

Appendix 1 – Agency Comments

Building Services

Building Services has reviewed your memo dated January 9, 2023, regarding the above noted applications and can advise of the following:

1. We have no objection to the proposed Zoning By-law amendment to rezone the R2-2 lands to R1-5 in order to resolve split zoning conditions.

2. The property shall require subdivision agreement, which will require the following conditions to be imposed:

a. An updated soils report prepared by a geotechnical engineer licensed in the Province of Ontario shall be submitted for review to the satisfaction of the Chief Building Official. The report shall provide information on the soils and groundwater conditions within the proposed development. The report is to include design information, anticipated soil bearing pressure and recommended construction procedures for residential building foundations. Included in this report must be details regarding the removal of any substandard soils, the placement of any required engineered fill and the procedures for surcharging and monitoring of settlements. Also, the report must include an analysis illustrating how the groundwater table will be lowered to a level that will not cause problems to adjacent boundary housing and will, in conjunction with the subdivision grading plan, show that basements of new homes will not require extensive foundation drainage pumping.

b. The geotechnical engineer will be required to address On-site and Excess Soil Management as per O. Reg. 406/19.

c. A survey prepared by an OLS Surveyor is to be submitted to indicate the extents and geodetic elevations of any required pre-engineered fill pad.

d. A Soils Caution Agreement may be registered on title to the satisfaction of the Chief Building Official and City Solicitor.

e. A Sound Attenuation Agreement may be registered on title to the satisfaction of the Chief Building Official and City Solicitor.

Canada Post

Service type and location

1. Canada Post will provide mail delivery service to this subdivision through centralized Community Mailboxes (CMBs).

2. Given the number and the layout of the lots in the subdivision, we have determined that 1 CMB(s) will be installed on 1 site(s). I recommend the following: a. Side of lot 1, across from lot 5.

Municipal requirements

1. Please update our office if the project description changes so that we may determine the impact (if any).

2. Should this 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.

Canadian Pacific Railway

Thank you for the recent notice respecting the captioned development proposal in the vicinity of Canadian Pacific Railway Company. The safety and welfare of residents can be adversely affected by rail operations and CP is not in favour of residential uses that are not compatible with rail operations. CP freight trains operate 24/7 and schedules/volumes are subject to change. CP's approach to development in the vicinity of rail operations is encapsulated by the recommended guidelines developed through collaboration between the Railway Association of Canada and the Federation of Canadian Municipalities. The 2013 Proximity Guidelines can be found at the following website address: <http://www.proximityissues.ca/>.

CP recommends that the below condition be inserted in all property and tenancy agreements and offers of purchase and sale for all dwelling units in the proposed building(s): "Canadian Pacific Railway and/or its assigns or successors in interest has or have a railway right-of-way and/or yard located adjacent to the subject land hereof with operations conducted 24 hours a day, 7 days a week, including the shunting of trains and the idling of locomotives. There may be alterations to, or expansions of, the railway facilities and/or operations in the future, which alterations or expansions may affect the living environment of the residents in the vicinity. Notwithstanding the inclusion of any noise and/or vibration attenuating measures in the design of the development and individual dwellings, Canadian Pacific Railway will not be responsible for complaints or claims arising from the use of its facilities and/or its operations on, over, or under the aforesaid right-of-way and/or yard."

Should the captioned development proposal receive approval, CP respectfully requests that the recommended guidelines be followed.

Conservation Sudbury

Conservation Sudbury staff has reviewed the above-noted revised application of the subject lands for rezoning from "R1-5" to "R2-2", Low Density Residential Two to resolve split zoning, and an application for Plan of Subdivision to allow the development of five residential lots for single-detached dwellings, to be accessed via a new municipal road extending from Bancroft Drive.

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

Rezoning

Conservation Sudbury does not oppose the rezoning of 0 Bancroft Drive from "R1-5" to "R2-2" (751-6/21-25).

