

Presented To:	Planning Committee
Presented:	Monday, Jun 24, 2019
Report Date	Friday, May 31, 2019
Type:	Public Hearings
File Number:	751-5-17-2

Request for Decision

Baikinson Land Corp - Site-specific amendment to Zoning By-law 2010-100Z in order to permit four (4) row dwellings containing 16 model home dwelling units, St. Albert Street, Chelmsford

Resolution

THAT the City of Greater Sudbury approves the application by Baikinson Land Corp. to amend Zoning By-law 2010-100Z by changing the zoning classification from “R3(67)”, Medium Density Residential Special to a revised “R3(67)”, Medium Density Residential Special on lands described as Part of PIN 73348-0644, Parts 1 to 6, 8, 10, 12 to 14, Plan 53R-21106 in Lot 2, Concession 2, Township of Balfour, as outlined in the report entitled “Baikinson Land Corp”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 24, 2019, subject to the following condition:

a) That the following clause be added to Part 11, Section 1, Subsection 10, Paragraph (ooo) as Clause (iii):

All provisions of this by-law applicable to the Model Homes provisions of Section 4.20 shall apply subject to the following modification:

Four (4) buildings containing 16 model home dwelling units shall be permitted.

Relationship to the Strategic Plan / Health Impact Assessment

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding.

Report Summary

An amendment to Zoning By-law 2010-100Z is required in order to implement Council Resolution CC2019-152 concerning an exception to the Model Homes provisions of the Zoning By-law.

Financial Implications

Signed By

Report Prepared By

Mauro Manzon
Senior Planner
Digitally Signed May 31, 19

Manager Review

Alex Singbush
Manager of Development Approvals
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Recommended by the Division

Jason Ferrigan
Director of Planning Services
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Financial Implications

Jim Lister
Manager of Financial Planning and Budgeting
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Recommended by the Department

Tony Cecutti
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Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jun 9, 19

The financial implications from the February 12, 2018 Planning Meeting are not changed significantly by this report and only would be updated by a change in rates from that date. The approval of the rezoning should expedite the receipt of property taxation and development charges for this development.

Title: Baikinson Land Corp

Date: May 30, 2019

STAFF REPORT

Applicant:

Baikinson Land Corp

Location:

Part of PIN 73348-0644, Parts 1 to 6, 8, 10, 12 to 14, Plan 53R-21106 in Lot 2, Concession 2, Township of Balfour (St. Albert Street and Errington Avenue South, Chelmsford)

Application:

To amend By-law 2010-100Z being the City of Greater Sudbury Zoning By-law from "R3(67)", Medium Density Residential Special to a revised "R3(67)", Medium Density Residential Special in order to provide a site-specific exception to the Model Homes provisions of Section 4.20.

Proposal:

An amendment to Zoning By-law 2010-100Z is required in order to implement Council Resolution CC2019-152 concerning an exception to the Model Homes provisions of the Zoning By-law. The owner is proposing four (4) row dwellings containing 16 model home dwelling units.

Background:

On February 12, 2018, applications for rezoning and draft plan of subdivision amendment were approved in order to permit four-unit, one-storey row dwellings on 11 draft approved lots on the proposed extension of St. Albert Street, for a total of 44 row dwelling units (Files 751-5/17-2 & 780-5/12006). The lands were subsequently rezoned to "R3(67)", Medium Density Residential Special on February 12, 2019 (By-law 2019-13Z). No phases of the plan of subdivision have been registered to date. The original Planning report from 2018 is attached for reference.

On May 28, 2019, City Council passed the following Resolution CC2019-152 in regards to the subject lands:

"WHEREAS Sudbury City Council approved a draft plan of subdivision on the proposed extension of St. Albert Street in Chelmsford, legally described as PINs 73348-0611 & 73348-0644 in Lot 2, Concession 2, Township of Balfour, City of Greater Sudbury, File 780 5/12006;

WHEREAS Zoning By-law 2010-100Z permits not more than the lesser of four dwellings or 10 percent of the total number residential units contained in a draft approved plan of subdivision to be constructed as model homes;

WHEREAS the project proponent would like to construct four structures containing 16 model home dwellings;

NOW THEREFORE, City Council hereby directs staff to prepare a site specific amendment to Zoning By-law 2010-100Z to permit up to 16 dwellings in four structures to be constructed as model homes in lands known legally as Part of PIN 73348-0644, Parts 1 to 6, 8, 10, 12 to 14, Plan 53R-21106, Part of Lot 2, Concession 2, Township of Balfour, City of Greater Sudbury and schedule a public hearing under the Planning Act on this matter on June 24, 2019."

