

Request for Decision

Sitiri Investments Ltd. - Application to Extend Draft Plan of Subdivision Approval, Part of PIN 73478-0809, Part of Parcel 11257 S.E.S., Parts 1-3, Plan 53R-19865 in Lot 3, Concession 5, Township of Broder, Algonquin Road, Sudbury

Presented To:	Planning Committee
Presented:	Monday, Nov 04, 2019
Report Date	Wednesday, Oct 09, 2019
Type:	Routine Management Reports
File Number:	780-6/12004

Resolution

THAT the City of Greater Sudbury's delegated official be directed to amend the conditions of draft approval for the draft plan of subdivision on lands described as Part of PIN 73478-0809, Part of Parcel 11257 S.E.S., Parts 1-3, Plan 53R-19865 in Lot 3, Concession 5, Township of Broder City of Greater Sudbury, File 780-6/12004, as outlined in the report entitled "Sitiri Investments Ltd." from the General Manager of Growth and Infrastructure, as presented at the Planning Committee meeting on November 4, 2019 as follows:

- a) By deleting Condition #9;
- b) By amending the draft plan lapsing date in Condition #10 to December 23, 2020.

Relationship to the Strategic Plan / Health Impact Assessment

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

Report Summary

The owner of the subject land has requested a one-year extension for the draft plan of subdivision located on the south side of Algonquin Road, which was originally approved on December 23, 2013. The draft plan was amended in 2017 in order to reconfigure the road layout and permit 10 lots for single residential use and 44 lots for double residential use.

There are no concerns related to extending the draft plan approval for a one-year period.

Signed By

Report Prepared By

Mauro Manzon
Senior Planner
Digitally Signed Oct 9, 19

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Oct 9, 19

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed Oct 10, 19

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Oct 16, 19

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Oct 21, 19

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Oct 23, 19

Financial Implications

If approved, staff estimates approximately \$408,000 in taxation revenue, based on the assumption of the total 10 single detached units at an estimated assessed value of \$500,000 per unit and 88 semi-detached dwelling units at an estimated assessed value of \$300,000 per dwelling unit at the 2019 property tax rates.

In addition, this would result in total development charges of approximately \$1.4 million based on assumption of 10 single detached units and 88 semi-detached dwelling units and based on the rates in effect as of the date of this meeting.

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).

STAFF REPORT

Background:

The owner of the subject land has requested a one-year extension for the above noted draft plan of subdivision, which was originally approved on December 23, 2013. If approved, the new lapsing date will be December 23, 2020.

The draft plan was amended in 2017 in order to reconfigure the road layout and permit 10 lots for single residential use and 44 lots for double residential use. Lots 9 and 10 were subsequently rezoned in 2018 to permit semi-detached dwellings (File 751-6/18-3).

Departmental & Agency Comments:

Development Engineering

Please remove Condition #9 as it is covered by Condition #32.

Drainage Section

No concerns.

Roads and Transportation

No concerns.

Building Services

No objection.

Nickel District Conservation Authority

Conditions #23 and #25 of Council's Conditions satisfy the concerns of Conservation Sudbury.

Summary:

Proposed amendments

Other than one minor housekeeping amendment, there are no major changes to the draft plan conditions.

Conservation Sudbury has no updates related to their conditions of approval. The remaining departments have expressed no concerns.

[Official Plan](#)

Section 20.4.2 of the Official Plan 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 December 23, 2013.

In this case, the draft plan was amended in 2017 to accommodate a relocated subdivision entrance in order to provide better sight lines on Algonquin Road. The internal road network was revised accordingly. The owner provided a final plan of survey allowing enactment of the amending by-law in October 2017 and the property is now rezoned in final form.

The first submission of engineering drawings for Phase 1 of the subdivision was received by Development Engineering on July 5, 2016. A second submission was received by Development Engineering on July 19, 2017 with comments sent back to the developer's engineer on September 29, 2017.