Plan of Subdivision

Conservation Sudbury has reviewed the material submitted as part of the application for plan of subdivision (CGS file no. 780-6/21001). We have specifically reviewed:

- Sketch showing regulated features and areas, by S.A. Kirchhefer Limited dated November 20, 2022
- Stormwater Management for Proposed Residential Development off Bancroft Drive, by S.A. Kirchhefer Limited, September 2022.
- Geotechnical investigation by Terraprobe, dated October 1, 2022
- Construction Drawings by S.A. Kirchhefer Limited, dated May and September 2022
- Wetland Boundary Delineations memo by AECOM, DRAFT dated August 10, 2022

We have the following comments on these documents:

1. Stormwater Management Report, by S.A. Kirchhefer Limited dated September 2022 shows development within the area of interference (regulated area) adjacent to the wetland, and also proposes to outlet into the wetland. A direct application to Conservation Sudbury, pursuant to Section 28 of the Conservation Authorities Act is required to confirm that interference to the wetland, including hydrological interference, complies with Conservation Sudbury's wetland guidelines (available on our website).

a. Section 28 permit will also be necessary for the placement of fill for the construction of lots adjacent to the wetland.

2. As indicated on the Regulated Features and Areas sketch, Conservation Sudbury pre-consulted on the wetland delineation and is acceptance of the wetland boundary and 12m buffer. A final, sealed copy of the wetland boundary delineations memo is required.

3. Construction drawings legend shows erosion and sediment control measures but they are not clear on the drawings themselves. Please clarify these in the drawings.

4. On the construction drawings, please indicate the wetland boundary and the 12m buffer.

5. Geotechnical investigation report indicates that removal of existing soil may be necessary. Materials that are removed must not be placed in an area regulated by Conservation Sudbury without prior permission from this office.

Conservation Sudbury would like to request that the following conditions be added to the draft plan of subdivision:

1. The owner shall provide to the City, as part of the submission of servicing plans a Sediment and Erosion Control Plan detailing the location and types of sediment and erosion control measures to be implemented during the construction of each phase of the project. Said plan shall be to the satisfaction of the Nickel District Conservation Authority. The siltation control shall remain in place until all disturbed areas have been stabilized. All sediment and erosion control measures shall be inspected daily to ensure that they are functioning properly and are maintained and/or updated as required. If the sediment and erosion control measures are not

functioning properly, no further work shall occur until the sediment and/or erosion problem is addressed.

2. The owner shall obtain a Section 28 permit pursuant to the Conservation Authorities Act from the Nickel District Conservation Authority for all development within 30 metres of the wetland prior to undertaking the proposed works. Following the completion of these works, the Owner shall agree to engage a qualified professional to certify in writing that the works were constructed in accordance with the plans, reports and specifications as approved by the Nickel District Conservation Authority.

3. If dewatering is required, the dewatering plan must be submitted and approved to the satisfaction of the Nickel District Conservation Authority.

Development Engineering

This site is presently serviced with a 150mm diameter municipal watermain, a 600mm diameter sanitary sewer main, and a 400mm diameter sanitary sewer forcemain along an easement on the east boundary of this property. A water and sanitary sewer capacity analysis has shown that there is sufficient sanitary sewer capacity for this development and sufficient fire flows can be obtained provided that the existing undersized watermain within the easement be replaced with a new main from Bancroft Drive southwards through the proposed development.

With respect to stormwater management for this site, there are two City stormwater inlet locations to the property that must be protected. One is a storm sewer outlet at the proposed road connection to Bancroft Drive. This storm sewer must be collected in a storm sewer and brought through the site as it is required with the urbanization on a roadway in this location. The other location is a City storm sewer outlet at the west boundary of the site at the City parkland. The City is amenable to this continuing as surface drainage, provided that a block 18.29 meters (60 feet) wide is centred on the ditch. This will match the protection provided on the ditch upstream past Bancroft Drive.

A stormwater management report and associated plans must be submitted by the Owner's Consulting Engineer for approval by the City. The owner shall be responsible for the design and construction of any required stormwater management works to the satisfaction of the General Manager of Growth and Infrastructure as part of the servicing plans for the subdivision and the owner shall dedicate the lands for stormwater management works as a condition of this development. The stormwater management design must follow the guidelines set out by the Ontario Ministry of Environment Conservation and Parks (MECP) with respect to their Consolidated Linear Infrastructure process with the City's Environmental Compliance Approval (MECP CLI ECA).

A preliminary subdivision design was provided by S. A. Kirchhefer Limited with the application. This design will require modifications to meet the requirements of Council Draft Approval, City standards, and MECP requirements that include, but is not limited to, extension of the storm sewer to Bancroft Drive, City ownership of the drainage ditch from the west, City ownership of the lands for the stormwater management pond, and removal of the cross culvert, ditch, and retaining wall from the road allowance. A detailed review of the details of the preliminary design drawings was not done at this time.

