

Request for Decision

Huneault Subdivision Extension Vytis Lands (Kagawong) Ltd. - Application to Extend Draft Plan of Subdivision and Rezoning Approval (Huneault Subdivision, Chelmsford)

Presented To:	Planning Committee
Presented:	Monday, Nov 04, 2019
Report Date	Wednesday, Oct 09, 2019
Type:	Routine Management Reports
File Number:	780-5/12005

Resolution

Resolution 1 regarding Draft Plan of Subdivision Extension:

THAT the City of Greater Sudbury's delegated official be directed to amend the conditions of draft approval for the plan of subdivision on lands described as Part of PINs 73348-0005 & 73348-0734 in Lots 2 & 3, Concession 2, Township of Balfour, City of Greater Sudbury, File 780 5/12005, as outlined in the report entitled "Huneault Subdivision Extension Vytis Lands (Kagawong) Ltd." from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on November 4, 2019 as follows:

a) By amending the draft plan lapsing date in Condition #10 to December 12, 2022

Resolution 2 regarding Rezoning Extension:

THAT the City of Greater Sudbury approves the extension of rezoning application File # 751-5/12-17 by Vytis Lands (Kagawong) Ltd. on lands described as PINs 73348-0005 & 73348-0734 in Lots 2 & 3, Concession 2, Township of Balfour, City of Greater Sudbury, as outlined in the report entitled "Huneault Subdivision Extension Vytis Lands (Kagawong) Ltd.", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on November 4, 2019, for a period of one (1) year to December 12, 2020.

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

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 submitted a request to extend the draft plan of subdivision and rezoning approvals for the proposed Huneault subdivision in the community of Chelmsford (File 780-5/12005). The current draft plan comprises 283 lots for single residential use, one (1) block for R3-1 medium density use (Block A), two (2) park blocks (Blocks B & C), and two (2) blocks allocated for stormwater management (Blocks D & E).

Planning Services recommends that the request to amend the draft plan of subdivision be approved.

Financial Implications

This subdivision was presented at the February 11, 2019 Planning Committee and the financial implications are similar to that report and are included below.

If approved, staff estimates approximately \$1.28 million in taxation revenue, based on the assumption of the 283 single detached dwelling units at an estimated assessed value of \$400,000 per dwelling unit at the 2019 property tax rates.

In addition, this would result in total development charges of approximately \$5 million based on assumption of 283 single detached dwelling units and based on the rates in effect as of the date of this meeting.

The financial implications for the one block of medium density use development are unable to be quantified as estimated number of units planned in this section of development are unknown at this time.

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).

Title: Vytis Lands (Kagawong) Ltd.

Date: October 8, 2019

STAFF REPORT

Background:

The Huneault draft plan of subdivision received initial approval on December 12, 2013 (Recommendation PL2013-193). In May 2014, the draft plan was amended through a minor boundary adjustment that resulted in 11 fewer lots. The amended plan comprised 359 lots for single residential use and one (1) block for R3-1 medium density use, with the remaining blocks allocated for parkland and stormwater management.

In September 2018, the owner submitted a revised draft plan which further reduced the number of lots. The major changes to the draft plan include the following:

- Reduction in the number of R1 lots from 359 to 283;
- Revisions to the internal road network;
- Provision of public road frontage for the proposed parkland dedication (Block C).

Updated conditions were issued in March 2019 following the above noted draft plan amendment (attached for review). To date, no phases have been registered and the rezoning has not been finalized (survey required).

Departmental & Agency Comments:

Development Engineering

Development Engineering has no objection to the three-year extension.

A partial submission of construction drawings was submitted for review in August 2015. A full submission for Phase 1 construction drawings was submitted in July 2016. No new submission has been received since the March 2019 amendment.

Traffic and Transportation

No concerns.

Building Services

No objections.

Conservation Sudbury (Nickel District Conservation Authority)

Conditions #17, 19, 25, 26 and 27 satisfy the requirements of Conservation Sudbury.

Title: Vytis Lands (Kagawong) Ltd.

Date: October 8, 2019

Summary:

Proposed amendments

There are no major revisions required to the conditions, as the draft plan was recently amended to accommodate a redesign of the subdivision, as described in the Background section of this report. The draft plan conditions were updated accordingly in March 2019. Commenting departments have no concerns related to the proposed extensions.

The zoning amendment can be brought forward once the final plan of survey is submitted.

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.

