

Request for Decision

Application to extend draft plan of subdivision approval, Cavdon Subdivision, Black Lake Road, Lively – Cavdon Developments Ltd

Presented To:	Planning Committee
Presented:	Monday, Jan 26, 2015
Report Date	Monday, Jan 12, 2015
Type:	Routine Management Reports
File Number:	780-8/95006

Recommendation

THAT the City of Greater Sudbury, upon payment of Council's processing fee of \$2,575.00, amend the conditions of draft approval for the draft plan of subdivision on those lands known as PIN 73375-0863, Part of Parcels 1880 & 416, Part of Lot 6, Concession 4, Township of Waters, File #780-8/95006, as follows:

a) By deleting the words "City of Greater Sudbury Public Works Department" and replacing them with "General Manager of Infrastructure Services" in Condition #10.

b) By deleting the words "Public Works" and replacing them with "Infrastructure Services" in Condition #13.

c) By deleting Condition #21 and replacing it with the following:
"21. That this draft approval shall lapse on December 31, 2017."

d) By deleting Condition #25 and replacing it with the following:

"25. 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, 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. 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

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed Jan 12, 15

Reviewed By

Eric Taylor
Manager of Development Approvals
Digitally Signed Jan 12, 15

Recommended by the Division

Mark Simeoni
Acting Director of Planning Services
Digitally Signed Jan 12, 15

Recommended by the Department

Paul Baskcomb
Acting General Manager of Growth & Development
Digitally Signed Jan 12, 15

Recommended by the C.A.O.

Doug Nadorozny
Chief Administrative Officer
Digitally Signed Jan 12, 15

foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services.”

e) By adding a new Condition #30 as follows:

“30. Prior to any vegetation removal or other site alteration on the subject lands, the owner shall consult with the Ministry of Natural Resources 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 MNR under the Endangered Species Act have been satisfied.”

f) By adding a new Condition #31 as follows:

“31. All streets will be constructed to an urban standard, including the required curbs and gutters, and sidewalks.”

g) By adding a new Condition #32 as follows:

“32. 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.”

h) By adding a new Condition #33 as follows:

“33. The owner shall provide proof of sufficient sanitary sewer capacity in conjunction with the submission of construction drawings for each phase of construction. All costs associated with upgrades to the downstream works required to service this subdivision will be borne totally by the owner.”

i) By adding a new Condition #34 as follows:

“34. As part of the submission of servicing plans, the owner shall have rear yard slope treatments designed by a geotechnical engineer licensed in the Province of Ontario incorporated into the lot grading plans if noted as required at locations required by the Director of Planning Services. Suitable provisions shall be incorporated into the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the Director of Planning Services.”

STAFF REPORT

Applicant:

Cavdon Developments Ltd.

Location:

PIN 73375-0863, Part of Parcels 1880 & 416, Part of Lot 6, Concession 4, Township of Waters (Black Lake Road, Lively)

Application:

To extend the draft approval conditions which were approved originally by Council on October 30, 1995 and are set to expire on March 31, 2015, for a draft plan of subdivision on those lands known as PIN 73375-0863, Part of Parcels 1880 & 416, Part of Lot 6, Concession 4, Township of Waters.

Proposal:

The applicant is requesting that the draft approval conditions for the above noted lands be extended for a period of three years until December 31, 2017.

Background:

The City received a request from Cavdon Developments Ltd. on October 7, 2014 to extend draft approval on a plan of subdivision for a period of three years on those lands described as PIN 73375-0863, Part of Parcels 1880 & 416, Part of Lot 6, Concession 4, Township of Waters. The subject draft plan approval of a plan of subdivision is for 73 single-detached dwelling lots. The lots are to be accessed from Black Lake Road.

The previous draft approval extension was granted by Council on March 26, 2013 and following a recent temporary extension the approval is set to expire again on March 31, 2015. The request from Cavdon Developments Ltd. is to extend their draft approval for a period of three years until December 31, 2017. Staff has circulated the request to relevant agencies and departments for comment and is now bringing forward this report to extend the draft approval.

Departmental & Agency Comments:

Building Services

No concerns.