Title: Baikinson Land Corp

Date: May 30, 2019

Neighbourhood consultation:

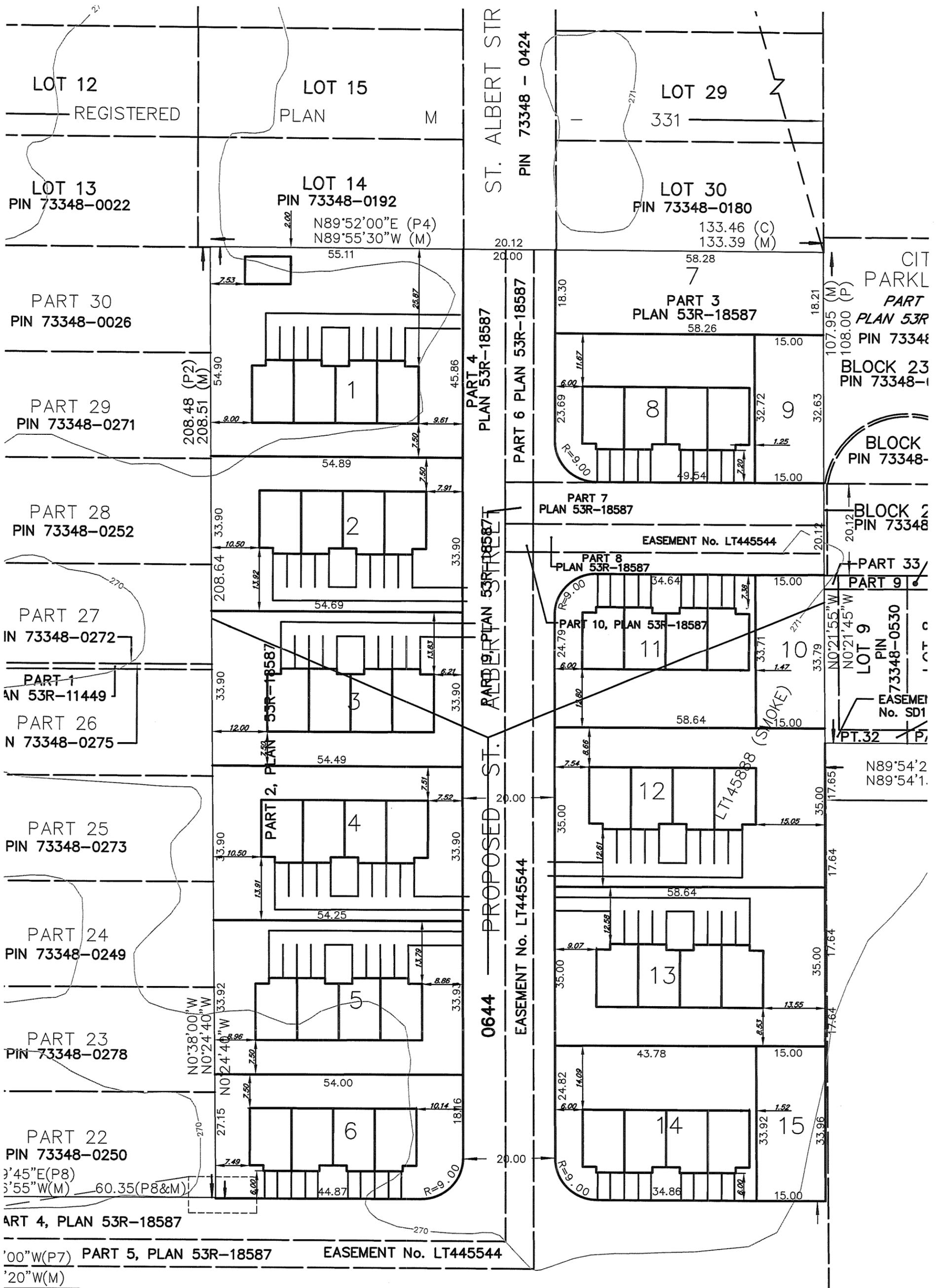
Public notice has been provided pursuant to the statutory requirements of the *Planning Act*.