In this case, the owner just completed a major redesign of the subdivision plan, which required deferring the zoning amendment until the revised layout was approved. It is therefore recommended that the necessary extensions be granted in order for this development to proceed as planned.

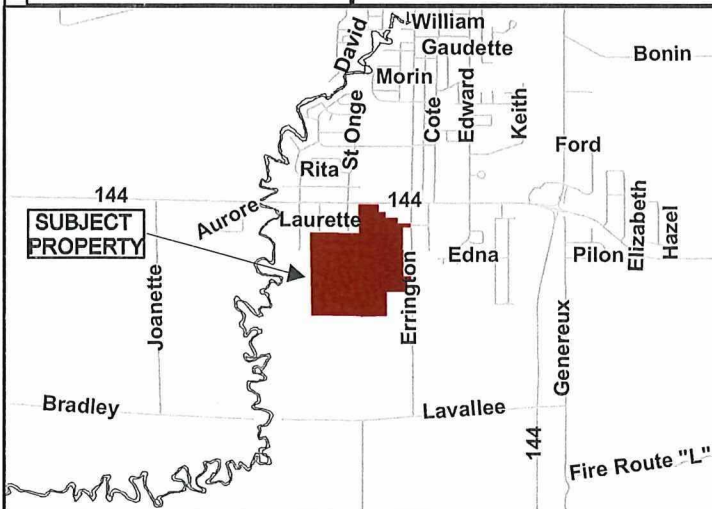
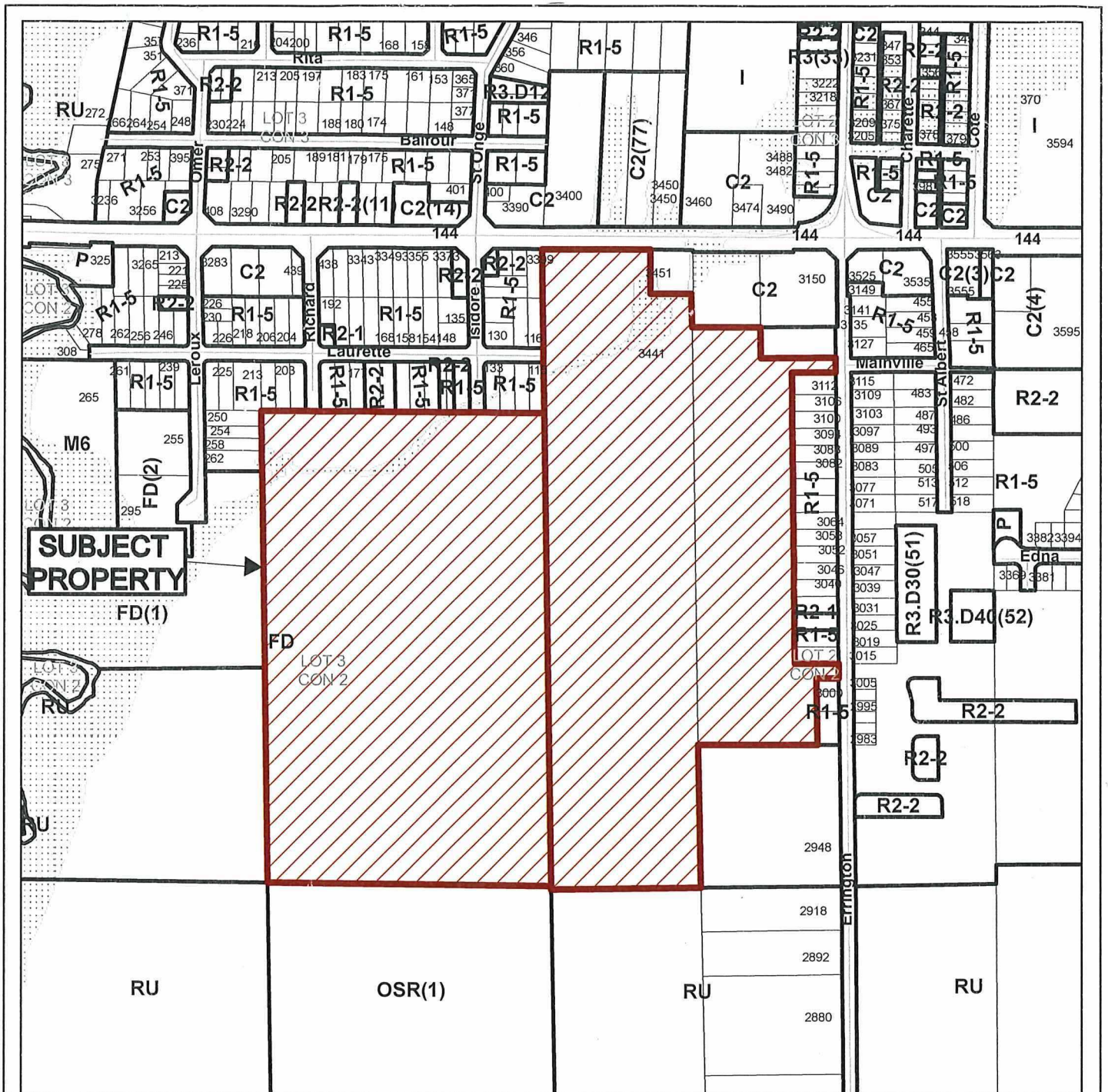
2014 Provincial Policy Statement (PPS) and 2011 Growth Plan for Northern Ontario (GPNO)