Development Engineering

No concerns. Please make the following changes to the draft approval document:

1. Please delete Condition 25 and replace it with the following:
 - 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.
2. Please add the following conditions:
 - All streets will be constructed to an urban standard, including the required curbs and gutters, and sidewalks.
 - 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.

- The owner shall provide proof of sufficient sanitary sewer capacity in conjunction with the submission of construction drawings for each phase of construction. All costs associated with upgrades to the downstream works required to service this subdivision will be borne totally by the owner.
- As part of the submission of servicing plans, the owner shall have rear yard slope treatments designed by a geotechnical engineer licensed in the Province of Ontario incorporated into the lot grading plans if noted as required at locations required by the Director of Planning Services. Suitable provisions shall be incorporated into the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the Director of Planning Services.

Drainage

No concerns.

Environmental Initiatives

The subject lands have the potential to serve as habitat for the Eastern Whip-poor-will, a species designated as “Threatened” in Ontario by the Ministry of Natural Resources (MNR).

The proponent will need to contact the Sudbury District MNR and satisfy all requirements set out by the MNR under the Endangered Species Act prior to any site alteration or construction taking place on the subject lands.

Nickel District Conservation Authority

No concerns.

Roads, Traffic and Transportation

No concerns.

Planning Considerations:

Draft Approval Conditions

Condition #21 should be deleted entirely and replaced with a sentence referencing December 31, 2017 as the revised date on which the subject draft plan approval shall lapse. Development Engineering has requested that Condition #25 be deleted and replaced with a revised geotechnical requirements condition. Development Engineering has also requested that four new conditions addressing street construction, fire flow, sanitary sewer capacity and servicing plan requirements be added to the draft approval. The Manager of Environmental Initiatives has also requested a condition be added which addresses the potential for species at risk being on the subject lands. These new conditions have been incorporated accordingly into the draft plan approval document. No other changes to the draft approval documents have been requested either by the applicant 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