Substantial work has been completed on this file to date and a one-year extension is therefore recommended.

[2014 Provincial Policy Statement \(PPS\)](#) and [2011 Growth Plan for Northern Ontario \(GPNO\)](#)

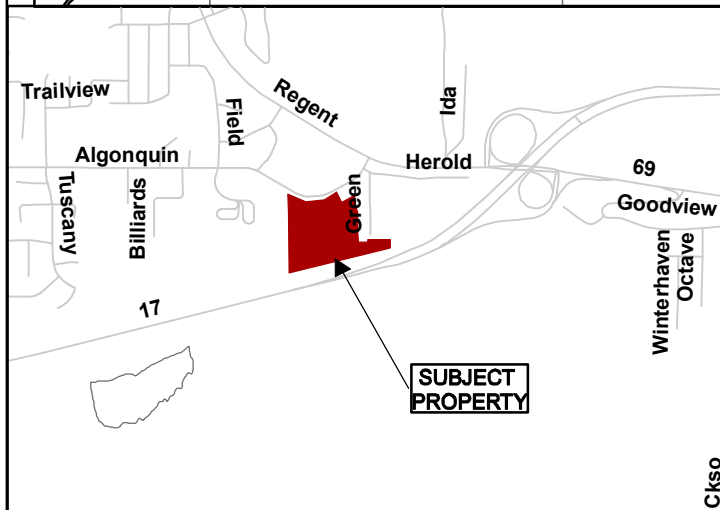
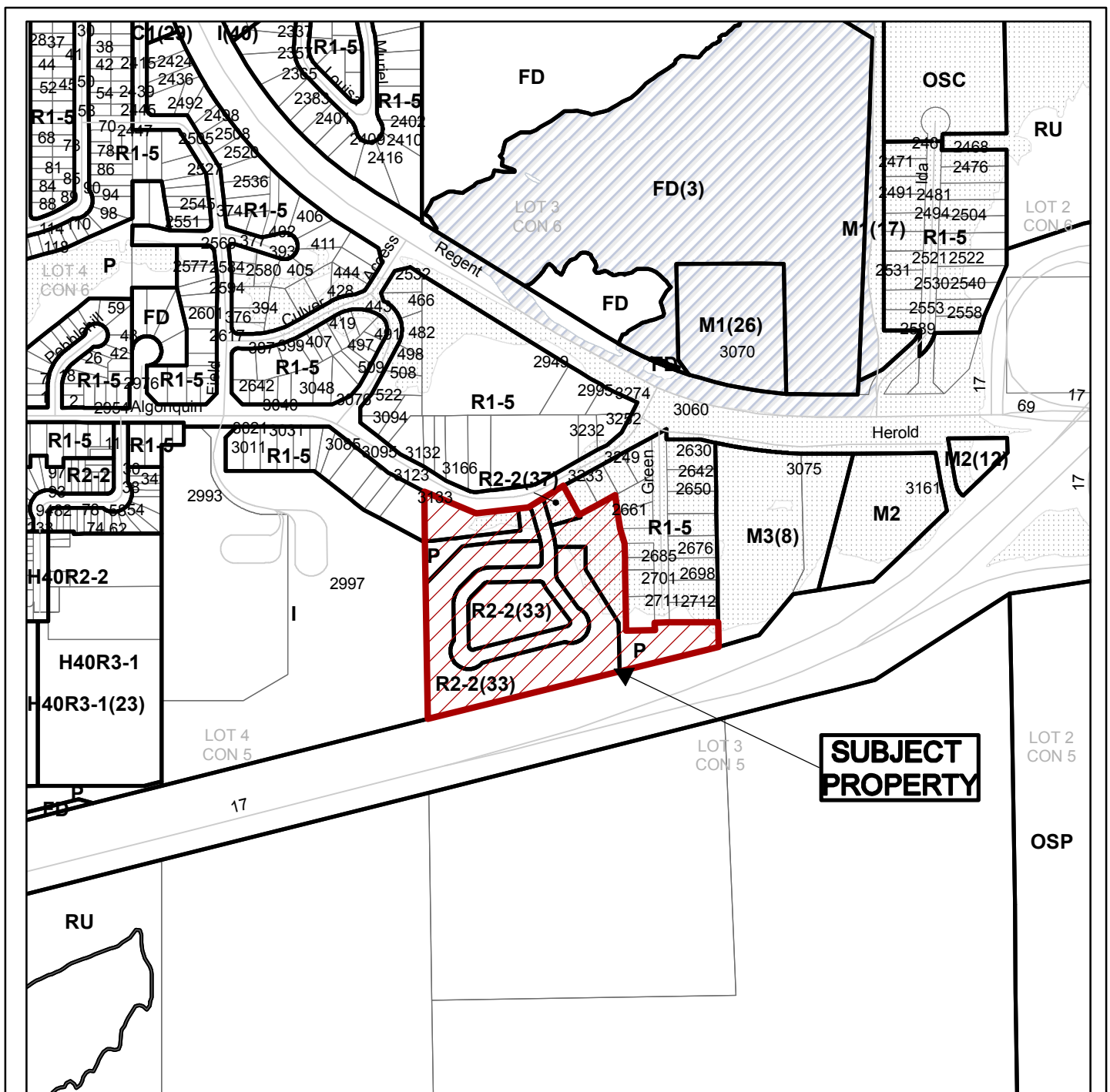
Under Section 1.1.3.6 of the PPS, new development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

