrative extension to the draft approval was granted until May 28, 2020 in order to have the extension request considered by Planning Committee and a decision ratified by Council. Staff has also again considered the owner's request to amend Condition #25 and note that when the draft approval was last extended the request was denied by Planning Committee and said denial was ratified by Council.

Departmental & Agency Circulation:

Environmental Planning Initiatives and Operations have each advised that they have no concerns from their respective areas of interest.

Building Services has requested that standard wording with respect to a soils caution agreement be added to the end of Condition #11.

Development Engineering advises that Condition #25 should not be amended as a change to a 40 km/h design speed would require lowering the posted speed below 40 km/h and increase the risk of collision for automobiles on Greenwood Drive turning left into the proposed subdivision. Canada Post has not requested any changes to the draft approval conditions.

Canada Post did however provide a letter which is attached to this report for the owner's information and reference purposes.

Conservation Sudbury has no concerns with the requested extension and has noted that Condition #18 continues to satisfy their requirements with respect to the draft approved plan of subdivision in this instance.

Comments received from the City's Drainage Section will require an amendment to Condition #13 and a new Condition #36, both of which seek to clarify and modernize those storm-water management requirements that are required and associated with the development of the draft approved plan of subdivision.

Active Transportation, Roads, Traffic and Transportation do not support the owner's request to reduce the design speed of the vertical curve to 40 km/h.

Water/Wastewater has advised that the subdivision is located within the Ramsey Lake Intake Protection Zone 3 and that the main concern in this area is salt storage and salt application. Management of salt storage and salt application occurs generally where there is a parking lot (or plowable surface) having a surface area greater than 1 ha (2.47 acres). Water-Wastewater has advised there is likely no concern with respect to the above given the nature of the development being that of a residential subdivision.

Planning Considerations:

Official Plan

Section 19.4.2 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 granted by Council on November 28, 2007, and since that time none of the 52 lots that were draft approved have been registered.

The owner did not provide an update to staff at the time of their extension request with respect to their progress toward registration of all or some of the 52 draft approved lots.

Draft Approval Conditions

Condition #10 should be deleted entirely and replaced with a sentence referring to November 28, 2022, as the revised date on which the subject draft plan approval shall lapse.

Comments received from the City's Drainage Section will require an amendment to Condition #13 and a new Condition #36, both of which seek to clarify and modernize those storm-water management requirements that are required and associated with the development of the draft approved plan of subdivision.

Staff do not recommend any changes be made to Condition #25 with respect to lowering the design speed of Greenwood Drive. Active Transportation, Development Engineering, and Roads, Traffic and Transportation have again reviewed the request and are not supportive of lowering the design speed of Greenwood Drive at Street "A" from 60 km/h to 40 km/h.

Other administrative and housekeeping changes to the draft approval documents have also been included where necessary.

No other changes to the draft approval documents have been requested either by the owner or by circulated agencies and departments. The draft conditions are attached to this report along with a sketch of the draft approved plan of subdivision for reference purposes.

Processing Fees

The owner is required to pay the applicable processing fee in the amount of \$2,418.00. 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 2017-222 being the Miscellaneous User Fees By-law that was in effect at the time the request was made.

Summary:

The Planning Services Division has reviewed the request to extend the subject draft approval and has 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. Staff do not recommend that the design speed of Greenwood Drive at Street "A" on the draft plan of subdivision be reduced from 60 km/h to 40 km/h. Appropriate changes where identified have otherwise 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 draft approval for the Greenwood Subdivision for a period of three years until November 28, 2022, be approved as outlined in the Resolution section of this report.