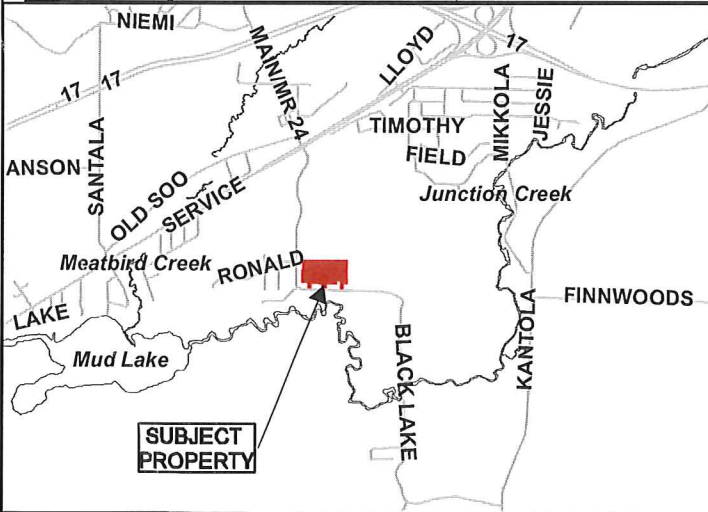
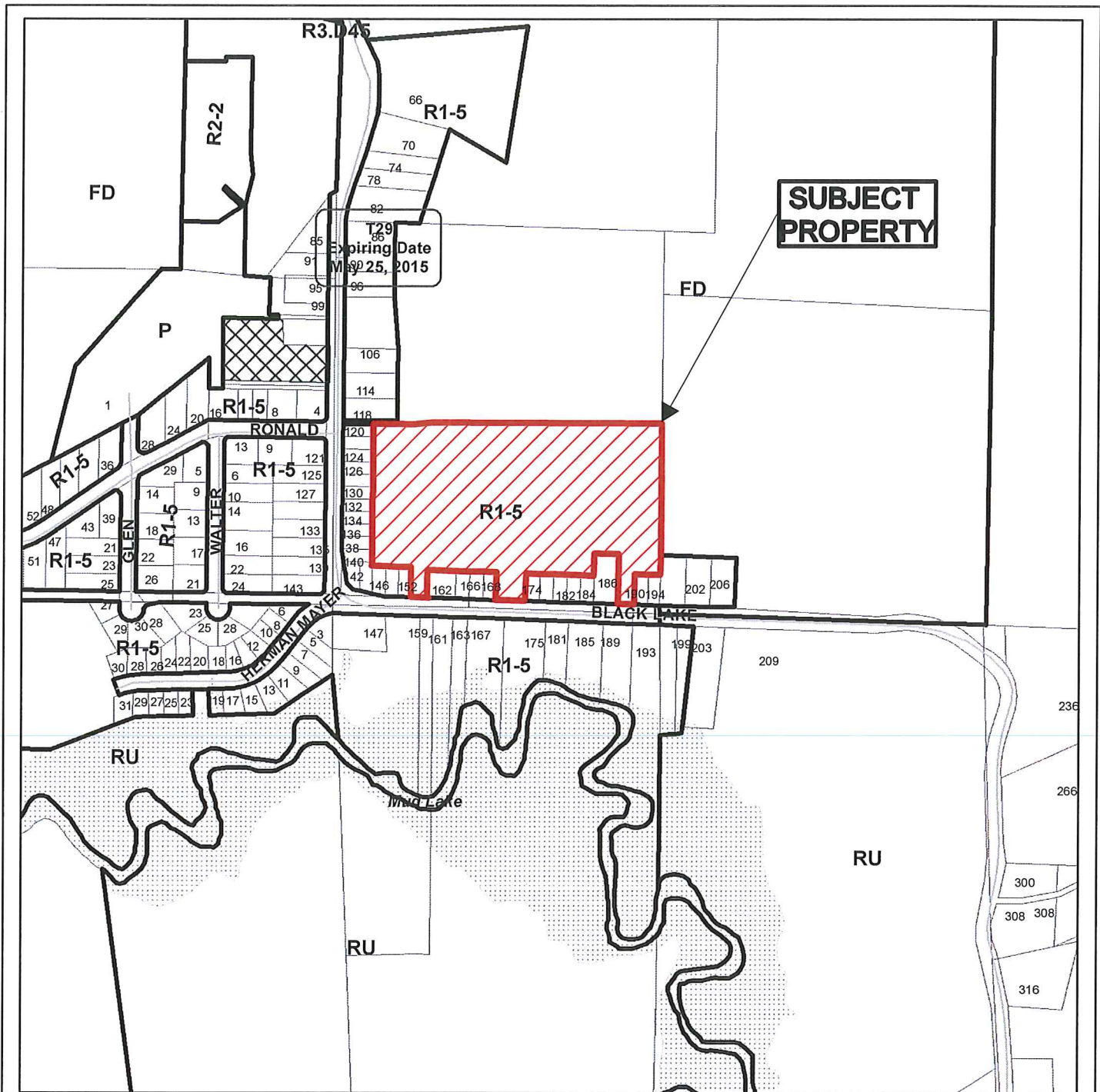
The applicant will be required to pay the applicable processing fee in the amount of \$2,575.00. It is recommended that the draft approval extension be granted upon receipt of Council's processing fee from the applicant. This amount is calculated as per By-law 2014-3 being the Planning Application Fees By-law:

2014 Application Fee

Base Fee	\$2,660.00
73 lots x \$106	\$7,738.00
Total Fee	\$10,398.00
Total Maximum Fee	\$10,300.00
25% of Application Fee (3 year extension)	\$2,575.00
<i>Total Maximum Applicable Fee (3 year extension)</i>	<i>\$2,575.00</i>

Summary:

Planning Services Staff has 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 requested several new conditions and that one existing condition be amended. The Planning Services Division therefore recommends that the application to extend draft approval for a period of three years until December 31, 2017 be approved subject to the applicant paying the appropriate processing fee in the amount of \$2,575.00.