In this case, the subject lands are designated Living Area 1 and form part of a designated growth area. The draft plan represents a logical extension of services to accommodate future residential development and is consistent with the phasing policies of the PPS. Furthermore, the proposal presents a mix of low density housing types, which will diversify the supply of new housing.

Along with other major urban centres in Northern Ontario, Greater Sudbury is identified as an Economic and Service Hub. Policy 4.3.2 of the GPNO states that these identified municipalities should be designed to accommodate a significant portion of future population and employment growth in Northern Ontario.

The application is consistent with the relevant policies of the 2014 PPS and conforms to the 2011 GPNO.

Planning Services recommends that the request to extend draft plan approval for a period of one (1) year be approved subject to the conditions outlined in the Resolution section of this report.



Growth and Infrastructure Department



Subject Property being PIN 73478-1121,
Parcel 11257 SES, Parts 1 to 3,
Plan 53R-19865, Lot 3, Concession 5,
Township of Broder, Algonquin Road,
Sudbury, City of Greater Sudbury

NTS

Sketch 1

751-6/12-33 & 780-6/12004

Date: 2019 07 19

Ckso



KEY PLAN

1:10000

DRAFT PLAN
OF PROPOSED SUBDIVISION OF
CONCESSION 5
P.I.N. 73478-0809
PART OF LOT 3 CONCESSION 5
GEOGRAPHIC TOWNSHIP OF BRODER
CITY OF GREATER SUDBURY
SCALE 1 : 1000

OWNER
DALRON CONSTRUCTION LIMITED
RON ARNOLD, PRESIDENT
130 ELM STREET
SUDBURY, ONTARIO
P3C 1T6

OWNER'S CERTIFICATE
I HEREBY APPROVE OF THE MANNER IN WHICH THE LAND SHOWN ON THIS
PLAN IS PROPOSED TO BE SUBDIVIDED AND REQUEST THE APPROVAL OF
THE CITY OF GREATER SUDBURY.

DATE _____ RON ARNOLD - DALRON CONSTRUCTION LIMITED

PREPARED BY
R.V. ANDERSON ASSOCIATES LIMITED
436 WESTMOUNT AVENUE
SUDBURY, ONTARIO
P3A 5Z8

ONTARIO LAND SURVEYOR
TULLOCH GEOMATICS INC.
1942 REGENT STREET A
SUDBURY, ONTARIO
P3E 5V5

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.

