

Request for Decision

Dalron Construction Ltd. – Extension to draft plan of subdivision approval, Main Street, Val Caron

Presented To:	Planning Committee
Presented:	Monday, Oct 28, 2019
Report Date	Tuesday, Oct 01, 2019
Type:	Routine Management Reports
File Number:	780-7/07003

Resolution

THAT the City of Greater Sudbury's delegated official be directed to amend the conditions of draft approval for a plan of subdivision on those lands known as Part of PIN 73502-0800, Part 1, Plan 53R-18607, Lot 6, Concession 5, Township of Blezard, File 780-7/07003, as outlined in the report entitled "Dalron Construction Ltd." from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on October 28, 2019 upon the payment of the processing fee of \$1958.50 as follows:

a) By replacing the reference to the 'General Manager of Infrastructure' or the 'General Manager of Infrastructure Services' with the 'General Manager of Growth and Infrastructure' in Condition #3, #11, #16, #31, #33, and #35.

b) By replacing the reference to the 'Municipality' or 'City of Greater Sudbury' with the 'City' in Condition #4, #5, #6, #7, and #9.

c) By replacing Condition #12 with the following:

"12. That this draft approval shall lapse on December 5, 2022."

d) By replacing Condition #14 with the following:

"14. 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 recommended construction procedures for storm and sanitary sewers, watermains, roads to a 20 year design life, the mass filling of lands, surface drainage works, erosion control, slope stability, slope treatment, building foundations, and ensure sump pits are not located in the ground water table and building foundations. The geotechnical

Signed By

Report Prepared By

Wendy Kaufman
Senior Planner
Digitally Signed Oct 1, 19

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Oct 1, 19

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed Oct 3, 19

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Oct 13, 19

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Oct 15, 19

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Oct 16, 19

information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services. A soils caution agreement, if required, shall be registered on title, to the satisfaction of the Chief Building Official and the City Solicitor.”

e) By adding the following to Condition #15: “A lot grading agreement, if required, shall be registered on title, to the satisfaction of the Director of Planning Services and the City Solicitor.”

f) By replacing the reference to “Nickel District Conservation Authority” with “Conservation Sudbury” and removing the reference to ‘the Department of Fisheries and Oceans’ in Condition #21.

g) By replacing the reference to ‘developers/owners’ with ‘owner’ in Condition #29(ii).

h) By adding a new Condition #36: “36. 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.”

Relationship to the Strategic Plan / Health Impact Assessment

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

Report Summary

The owner has requested an extension to the draft plan of subdivision approval of File # 780-7/07003, Main Street in Val Caron for a period of three years to December 5, 2022. The Planning Services Division is recommending approval of the application.

The Planning Services Division has reviewed the request to extend the 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. Amendments to the conditions of draft approval where necessary have been identified and are included in the Resolution section of the report.

Financial Implications

If approved, staff estimates approximately \$230,000 in taxation revenue, based on the assumption of the total 70 semi-detached dwelling units at an estimated assessed value of \$275,000 per dwelling unit at the 2019 property tax rates.

In addition, this would result in total development charges of approximately \$1,000,000 based on assumption of 70 semi-detached dwelling units and based on the rates in effect as of the date of this meeting.

Title: Dalron Construction Ltd.

Date: September 30, 2019

STAFF REPORT

Applicant:

Dalron Construction Ltd.

Location:

Part of PIN 73502-0800, Part 1, Plan 53R-18067, Lot 6, Concession 5, Township of Blezard

Application:

To extend the draft approval of the 2007 Golfview subdivision plan. The draft approval has previously been extended by Council several times and is scheduled to lapse on December 5, 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 5, 2022.

Background

Dalron Construction is the owner of the draft approved plan of subdivision on lands located south of Main and east of Pilon Street in Val Caron, referred to as the Golfview Subdivision. The City received a request from Dalron Construction on July 25, 2019 to extend the draft approval for a period of three years on those lands described as Part of PIN 73502-0800, Part 1, Plan 53R-18607, Lot 6, Concession 5, Township of Blezard.

This subdivision was first granted approval on December 5, 2007, for 39 lots for single detached dwellings. The plan was amended in June 2011, in conjunction with a rezoning application, to permit the development of 70 semi-detached dwellings on 35 lots. Several amendments to the conditions were included in the amended draft approval and extension granted in 2011. Three year extensions to the draft plan approval were requested and granted in 2013 and 2016. The current approval is scheduled to lapse on December 5, 2019.