Summary:

City Council has directed staff to modify the special zoning applied to the subject land in order to provide a site-specific exception to the Model Homes provisions under Section 4.20 of the Zoning By-law. The amendment will allow the owner to construct up to 16 row dwelling units as model home units prior to registration of the subdivision plan and municipal assumption of the roads.

Notwithstanding the above, the remaining requirements applied to model homes shall be implemented as follows:

- The model home is built within a lot defined by the draft approved Plan of Subdivision;
- The model home complies with all other requirements of the Zoning By-law; and,
- A Conditional Model Home Building Permit Agreement is entered into with the City of Greater Sudbury.



LOT 12

REGISTERED

LOT 15

PLAN M

LOT 29

331

LOT 13
PIN 73348-0022

LOT 14
PIN 73348-0192

N89°52'00"E (P4)
N89°55'30"W (M)

LOT 30
PIN 73348-0180

133.46 (C)
133.39 (M)

PART 30
PIN 73348-0026

PART 3
PLAN 53R-18587

PART 29
PIN 73348-0271

208.48 (P2)
208.51 (M)

PART 28
PIN 73348-0252

PART 27
IN 73348-0272

PART 1
AN 53R-11449

PART 26
N 73348-0275

PART 25
PIN 73348-0273

PART 24
PIN 73348-0249

PART 23
PIN 73348-0278

PART 22
PIN 73348-0250

3'45"E(P8)
3'55"W(M) 60.35(P8&M)

PART 4, PLAN 53R-18587

00"W(P7) PART 5, PLAN 53R-18587

20"W(M)

EASEMENT No. LT445544

ST. ALBERT STR
PIN 73348 - 0424

PART 4
PLAN 53R-18587

PART 9
PLAN 53R-18587

PROPOSED ST. ALBERT STR

0644

EASEMENT No. LT445544

PART 6 PLAN 53R-18587

PART 7 PLAN 53R-18587

PART 8 PLAN 53R-18587

PART 10, PLAN 53R-18587

PART 12

PART 13

PART 14

PART 15

EASEMENT No. LT445544

PART 10, PLAN 53R-18587

PART 11

PART 12

PART 13

PART 14

PART 15

CIT PARKL
PART
PLAN 53R
PIN 73348

BLOCK 23
PIN 73348-1

BLOCK
PIN 73348-

BLOCK 2
PIN 73348

PART 33
PART 9

LOT 9
PIN
73348-0530

EASEMENT
No. SD1

N89°54'2
N89°54'1.

PT.32

17.64

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Request for Decision

Baikinson Land Corp - Applications for rezoning and draft plan of subdivision amendment in order to permit 44 row dwelling units in a draft approved subdivision and to extend draft plan approval for a period of three (3) years, Baikinson Subdivision, Chelmsford

Presented To:	Planning Committee
Presented:	Monday, Feb 12, 2018
Report Date	Monday, Jan 22, 2018
Type:	Public Hearings
File Number:	751-5/17-2 & 780-5/12006

Resolution

Resolution regarding Zoning By-law Amendment:

THAT the City of Greater Sudbury approves the application by Baikinson Land Corp. to amend Zoning By law 2010-100Z by changing the zoning classification from “R1-5”, Low Density Residential One, “R3.D30(51)”, Medium Density Residential Special and “R3.D40(52)”, Medium Density Residential Special to a revised “R3(S)”, Medium Density Residential Special on lands described as Part of PIN 73348-0644, Parts 1, 2 & 8, Part of Parts 9 & 10, Plan 53R-20598 in Lot 2, Concession 2, Township of Balfour, as outlined in the report entitled “Baikinson Land Corp”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of February 12, 2018, subject to the following conditions:

- a) That the owner provides the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to enable the preparation of an amending zoning by-law;
- b) That the amending by-law includes the following site-specific provisions:
 - i) The only permitted uses shall be single detached dwellings, duplex dwellings, semi-detached dwellings, row dwellings and related accessory uses;
 - ii) The following site-specific provisions shall be applied to row dwellings:
 - (a) The maximum building height for row dwellings shall be one (1) storey;
 - (b) The minimum setback for a main building from the northerly interior side lot line abutting Lot 14, Plan