Please include the following Council conditions of draft approval for this development:

1. That the street(s) shall be named to the satisfaction of the Municipality.
2. 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.
3. 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.
4. That the subdivision agreement be registered by the Municipality against the land to which it applies, prior to any encumbrances.
5. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
6. 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.
7. That the owner will be required to enter into a written agreement to satisfy all requirements, financial and otherwise, of the City of Greater Sudbury, concerning the provision of roads, walkways, streetlighting, sanitary sewers, storm sewers, stormwater management facilities, watermains and surface drainage.
8. Draft Approval does not guarantee an allocation of sewer or water capacity. Prior to the signing of the final plan, the Planning Services Division is to be advised by the General Manager of Growth and Infrastructure that sufficient sewage treatment capacity and water capacity exists to service the development.
9. That a sidewalk be constructed on one side of the north/south street with a connection across Bancroft Drive to the existing sidewalk network.
10. That 5% of the land included in the plan of subdivision be dedicated to the City for parks purposes to the satisfaction of the City Solicitor in accordance with Section 51.1 (1) of the Planning Act.
11. 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.
12. That prior to any pre-servicing of the subdivision, the Director of Planning Services shall be advised by the City's Water/Wastewater Division that a sufficient supply of potable

water is available for the proposed development.

13. 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. The geotechnical engineer will be required to address On-site and Excess Soil Management when O. Reg. 406/19 comes into force. A soils caution agreement shall be registered on title, if required, to the satisfaction of the Chief Building Official and the City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement.
14. The owner shall provide a detailed lot grading plan prepared, signed, sealed, and dated by a professional civil engineer with a valid certificate of authorization for the proposed lots as part of the submission of servicing plans. This plan must show finished grades around new houses, retaining walls, sideyards, swales, slopes and lot corners. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties. A lot grading agreement shall be registered on title, if required, to the satisfaction of the Director of Planning Services and the City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement.
15. 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.
16. The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, sidewalks, walkways, storm sewers and related appurtenances to the City of Greater Sudbury Engineering Standards at the time of submission and to meet the requirements of the MECP CLI ECA.
17. 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.
18. The owner shall develop a siltation control plan for the subdivision construction period to the satisfaction of the Director of Planning Services and the Nickel District Conservation Authority.
19. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
20. The owner will be required to ensure that the corner radius for all intersecting streets is to be 9.0 m.

21. As part of the submission of servicing plans, the owner shall have rear yard slope treatments designed by a geotechnical engineer licensed in the Province of Ontario incorporated into the plans if noted as required at locations required by the Director of Planning Services. Suitable provisions shall be incorporated into the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the Director of Planning Services.
22. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Greater Sudbury Hydro Plus or Hydro One, Bell, Enbridge, and Eastlink. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.
23. The owner shall provide proof of sufficient fire flow and maximum day pressures in conjunction with the submission of construction drawings for each phase of construction. All costs associated with upgrading the existing distribution system to service this subdivision will be borne totally by the owner.
24. 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.
25. That prior to the signing of the final plan the Planning Services Division is to be advised by the City Solicitor that conditions 2, 4, 5, 6, 7, and 11 have been complied with to their satisfaction.
26. 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.
27. 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.
28. A stormwater management report and associated plans must be submitted by the Owner's Consulting Engineer for approval by the City. The report must address the following requirements:
 - a. The underground storm sewer system within the plan of subdivision must be designed to accommodate and/or convey the minor storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 2 year design storm. The permissible minor storm discharge from the subject development must be limited to the existing pre-development site runoff resulting from a 2 year design storm. Any resulting post development runoff in

excess of this permissible discharge rate must be controlled and detained within the plan of subdivision;

- b. The overland flow system within the plan of subdivision must be designed to accommodate and/or convey the major storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 100 year design storm or Regional storm event, whichever is greater, without causing damage to proposed and adjacent public and private properties. The permissible major storm discharge from the subject development must be limited to the existing pre-development runoff resulting from a 100 year design storm or Regional storm event, whichever is greater;
 - c. "enhanced" level must be used for the design of stormwater quality controls and 20% over-control of peak flows as defined by the Ministry of the Environment, Conservation and Parks;
 - d. Stormwater management must follow the recommendations of the Ramsey Lake Subwatershed Study;
 - e. The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any stormwater management plan;
 - f. For any runoff generated on site which is to be conveyed through the railway culvert(s), a hydraulic analysis, pre and post, for all the storms including Regional storm event must be conducted. The hydraulic analysis must demonstrate no additional ponding or increased flows are generated under post development conditions.
 - g. The final grading of the lands shall be such that the surface water originating on or tributary to the said lands, including roof water from buildings and surface water from paved areas, will be discharged in a manner satisfactory to the General Manager of Growth and Infrastructure;
 - h. Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties; and,
 - i. Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted.
 - j. The owner shall be responsible for the design and construction of any required stormwater management works to the satisfaction of the General Manager of Growth and Infrastructure as part of the servicing plans for the subdivision and the owner shall dedicate the lands for stormwater management works as a condition of this development.
29. 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.
30. That prior to the signing of the final plan, the owner shall satisfy Canada Post with respect to mail delivery facilities for the site.