The lands within the plan of subdivision are designated Living Area 1 and are zoned R2-2. The extension of the draft plan of subdivision does not modify the existing zoning of the site.

The most recent conditions of approval and the approved draft plan are attached.

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 5, 2022.

Title: Dalron Construction Ltd.

Date: September 30, 2019

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.

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.

The owner has been working with City staff on the detailed design for the subdivision. Staff are satisfied that the owner is making reasonable efforts towards development of the subdivision.

Draft Approval Conditions

Condition #12 should be deleted entirely and replaced with a sentence referring to December 5, 2022, as the revised date on which the subject draft plan approval shall lapse.

Building Services has requested additions to Condition #14 to ensure that sump pits are not located in the groundwater table and building foundation, and to enable the registration of a soils caution agreement on title if required.

Condition #15 should be updated to enable the registration of a lot grading agreement on title if required.

Condition #21 should be updated to remove the reference to the Department of Fisheries and Oceans, given they no longer have a role in reviewing siltation control plans.

A new Condition #36 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 General Manager of Growth and Infrastructure, and Conservation Sudbury.

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 is required to pay the applicable processing fee for a three year extension in the amount of \$1958.50. It is recommended that the draft approval extension be granted upon receipt of the 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.

Title: Dalron Construction Ltd.

Date: September 30, 2019

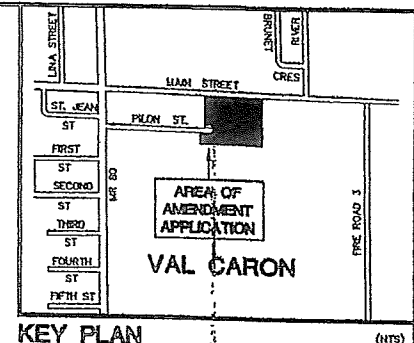
Summary

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 Golfview Subdivision for a period of three years until December 5, 2022, be approved as outlined in the Resolution section of this report.

GOLFVIEW SUBDIVISION

SCALE 1:500
0 20 40 60



AMENDMENT TO DRAFT PLAN OF SUBDIVISION (GOLFVIEW)

PIN 73502-0800 (LT)
BEING PART OF
PART OF LOT 6, CONCESSION 5
GEOGRAPHIC TOWNSHIP OF BLEZARD
BEING PART OF THE
CITY OF GREATER SUDBURY
DISTRICT OF SUDBURY

ADDITIONAL INFORMATION

- A) AS SHOWN
 - B) AS SHOWN
 - C) AS SHOWN
 - D) ALL LOTS - RE DOUBLE FAMILY RESIDENTIAL
 - E) NORTH - RESIDENTIAL, ROAD ALLOWANCE, ROAD, WEST - EXISTING LOW DENSITY RESIDENTIAL LANDS
 - F) SOUTH - VACANT (FUTURE USE BY WATER MANAGEMENT AREA)
 - G) EAST - LOT DENSITY RESIDENTIAL, UNDEVELOPED RE RESIDENTIAL LAND
 - H) AS SHOWN
 - I) AS SHOWN
 - J) EXISTING RESIDENTIAL SUPPLY
 - K) CITY CLAY, OPEN FIELD
 - L) AS SHOWN
 - M) STORM & SANITARY SEWER, MANHOLE, WATER, POLICE, FIRE, ALLOWANCE, ETC.
 - N) AS SHOWN
- AREA OF APPLICATION = 4.06± HECTARES

OWNER

DALRON CONSTRUCTION LIMITED
120 KILM STREET
SUDBURY, ONTARIO
P3B 1Y8

OWNER'S CERTIFICATE

I HEREBY CERTIFY TO THE MATTER IN WHICH THE LAND SHOWN ON THIS PLAN IS PROPOSED TO BE SUBDIVIDED AND REQUEST THE APPROVAL OF THE CITY OF GREATER SUDBURY.

E. J. Richards
DATE

R. J. Richards
FOR APPROVAL - PRESIDENT
DALRON CONSTRUCTION LTD.

PREPARED FOR



PREPARED BY



J.L. Richards & Associates Limited
217-400 Bouchard Street
Sudbury, ON Canada
P3B 2K5
Tel: 705 522 8174
Fax: 705 522 1512