DATE _____ TERRY DEL BOSCO O.L.S.

ADDITIONAL INFORMATION

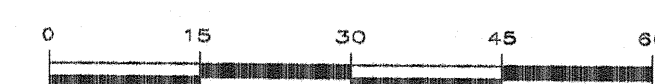
AS REQUIRED BY SECTN 51(17) OF THE PLANNING ACT

- A) AS SHOWN
- B) AS SHOWN
- C) AS SHOWN
- D) LOTS 1-10: R1
LOTS 11-54: R2-2
BLOCK 56 & 58: FIK/CONSERVATION/DRAINAGE (AREA 1.36ha)
BLOCK 57: 0.3m RERVE
- E) NORTH - R1-5
SOUTH - RURAL
EAST - R1-5, M(HEAVY INDUSTRIAL)
WEST - R1-5, INTUTIONAL
- F) DIMENSIONS OF PROPOSED PROPERTIES AS SHOWN
- G) ARTIFICIAL FEATURE AS SHOWN
- H) MATERIAL OF SURFACE OVER BEDROCK/RECENT FILL PLACEMENT
- I) CONTOURS AS SHOWN, THE LOW LYING NORTH AREA HAS BEEN FILLED
- J) MUNICIPAL SERVICE TO BE AVAILABLE, INCLUDES WATER, SEWER, HYORO, BELL, GAS,
GARBAGE COLLECTION, POLICE, FIRE, AMBULANCE
- K) AS SHOWN
- L) AS SHOWN
- NOTE: RADIAL DISTANS AT 6m SETBACK ARE CHORD DISTANCES, UNLESS OTHERWISE NOTED.

AREA OF APPLICATION: 7.70 ha.

LEGEND

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- SSB DENOTES STANDARD IRON BAR
- DENOTES SHORT STANDARD IRON BAR
- DENOTES IRON BAR
- DENOTES ROCK BAR
- RPL DENOTES ROCK PLUG
- DENOTES CUT CROSS
- M DENOTES MEASURED
- S DENOTES SET
- WIT DENOTES WITNESS MONUMENT
- P.I.N. DENOTES PROPERTY IDENTIFICATION NUMBER
- 707 DENOTES LANE & LANE, O.L.S.
- 943 DENOTES D. W. ENDELMAN, O.L.S.
- 981 DENOTES R. G. HOLDER, O.L.S.
- 1230 DENOTES D. R. BRUCE, O.L.S.
- 1400 DENOTES D. S. DORLAND, O.L.S.
- 1542 DENOTES J. ANNE COLE, O.L.S.
- 1655 DENOTES TERRY DEL BOSCO, O.L.S.
- P DENOTES REGISTERED PLAN 34-S
- P2 DENOTES PLAN OF SURVEY BY ENDELMAN HOLDER GOSSLING, O.L.S.
DATED FEBRUARY 9, 1989
- P3 DENOTES REGISTERED PLAN M-131
- P4 DENOTES PLAN SR-11140
- P5 DENOTES PLAN SR-954
- CGS DENOTES CITY OF GREATER SUDBURY CONTROL MONUMENT



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

TULLOCH
1942 REGENT STREET SUDBURY, ONTARIO
UNIT L P3E 5V5 705-671-2295
PREPARED BY TDB

R.V. Anderson Associates Limited
engineering · environment · infrastructure

RVA PROJECT # 142905 DATE: JANUARY 11, 2017

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 PIN 73478-0809, Part of Parcel 11257 S.E.S., Parts 1-3, 53R-19865 in Lot 3, Concession 5, Township of Broder as shown on a plan of subdivision prepared by Terry Del Bosco, O.L.S., and dated August 16, 2012, as amended by a plan prepared by Terry Del Bosco, O.L.S., and dated January 11, 2017.
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, 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. 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 exist to service the development.
10. That this draft approval shall lapse on December 23, 2019.
11. That the registered Plan be integrated with the City of Greater Sudbury Control Network to the satisfaction of the Coordinator of the Geographic Information, Surveys and Mapping Section; provision of the final plan coordinate listings and an AutoCAD file of the resultant parcel fabric shall formulate part of this requirement.