Signed By

Report Prepared By

Mauro Manzon
Senior Planner
Digitally Signed Jan 22, 18

Manager Review

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Manager of Development Approvals
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Recommended by the Division

Jason Ferrigan
Director of Planning Services
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Financial Implications

Jim Lister
Manager of Financial Planning and
Budgeting
Digitally Signed Jan 25, 18

Recommended by the Department

Tony Cecutti
General Manager of Growth and
Infrastructure
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Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jan 29, 18

M-331 shall be 15 metres;

(c) For row dwellings located on corner lots on Parts 8 and 10, Plan 53R-20598, the following provisions shall apply:

-The minimum rear yard setback shall be 1.2 metres; -No planting strip shall be required; -A minimum 1.8-metre high opaque fence shall be provided along the easterly rear lot line from the interior side lot line to the front building line;

(d) For row dwellings located on corner lots where the main building façade faces a public road, a minimum one (1) parking space per dwelling unit is required and the driveways for each pair of units shall be paired and centred at the common wall;

(e) For the purposes of Subclause (d) above, the main building façade facing a corner side yard may include an attached garage.

c) Conditional approval shall lapse on February 27, 2020 unless Condition a) above has been met or an extension has been granted by Council.

Resolution regarding Draft Plan of Subdivision Amendment:

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 PINs 73348-0611 & 73348-0644 in Lot 2, Concession 2, Township of Balfour, City of Greater Sudbury, File 780 5/12006, as follows:

a) That Condition #1 be deleted and replaced with the following:

"1. That this draft approval applies to the draft plan of subdivision of PINs 73348-0611 & 73348-0644 in Lot 2, Concession 2, Township of Balfour, as shown on a plan of subdivision prepared by D.S. Dorland, O.L.S., and dated August 12, 2014, as amended by a plan prepared by Adrian Bortolussi, O.L.S., and dated October 5, 2017."

b) By deleting Condition #2.

c) By deleting the reference to "General Manager of Growth and Development" and replacing the references to the "General Manager of Infrastructure Services" with "General Manager of Growth and Infrastructure" in Conditions #4, 12 and 22.

d) That Condition #13 be deleted and replaced with the following:

"13. That this draft approval shall lapse on April 7, 2021."

e) That Condition #17 be deleted and replaced with the following:

"17. The owner shall revise the Traffic Impact Study to the satisfaction of the Director of Infrastructure Capital Planning to address the following:

- analyze the connection to Laura Drive; and,
- review the phasing of the development to ensure that road connections are made in a manner that balances traffic volumes within the existing neighbourhood."

f) By adding the following to Condition #25:

"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."

g) By deleting Condition #26 and replacing it with the following:

“26. The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, new asphalt binder course, storm sewers and related appurtenances to the City of Greater Sudbury Engineering Standards at the time of submission.”

h) By adding the following to Condition #27:

“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.”

i) By deleting Condition #29 and replacing it with the following:

“29. The owner/applicant shall provide, 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 construction. Said plan shall be to the satisfaction of the General Manager of Growth and Infrastructure 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.”

j) By deleting Condition #32 and replacing it with the following:

“32. The owner/applicant will provide a utilities servicing plan, designed by a consulting engineer with a valid Certificate of Authorization from the Association of Professional Engineers of Ontario, for the lots being created, to the satisfaction of the General Manager of Growth and Infrastructure. The utilities servicing plan, as a minimum, shall show the location of all utilities including City services, Greater Sudbury Hydro Plus or Hydro One, Bell, Union Gas, Eastlink and Canada Post. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase. The owner/applicant shall be responsible for all costs associated with the installation of said services.”

k) By replacing the reference to “Growth and Development Department” with “Planning Services Division” in Condition #40.

l) By adding the following as Condition #41:

“41. The owner shall provide sodded rear yard drainage swales as a condition of initial acceptance of the subdivision infrastructure to the satisfaction of the Director of Planning Services.”

m) By adding the following as Condition #42:

“42. 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 General Manager of Growth and Infrastructure.”

n) By adding the following as Condition #43:

“43. The owner will be required to ensure that the corner radius for all intersecting streets is to be 9.0 metres.”

o) By adding the following as Condition #44:

“44. 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 applications to amend the Zoning By-law and the conditions of draft plan of subdivision approval are operational matters under the Planning Act to which the City is responding.