FUTURE CGS SWM MANAGEMENT AREA

**CITY OF GREATER SUDBURY 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 PIN 73502-0800, Lot 6, Concession 5, Township of Blezard, south of Main Street and East of Pilon Street, Val Caron, as shown on a plan of subdivision prepared by J. L. Richards, and dated February 4, 2011.
2. Deleted.
3. That the plan of subdivision be revised to include a southerly extension of Pilon Street to the southerly limits of the plan in the vicinity of Lot 33 and that the adjacent lotting pattern be revised to the satisfaction of the Director of Planning Services. The requirement for the future connection to the south will depend on finalizing plans related to a proposed pond immediately south of the subdivision. Prior to the registration of the plan should it be determined by the City that a road connection to the south is not required, the affected lands may be developed as part of the residential lotting pattern to the satisfaction of the General Manager of Infrastructure and the Director of Planning Services.
4. That the street(s) shall be named to the satisfaction of the Municipality.
5. 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.
6. 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.
7. That the subdivision agreement be registered by the Municipality against the land to which it applies, prior to any encumbrances.
8. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
9. 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, installation of services and drainage.

10. 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.
11. Draft approval does not guarantee an allocation of sewer or water capacity. Prior to the signing of the final plan, the Director of Planning is to be advised by the General Manager of Infrastructure Services, that sufficient sewage treatment capacity and water capacity exists to service the development.
12. That this draft approval shall lapse on December 5, 2019.
13. The City and the owner acknowledge that the required 5 % parkland dedication shall be fulfilled as part of an agreement between the City and the owner to transfer lands abutting the plan to the south, for the purposes of a storm drainage pond and parkland. The transfer of the lands to the City for the storm drainage pond and parkland shall be completed prior to the final approval of the plan.
14. 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 recommended construction procedures for storm and sanitary sewers, watermains, roads to a 20 year design life, the mass filling of lands, surface drainage works, erosion control, slope stability, slope treatment, and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services.
15. 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.
16. The owner will be required to make a cash contribution to the area-wide stormwater management pond to be built at the south limit of the subdivision. The amount of this contribution will be to the satisfaction of the General Manager of Infrastructure Services.

17. The owner will be required to erect a chain link or opaque fence along the south lot line of Lots 24 to 35, bounding the location of the stormwater management pond. This must be completed prior to registration of the subdivision to the satisfaction of the Director of Planning Services.
18. The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, storm sewers and related appurtenances to the City of Greater Sudbury Engineering Standards at the time of submission.
19. 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.
20. The sanitary sewer services for Lots 23 to 26 may be connected to the existing 150mm main on Pilon Street, the remainder must outlet to the existing system at Main Street. Otherwise, the existing 150mm diameter main on Pilon Street must be upgraded to the City's minimum standard of 200mm diameter.
21. The owner shall develop a siltation control plan for the subdivision construction period to the satisfaction of the Director of Planning Services, Nickel District Conservation Authority and the Department of Fisheries and Oceans.
22. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc., at the cost of the owner.
23. The owner will be required to ensure that the corner radius for all intersecting streets is to be 9.0 m.
24. 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 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.
25. 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.

26. The owner will be required to provide permanent silt and erosion control drainage works to the subdivision's storm water outlet to the satisfaction of the Director of Planning Services.
27. Deleted.
28. 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 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.
29. That the owner agrees to include on all offers of purchase and sale:
 - a) a statement that advises the prospective purchaser:
 - i) That the home/business mail delivery will be from a designated Centralized Mail Box.
 - ii) That the developers/owners be responsible for officially notifying the purchasers of the Centralized Mail Box locations prior to the closing of any home sales.
 - b) The owner further agrees to:
 - i) Work with Canada Post to determine and provide suitable Centralized Mail Box location, which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.
 - ii) Install a concrete pad in accordance with the requirements of, and in locations to be approved by, Canada Post to facilitate the placement of the Community Mail Boxes.
 - iii) Identify the pads above on the engineering drawings. The pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
 - iv) Determine the location of the all centralized mail facilities in cooperation with Canada Post and to post the location of these sites on appropriate maps, information boards and plans.

30. That the owner provide a contribution towards a future sidewalk along Main Street across the entire frontage of the property.
31. That traffic calming measures be included on Pilon Street to discourage "cut through" traffic to the satisfaction of the General Manager of Infrastructure Services.
32. That prior to the signing of the final plan, the Planning Services Division is to be advised by the City of Solicitor that conditions 4, 5, 7, 8, 9, 10, 13, and 29 have been complied with to his satisfaction.
33. That prior to the signing of the final plan, the Planning Services Division is to be advised by the General Manager of Infrastructure Services that conditions 3, 11, 16, 30 and 31 have been complied with to his satisfaction.
34. Final approval for registration may be issued in phases to the satisfaction of the Director of Planning, 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."
35. 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 Infrastructure Services.