Growth and Development Department

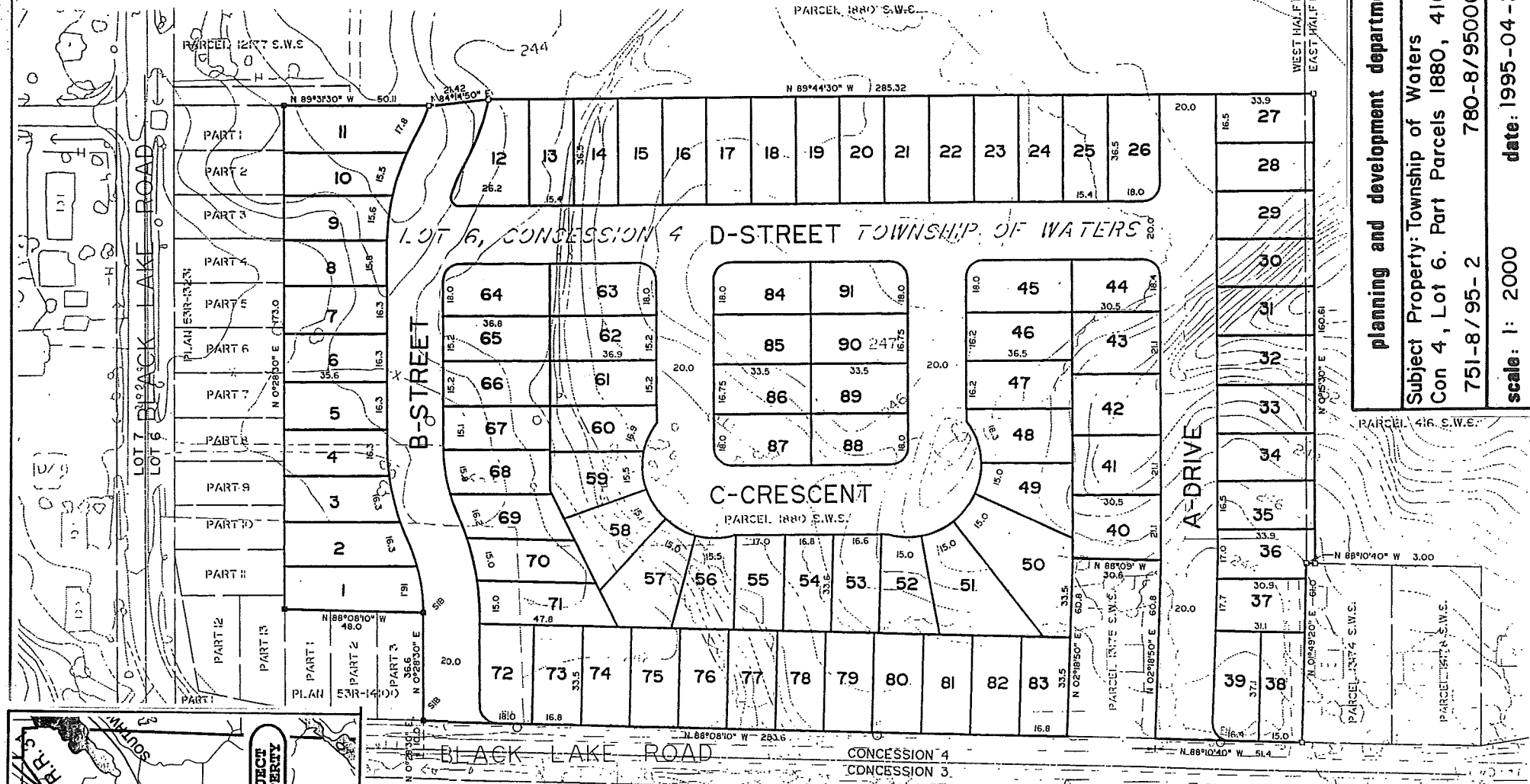
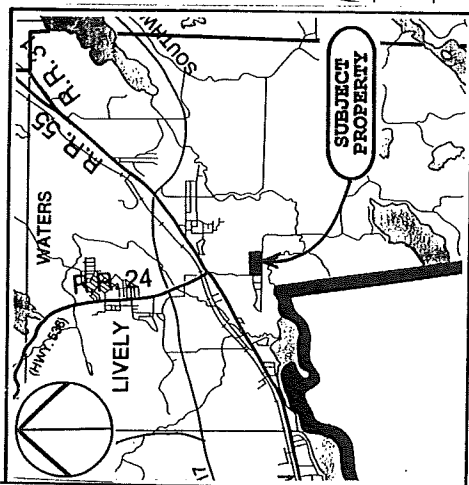