Report Summary

Applications for rezoning and draft plan of subdivision amendment have been submitted in order to permit four-unit, one-storey row dwellings on 11 draft approved lots on the proposed extension of St. Albert Street, for a total of 44 row dwelling units. The current zoning permits 40 row dwelling units, representing an increase of four (4) units. The owner is also requesting site-specific relief to locate required parking in the required exterior yard on Lots 6, 8, 11 and 14 of the amended plan. Concurrent with the rezoning, the owner has submitted an amended draft plan of subdivision to reflect the revised lot fabric. The owner is further requesting a three-year extension of the draft plan approval, which was initially granted on April 7, 2015.

The application for rezoning is recommended for approval subject to various conditions, including site-specific relief for the row dwellings to be sited on corner lots. Concerning the request to permit required parking in a required exterior yard, it is recommended that the row dwellings on corner lots be treated similar to street townhouse dwellings, where one (1) parking space per unit is required, which would be addressed by the attached garage for each unit. Enhanced buffering shall be implemented for the existing low density residential use abutting Lot 1 of the amended plan.

The draft plan of subdivision amendments are required to recognize the revised lot fabric and update the draft conditions including an extension of the lapsing date.

Financial Implications

If approved, staff estimates approximately \$98,300 in taxation revenue, based on the assumption of the total 44 row dwelling units and based on an estimated assessed value of \$200,000 per dwelling unit at the 2017 property tax rates. This report requests an increase from 40 to 44 dwelling units and the incremental increase in taxation revenue would be approximately \$8,900.

In addition, this would result in total development charges of approximately \$430,500 based on assumption of the total 44 row dwelling units and based on the rates in effect as of the date of this report. This report requests an increase from 40 to 44 dwelling units and the incremental increase in development charges would be approximately \$39,100.

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: Baikinson Land Corp

Date: January 17, 2018

STAFF REPORT

Applicant:

Baikinson Land Corp

Location:

Part of PIN 73348-0644, Parts 1, 2 & 8, Part of Parts 9 & 10, Plan 53R-20598 in Lot 2, Concession 2, Township of Balfour (St. Albert Street and Errington Avenue South, Chelmsford)

Official Plan and Zoning By-law:

Official Plan

a) Living Area policies

In Living Area 1, rezoning applications are reviewed based on the following criteria under Section 3.2.1 of the [Official Plan](#):

- suitability of the site to accommodate the proposed density and building form;
- physical compatibility with the surrounding neighbourhood in terms of scale, massing, height, siting, and setbacks;
- adequate on-site parking; and,
- traffic impact on local streets.

Other matters under review include:

- the availability of sewer and water;
- proximity to community services, employment areas and public transit; and,
- residential intensification targets.

b) Residential intensification

Section 3.3 of the Plan addresses residential intensification in settlement areas.

1. Opportunities for intensification will be supported on lands:
 - a) that are no longer viable for the purpose for which they were intended, such as older industrial areas;
 - b) where the present use is maintained but the addition of residential uses can be accomplished in a complementary manner;
 - c) that are vacant and/or underutilized within previously developed areas; and,
 - d) in fully-serviced Living Areas that could accommodate infill developments.
2. Any changes to the land use structure through intensification will be assessed so that the concerns of the community and the need to provide opportunities for residential intensification are balanced.

Title: Baikinson Land Corp

Date: January 17, 2018

3. Priority will be placed on meeting housing targets by means of intensification within existing established urban areas. In particular, intensification will be encouraged on major Arterial Roads in close proximity to Employment Areas and public transit.
4. Residential intensification in the Downtown will be promoted due to its proximity to services, amenities and employment.

c) Housing policies

The Official Plan establishes housing targets intended to provide a mix of low, medium and high density housing throughout the City. These policies are consistent with Section 1.4.3 of the [Provincial Policy Statement](#), which states that municipalities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents.

Furthermore, new housing shall be directed towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs. Both the Official Plan and the PPS place a special emphasis on achieving housing targets through residential intensification.

Zoning By-law

The lands subject to the rezoning proposal currently contain a mix of zoning permissions based on the initial draft approval in 2015, including “R1-5”, Low Density Residential One, “R3.D30(51)”, Medium Density Residential Special and “R3.D40(52)”, Medium Density Residential Special.

The R3 special zonings permit single detached dwellings, duplex dwellings, semi-detached dwellings, row dwellings and related accessory uses. The maximum building height for row dwellings is limited to one (1) storey.

