

Date: September 30, 2019

STAFF REPORT

Applicant:

Dominion Park Developments

Location:

Part of PIN 73504-2533, being part of former Parcel 1323 SES in Lot 6, Concession 2, Township of Hanmer

Application:

To extend the draft approval of the Dominion Park Subdivision plan. The draft approval has been extended by Council several times, most recently in 2016 until December 12, 2019.

Proposal:

The owner is requesting that the draft approval for the above noted plan of subdivision be extended for a period of three years until December 12, 2022.

Background

Dominion Park Developments is the owner of the draft approved plan of subdivision on lands located in the general area of Jeanne D'Arc Street in Val Therese, referred to as the Dominion Park Subdivision. The City received a request from the owner on July 10, 2019 to extend the draft approval for a period of three years on those lands described as part of PIN 73504-2533, being part of former Parcel 1323 SES in Lot 6, Concession 2, Township of Hanmer.

The Dominion Park subdivision was first granted draft approval on May 3, 1993. Over the years, with several phases of the subdivision having been registered, the subdivision has been revised from the original draft plan. In 2005 draft plan Condition #1 was amended to refer to the revised plan prepared by D.S. Dorland dated October 1, 2004, which is attached to this report as the "Revised Draft Plan". Several other amendments to the conditions were included in the amended draft approval and extensions granted in 2005, 2011, 2013, and 2016.

The most recent set of draft plan conditions are attached to this report, which include that the plan lapses on December 12, 2019. In July 2019, Dominion Park Developments requested a three (3) year draft plan extension to allow additional time to satisfy the conditions of approval. Seventy five lots remain in the draft plan to be registered for single detached dwellings. The lands within the plan of subdivision are designated Living Area 1 and are zoned R1-5, Low Density Residential One.

Staff has circulated the request to relevant agencies and departments for comment and is now bringing forward this report to extend the draft approval to December 12, 2022.

Departmental & Agency Circulation

Infrastructure and Capital Planning Services, Building Services, Development Engineering, Environmental Planning Initiatives, and Conservation Sudbury have each advised that they have no objections from their respective areas of interest. In some cases they have recommended technical updates or revisions.

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Planning Considerations

[Official Plan](#)

Section 19.4.2 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 the draft approval. At the time of an extension request Council will review draft plan conditions and may make appropriate modifications. Staff are satisfied that the owner is intending to develop additional phases of the subdivision.

[Draft Approval Conditions](#)

Condition #20 should be deleted entirely and replaced with a sentence referring to December 12, 2022, as the revised date on which the subject draft plan approval shall lapse.

Building Services has requested additional wording be added Condition #27 to enable a soils caution agreement to be registered on title, if required.

Condition #34 should be updated to enable the registration of a lot grading agreement on title, if required.

Development Engineering and Infrastructure and Capital Planning Services has requested that Condition 31 be deleted because certain road connections and traffic signals have now been installed, therefore this condition has now been met.

A new Condition #39 should be added to require a notice of agreement to be registered on title regarding development charges.

Housekeeping changes are recommended to ensure consistency in terminology when referring to the City, the owner, the Director of Planning Services, the General Manager of Growth and Infrastructure, and Conservation Sudbury. Other housekeeping amendments to update the conditions to current day wording and/or standards are recommended.

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 sketches of the draft approved plan of subdivision for reference purposes.

[Processing Fees](#)

The owner has paid the applicable processing fee for a three year extension in the amount of \$2852.75. 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.

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Summary

The Planning Services Division 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. Appropriate changes where identified have been included in the Resolution portion of this report and will now form part of the draft plan approval if approved by Council.

The Planning Services Division therefore recommends that the application to extend draft approval for the Dominion Park Subdivision for a period of three years until December 12, 2022, be approved as outlined in the Resolution section of this report.