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 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. The plan also proposes a block zoned for medium density residential use, which is appropriately sited on the Primary Arterial Road.

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 of subdivision and rezoning approvals be approved subject to the conditions outlined in the Resolution section of this report.



Growth and Development Department



Subject Property being Part of PINs 73348-0005
& 73348-0734, Lots 2 & 3, Concession 2,
Township of Balfour, Highway 144, Chelmsford,
City of Greater Sudbury

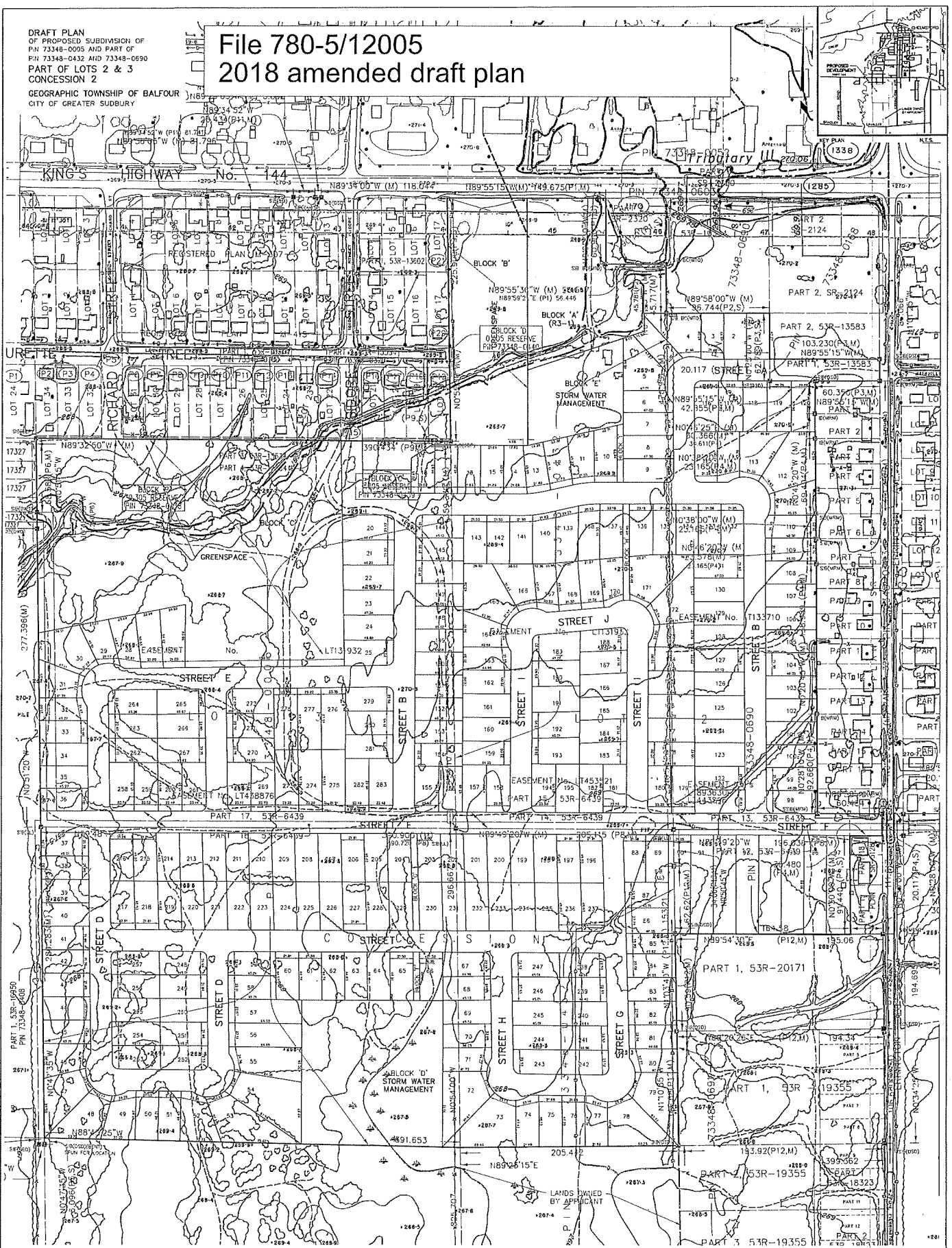
NTS
Sketch 1

751-5/12-17 & 780-5/12005
Date: 2016 07 22

DRAFT PLAN
OF PROPOSED SUBDIVISION OF
PIN 73348-0005 AND PART OF
PIN 73348-0432 AND 73348-0690
PART OF LOTS 2 & 3
CONCESSION 2

GEOGRAPHIC TOWNSHIP OF BALFOUR
CITY OF GREATER SUDBURY

File 780-5/12005 2018 amended draft plan



PREPARED BY:
TULLOCH & ASSOCIATES LTD.
1000 SHEPPARD AVENUE EAST
SUITE 100
SCARBOROUGH, ONTARIO M1S 1T5
TEL: (416) 291-1111
WWW.TULLOCH.COM

DATE:
MAY 15, 2018

PROJECT:
SUBDIVISION OF PIN 73348-0005 AND PART OF PIN 73348-0432 AND 73348-0690

SCALE:
1" = 100'

OWNER'S CERTIFICATE:
I, the undersigned, being the owner of the land shown on this plan, hereby certify that the information contained herein is true and correct to the best of my knowledge and belief.

DATE:
MAY 15, 2018

SIGNATURE:
[Signature]

ADDITIONAL INFORMATION:
AS REQUIRED BY SECTION 11(1) OF THE PLANNING ACT

LEGEND:
1. LOT 1
2. LOT 2
3. LOT 3
4. LOT 4
5. LOT 5
6. LOT 6
7. LOT 7
8. LOT 8
9. LOT 9
10. LOT 10
11. LOT 11
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91. LOT 91
92. LOT 92
93. LOT 93
94. LOT 94
95. LOT 95
96. LOT 96
97. LOT 97
98. LOT 98
99. LOT 99
100. LOT 100

NOTES:
1. THE PLANNING ACT, 1967 (R.S.O. 1967, CHAPTER 160) AND THE PLANNING AND BUILDING ACT, 1997 (R.S.O. 1997, CHAPTER 160) APPLY TO THIS PLAN.
2. THE PLANNING ACT, 1967 (R.S.O. 1967, CHAPTER 160) AND THE PLANNING AND BUILDING ACT, 1997 (R.S.O. 1997, CHAPTER 160) APPLY TO THIS PLAN.