Enbridge Gas Inc.

Thank you for your correspondence with regards to draft plan of approval for the above noted project. It is Enbridge Gas Inc.'s request that as a condition of final approval that the

owner/developer provide to Enbridge the necessary easements and/or agreements required by Enbridge for the provision of gas services for this project, in a form satisfactory to Enbridge.

Fire Services

No concerns. Fire services will turn at the cul-de-sac, no hammerhead required for turnaround. Ensure the construction design drawings show hydrant locations, access route / street width, all turn radius, and cul-de-sac dimensions.

Greater Sudbury Hydro

The owner/developer must transfer a three metre (3m) wide easement, to be registered on title to the subject property, to Greater Sudbury Hydro Inc. for that portion of the subdivision that fronts on any existing or proposed road allowances. The Owner/Developer will be responsible for all legal and survey costs associated with this. The owner/developer is also responsible for obtaining/providing a Postponement in favour of Greater Sudbury Hydro Inc's interest with respect to any and all existing Charge/Mortgage/Lien and/or Encumbrance of Land registered on title to this property. The Owner/Development will be responsible for all costs associated with obtaining said Postponement.

Infrastructure Capital Planning

Roads

We note the draft plan for the subdivision includes an intersection to the north of Lot 5. It is understood that this intersection will provide a connection point to the lands to the east.

Transportation & Innovation Support

No concerns.

Active Transportation

No concerns.

Roads Operations

No concerns.

Drainage

No concerns.

Leisure Services

There are no requirements for parkland in the area as per Council-approved parkland provision standards, and 5% cash-in-lieu of parkland is required.

Strategic and Environmental Planning

The report by FRi Ecological Services entitled "Environmental Impact Study, Bancroft Drive" (August 2022) adequately determines that the 5-lot subdivision can proceed with minimal impacts on natural heritage features for which policies apply in the Greater Sudbury Official

Plan, subject to the recommended mitigation measures. In particular, field studies conducted as part of the evaluation conclude that there are no species protected by the Endangered Species Act that are associated with this site or, as it pertains to the Eastern Whip-poor-will, with its immediate surroundings.

As such, the requirements set out in policies of Section 9 of the City of Greater Sudbury Official Plan have been met.

FRi Ecological Services recommends a minimum 30-metre naturally vegetated buffer and development setback on the G142 and G148N wetland areas, but an appropriate setback width will be determined by Conservation Sudbury as part of its Section 28 permit review process.

The following paragraph should be included in the staff report prepared for Council regarding this application: "The owner is solely responsible for ensuring that activities relating to vegetation removal, site alteration and development undertaken on the subject lands do not result in a contravention of the federal Migratory Birds Convention Act or the Ontario's Endangered Species Act."

Transit Services

Transit has no comments on this application.

Water/Wastewater – Sourcewater Protection Plan

NOTICE PURSUANT TO SUBSECTION 59(2)(a) OF THE CLEAN WATER ACT, 2006

You are receiving this Notice because the above referenced address is located in a Vulnerable Area as identified in the Greater Sudbury Source Protection Plan, which came into effect on April 1, 2015.

The Greater Sudbury Source Protection Plan designates that certain activities are considered significant drinking water threats and are prohibited from being established or are regulated and require a Risk Management 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. You may undertake the activity or activities described in your application and proceed to apply for a Building Permit or Planning Approval as they are neither prohibited nor restricted for the purpose of Part IV of the Clean Water Act, 2006.

You are encouraged to review the provincially approved Greater Sudbury Source Protection Assessment Report and Plan, which are comprised of both the scientific basis for identifying significant threat activities as well as the local policies designed to address them. The plan is available online at <http://www.greatersudbury.ca/living/sewer-and-water/source-water-protection/> or a hard copy can be obtained and reviewed from the Source Protection Authority care of Conservation Sudbury.