

Date: November 6, 2019

STAFF REPORT

Applicant:

Dalron Construction Ltd.

Location:

Remainder of Parcel 35336 SES, Lot 5, Concession 1, Township of Garson (Foxborough Subdivision, Garson)

Application:

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on June 15, 1987. The draft approval was most recently extended by Council on October 18, 2016 until November 23, 2019, for a plan of subdivision on those lands described as Remainder of Parcel 35336 SES, Lot 5, Concession 1, Township of Garson.

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 23, 2022.

Background:

The City received a written request from Dalron Construction Ltd. on August 8, 2019, to extend the draft approval on a plan of subdivision for a period of three years on those lands described as Remainder of Parcel 35336 SES, Lot 5, Concession 1, Township of Garson. The draft approved plan of subdivision was initially approved by Council for a total of 161 urban residential lots. The lots are to be accessed from O'Neil Drive East. At the time of writing this report, 58 lots are remaining within the draft approved plan of subdivision which have yet to be registered.

The draft approval is set to expire on November 23, 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 23, 2022. It is noted that the a temporary administrative extension to the draft approval was granted until January 23, 2020 in order to have the extension request considered by Planning Committee and a decision ratified by Council.

Departmental & Agency Circulation:

Active Transportation, Development Engineering, Environmental Planning Initiatives, Operations, and Roads, Traffic and Transportation 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 #18. It has also been requested that the City's standard blasting conditions be added to the conditions of draft approval.

Canada Post has no 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.

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Conservation Sudbury has no concerns with the requested extension and have noted that Condition #24 continues to satisfy their requirements with respect to the draft approved plan of subdivision in this instance.

The City's Drainage Section has requested that Condition #20 be deleted entirely and replaced with a more detailed description of the required storm-water management work that is required in order to develop the next phase of the draft approved plan of subdivision. A new Condition #36 is also being recommended in order to properly address the City's Drainage Section concerns.

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 June 15, 1987, and since that time 103 lots out of the 161 lots that were draft approved have been registered. The last phase of the subdivision included 18 lots and was completed on October 4, 2018 as described on Registered Plan 53M-1353 A copy of Registered Plan 53M-1353 is attached to this report for reference purposes.

The owner did not provide an update at the time of their extension request with respect to their progress on the remaining 58 draft approved lots.

[Draft Approval Conditions](#)

Condition #13 should be deleted entirely and replaced with a sentence referring to November 23, 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 #20, which seeks to clarify and modernize those storm-water management requirements that are required and associated with the development of the draft approved plan of subdivision.

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.

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Processing Fees

The owner is required to pay the applicable processing fee in the amount of \$2,539.00. 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 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. 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 recommends that the application to extend draft approval for the Foxborough Subdivision for a period of three years until November 23, 2022, be approved as outlined in the Resolution section of this report.