12. 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.
13. That Blocks 55 and 56 be transferred to the City for public purposes.
14. That Block 57 be transferred to the Ministry of Transportation as a 0.3 metre reserve.
15. Deleted.
16. Deleted.
17. That the owner provide a landscape plan that identifies stands of trees that will be maintained and the measures that will be taken to ensure survival of these trees during the site alteration and construction phases, to the satisfaction of the Director of Planning Services.
18. That the owner shall update the Traffic Impact Study for any units beyond the initial 30 units and agree to participate in the cost of any upgrades or improvements identified in the study to the satisfaction of the General Manager of Growth and Infrastructure.
19. That the owner construct a sidewalk along the south side of Algonquin Road from the east limit of the subject property to Field Street. As per the City's Cost Sharing Policy, the owner is responsible for 100 percent of the cost across the frontage of the property and for the first 100 metres of sidewalk external to the development. The City will be responsible for 100 percent of the cost for the remaining portion, approximately 187 metres.
20. The development shall require a subdivision agreement and during that process, based on anticipated quantities of removal of rock through blasting, the following conditions will be imposed:
 - a. The owner/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.
 - 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 the 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; and,
 - 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 owner/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.
21. 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. A soils caution agreement shall be registered on title, if required, to the satisfaction of the Chief Building Official and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement.
22. All streets will be constructed to an urban standard, including the required curbs, gutters and sidewalks.

23. 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. The plan shall be prepared to the satisfaction of Conservation Sudbury (Nickel District Conservation Authority). 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.
24. The owner agrees to provide the required soils report, traffic 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.
25. The owner shall develop a siltation control plan for the subdivision construction period to the satisfaction of the Director of Planning Services and Conservation Sudbury (Nickel District Conservation Authority).
26. Any streetlights required for this subdivision will be designed and constructed by Greater Sudbury Hydro Inc. at the cost of the owner.
27. 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.
28. Prior to the signing of the final plan, the owner shall undertake a noise assessment to determine what control measures are required to meet the Ontario Ministry of the Environment noise assessment criteria. If necessary, provisions for implementing noise control measures must be included in the subdivision agreement to the satisfaction of the General Manager of Growth and Infrastructure and the Director of Planning Services. A sound attenuation caution agreement shall be registered on title, if required, to the satisfaction of the Chief Building Official and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement.
29. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Greater Sudbury Hydro Inc., Canada Post, 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.

30. 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.
31. 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.
32. Draft approval does not guarantee an allocation for water or sewer capacity. Prior to the signing of the construction drawings for each phase, 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 exist to service the development.
33. Deleted.
34. Deleted.
35. The owner shall complete a watermain loop connecting to the existing 150mm diameter watermain at the Algonquin Road/Street A intersection and a second location westerly to the satisfaction of the General Manager of Growth and Infrastructure.
36. Development on Lots 9, 10, 36–41 must be reviewed and approved by Conservation Sudbury (Nickel District Conservation Authority). The plans must show that there is sufficient storage capacity to compensate for the fill placed on the affected lots for floodproofing purposes.
37. That prior to the signing of the final plan, the owner shall satisfy Canada Post with respect to mail delivery facilities for the site.
38. 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 & 13 have been complied with to his/her satisfaction.
39. 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.

40. 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.
41. Based upon the recommendations of the Algonquin Watershed Study, a quantity control pond is not required at this location. The owner shall enter into an agreement to cost share with the City for downstream stormwater conveyance improvements. The owner is to provide stormwater quality control to an enhanced level protection for the stormwater generated by the development.
42. 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.