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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 PINs 73348-0005, 73348-0432 & 73348-0579 in Lots 2 & 3, Concession 2, Township of Balfour as shown on a plan of subdivision prepared by Terry Del Bosco, O.L.S., and dated November 28, 2012, as amended by a plan prepared by Terry Del Bosco, O.L.S., and dated August 15, 2018.
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. 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 12, 2019.
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. The owner shall be required to upgrade Errington Avenue from Street 'F' to Mainville Street, to an urban collector standard complete with a sidewalk along the west side. The owner shall contribute towards the improvement on a per lot basis, with the total amount paid prior to half of the subdivision (142 lots) being completed. The contribution per lot will be determined at the time of registration and it will be adjusted annually based on the CanaData Construction Cost Index.
13. The owner shall be required to contribute towards the cost of constructing a sidewalk along the west side of Errington Avenue north of Mainville Street to connect to Highway 144. As per the City's Cost Sharing Policy, the owner is responsible for 100 percent of the cost for the first 100 metres of sidewalk. The City will be responsible for 100 percent of the cost for the remaining 55 metres.
14. That the following conditions be addressed to the satisfaction of the Ministry of Transportation:
 - a) A Traffic Impact Study (TIS) prepared by a Registry, Appraisal and Qualification System (RAQS) qualified traffic consultant shall be submitted for Ministry review. The TIS must determine if the proposed subdivision will have any impacts in respect to the operational viability of the intersections of Errington Avenue, Isidore Street, Richard Street and Leroux Street with Highway 144;
 - b) A stormwater management report shall be submitted for the Ministry's review;
 - c) A 0.3 metre reserve shall be created in front of Blocks A & B and transferred to the Ministry; and,
 - d) The existing highway entrance located along Block A must be removed and the Ministry ROW re-instated to the Ministry's satisfaction.
15. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the Director of Planning Services and Conservation Sudbury, 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.