Subject property being part of PIN 73375-0863,
Pt of Pcls 1880 & 416, Pt of Lot 6, Con 4,
Township of Waters, Black Lake Road,
Lively, City of Greater Sudbury

Sketch 1
NTS

751-8/95-2 & 780-8/95006

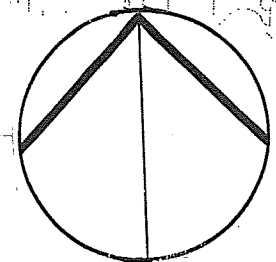
Date: 2011 11 17



planning and development department

Subject Property: Township of Waters
Con 4, Lot 6. Part Parcels 1880, 416
751-8/95-2 780-8/95006

scale: 1: 2000 date: 1995-04-25



**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 1880 and 416 S.W.S., Lot 6, Concession 4, Township of Waters, as shown on a plan prepared by Peter M. Bull, O.L.S. and dated March 27th, 1995.
 - a. That the plan prepared by Peter M. Bull, O.L.S. and dated March 27th, 1995 shall be revised to incorporate the re-aligned road network shown on the sketch entitled Amended Road Network and dated October 6, 2009. The revision shall include a 20 metre road right-of-way whereas the Amended Road Network Plan depicts a 19 metre road right-of-way.
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 subdivision be deeded to the City of Greater Sudbury for parks purposes pursuant to Subsection 51.1(1) of The Planning Act, R.S.O. 1990 as amended.

10. That the plan described in Item 1. of this conditional approval be revised to provide an appropriate temporary turnaround incorporating a 0.3 metre reserve on A-Street and B-Street to the satisfaction of the City of Greater Sudbury Public Works Department.
11. 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).
12. 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.
13. That the subdivision agreement contain provisions whereby the owner agrees to construct a watermain loop from the existing watermain on Jacob Street to the existing watermain on Herman Mayer Drive, and that no building permits will be issued for lots not fronting Black Lake Road until such watermain loop construction has been completed all to the satisfaction of the General Manager of Public Works.
14. That the owner prepare a sediment control plan for the construction phase of the project to the satisfaction of the Nickel District Conservation Authority.
15. That the owner prepare a lot grading/storm water management plan addressing stormwater runoff from this developed subdivision on Junction Creek to the satisfaction of the Nickel District Conservation Authority, and that any alterations to the creek that result in lots being created along the former creek bed will require an engineering study, to determine their feasibility for development.
16. That prior to the signing of the final plan, a detailed soils report shall be prepared by a qualified engineer, to the satisfaction of the Chief Building Official and the Nickel District Conservation Authority, with respect to those lands generally described as being Lots 35 to 36 and Lots 57 to 65 inclusive on the draft plan, and the area where the creek was located, outlining how any problems associated with poor soil conditions can be overcome, and construction techniques which will be required for the construction of homes on the subject lands.

17. That a notice be placed on the title to each lot described in Item (j) indicating that during construction of building foundations, the builder will be required to have a qualified soils engineer attest to the adequacy of the soil to support appropriate footings, and that this information is to be conveyed to the Chief Building Official for approval to pour the footings.
18. That the subdivision agreement contain provisions whereby the owner agrees to provide mail delivery services to the satisfaction of Canada Post.
19. Deleted.
20. 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 Infrastructure Services that sufficient sewage treatment capacity and water capacity exists to service the development.
21. That this draft approval shall lapse on March 31st, 2015.
22. That prior to the signing of the final plan the Planning Services Division is to be advised by the City Solicitor that Conditions #2, #3, #5, #6, #7, #8, #9, #10, #11, #12, #13, #14, #16, #17, #18 and #25 have been complied with to his/her satisfaction.
23. Deleted
24. That prior to the signing of the final plan the Planning Services Division is to be advised by the Nickel District Conservation Authority that Conditions #14 and #15 have been complied with.
25. Prior to the submission of servicing plans, the applicant/owner shall, to the satisfaction of the General Manager of Public Works, provide a soils report prepared 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 the following items: storm and sanitary sewers, watermains, roads, the mass filling of land, surface drainage works including erosion control, slope stability (if applicable) and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official.

26. 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 Development 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.
27. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
28. 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, 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.
29. 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 property geo-referenced.