16. All streets will be constructed to an urban standard, including the required curbs and gutters.
17. 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 submitted to the satisfaction of the Director of Planning Services and Conservation Sudbury. 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.
18. The owner agrees to provide the required soils 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.
19. 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.
20. Any streetlights required for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
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 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.
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, 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.
23. 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.

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 to service this subdivision will be borne totally by the owner.
25. The owner shall be responsible to have a stormwater management report prepared to assess how the quality and quantity of stormwater will be managed for the subdivision development, in addition to the flows generated from upstream lands. The report shall establish how the quantity of stormwater generated within the subdivision will be controlled to pre-development levels for the 1:5, 1:100 and Regional Storm events. The owner shall be required to submit a comprehensive drainage plan of the subject property, and any upstream areas draining through the subdivision. The quality of the stormwater must meet an "enhanced" level of protection as defined by the Ontario Ministry of Environment. The plan shall be submitted to the satisfaction of the Director of Planning Services, Conservation Sudbury and the Ministry of Transportation. The Whitson River subwatershed study has commenced. The owner agrees to implement recommendations from the Whitson River subwatershed study into their subdivision design.
26. Development adjacent to natural watercourses located on Lots 66, 67 and 68, Lots 76 to 89, Lots 91 and 92, Lots 99 to 105, Lots 150 to 156, Lot 231, Lots 236 to 242, must be reviewed and approved to the satisfaction of the Conservation Sudbury. This requirement also applies to any other associated lots with this development which may not be listed above.
27. Development on Lots 1 to 19, Block A and Block B, adjacent to the realigned Whitson River - Tributary III, must be reviewed and approved by Conservation Sudbury. A Flood Plain Study will be required to the satisfaction of Conservation Sudbury in order to assess the impact of the realigned watercourse on the proposed lots, which may include adjusting the rear lot lines of Lots 1 to 19, Block A and Block B and to any properties upstream or downstream of this draft plan of subdivision to the satisfaction of Conservation Sudbury and the Director of Planning Services. Furthermore, the owner is required to design and construct a realigned channel through Block B to the satisfaction of Conservation Sudbury and the Director of Planning Services and in agreement with the findings of the Flood Plain Study.
28. 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. The final configuration of Block C shall be to the satisfaction of the Director of Leisure Services.
29. That Block B be transferred to the City for open space purposes.
30. That prior to the signing of the final plan for Lots 40-65, 298-301, 331-334 and 352-355, the owner shall undertake a Noise Study in relation to the sawmill operation located on abutting lands to the west (Parcel 2204 S.W.S.). The subdivision agreement, where warranted, shall contain provisions whereby the recommendations of the Noise Study relating to effected lots will be implemented to the satisfaction of the Director of Planning Services.

31. That prior to the signing of the final plan, the owner shall satisfy Canada Post with respect to mail delivery facilities for the site.
32. 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 & 29 have been complied with to his/her satisfaction.
33. 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.
34. 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.
35. The Castonguay Municipal Drains "A" and "C" are located on the subdivision lands. Drain "A" crosses through Lots 78 to lot 82. Drain "C" crosses through Lots 91, 92, 121, 122 and Lot 99 to Lot 105. The owner is responsible for the abandonment of the drains under Section 84 of the Drainage Act including notifications and engagement of an engineer pursuant to Section 84(3) to prepare a report on the condition of the municipal drain and recommendations thereof. The municipality would accept the abandoned municipal drain as a storm sewer thereby becoming a part of the Municipality's infrastructure.
36. That the road layout be revised as follows:
 - i) The offset intersections of Street I at Street F and Street G at Street F must be realigned to create one intersection; and,
 - ii) Street B must be realigned to provide a direct connection to Isidore Street."
37. That Street B, Street F and the extension of Isidore Street are to be designed to a Collector standard.

38. That Street F shall be required to include bicycle lanes to ultimately connect to the planned cycling route on Errington Avenue and with FD lands to the west of the proposed development. On-street parking shall be restricted on both sides of Street F. As part of the design of Street F, the owner shall be required to include traffic calming features.
39. 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.