Site Description & Surrounding Land Uses:

The lands subject to the rezoning application are located south of St. Albert Street and west of the Marquis Park subdivision in the community of Chelmsford. The area is fully serviced by municipal water and sanitary sewer. St. Albert Street is designated as a Local Road and is not constructed to an urban standard.

Total area of the lands to be rezoned is approximately 2.47 ha, comprising approximately 15% of the total draft approved subdivision. The site is relatively flat with no major changes in topography. Large portions of the property have been cleared of vegetation. Municipal water and sanitary sewer easements are located within the proposed southerly extension of St. Albert Street.

Low density residential uses are located on adjacent lands, including older residential neighbourhoods to the north and west (St. Albert Street and Errington Avenue), as well as more recent residential development to the northeast (Marquis Park subdivision). These neighbourhoods are predominantly comprised of single detached dwellings.

Application:

To amend [By-law 2010-100Z](#) being the City of Greater Sudbury Zoning By-law from “R1-5”, Low Density Residential One, “R3.D30(51)”, Medium Density Residential Special and “R3.D40(52)”, Medium Density Residential Special to a revised “R3(S)”, Medium Density Residential Special.

Title: Baikinson Land Corp

Date: January 17, 2018

Proposal:

Application for rezoning in order to permit row dwellings on 11 draft approved lots on the proposed extension of St. Albert Street, for a total of 44 row dwelling units. The current zoning permits 40 row dwelling units, representing an increase of four (4) units. Each row dwelling would have four (4) units and a building height of one storey.

The owner is also requesting site-specific relief to locate required parking in the required exterior yard on Lots 6, 8, 11 and 14, as illustrated on the attached rezoning sketch.

Concurrent with the rezoning, the owner has submitted an amended draft plan of subdivision to reflect the revised lot fabric. The owner is further requesting a three-year extension of the draft plan approval, which was initially granted on April 7, 2015.

Departmental/Agency Circulation:

Development Engineering and Roads and Transportation Section have reviewed the amended draft plan and provided the necessary updates to the draft plan conditions.

There were no objections to the rezoning required for the reconfigured row dwellings.

Neighbourhood Consultation:

The statutory notice of the public hearing was provided by newspaper along with a courtesy mail-out to property owners and tenants within a minimum of 120 metres of the property.

The applicant was advised of the City's policy recommending that applicants consult with their neighbours, ward councillor and key stakeholders to inform area residents on the application prior to the public hearing.

The applicant advised that a neighbourhood meeting will be held on February 1, 2018 at Centre Club 50 in Chelmsford.

As of the date of this report, no written submissions or phone calls have been received concerning this application.

Planning Considerations:

The review of this application is divided into two components:

1. Rezoning the northwesterly portion of the draft approved subdivision to accommodate a revised layout of proposed row dwellings; and,
2. Draft plan of subdivision amendments to recognize the revised lot fabric and update the draft conditions including an extension of the lapsing date.

Title: Baikinson Land Corp

Date: January 17, 2018

Proposed zoning amendment for row dwellings

The owner is proposing to rezone a northwest portion of the draft approved subdivision to a revised "R3(S)", Medium Density Residential Special in order to permit one-storey row dwellings on 11 reconfigured lots. Each lot would contain four (4) units, for a total of 44 row dwelling units, as illustrated on the rezoning sketch. The current zoning permits 40 row dwelling units, representing an increase of 4 units. The owner is also requesting site-specific relief in order to permit required parking in the required corner side yards of Lots 6, 8, 11 and 14.

a) Treatment of corner lots

The siting of the row dwellings on the four (4) corner lots is particularly important, given the increased visibility along two street lines. Six (6) parking spaces are required for each four-unit row dwelling, based on a parking standard of 1.5 spaces per unit. The sketch illustrates eight (8) parking spaces located in the required corner side yard, which requires site-specific relief under Section 5.2.4 of the Zoning By-law.

It is recommended that the row dwellings on corner lots be treated similar to street townhouse dwellings, where one (1) parking space per unit is required. The parking requirement would therefore be addressed by the attached garage for each unit. This is preferable to providing relief for exterior yard parking, which would require extended curb cuts and result in a street line dominated by parking areas. The following site-specific provisions are recommended for row dwellings located on corner lots where the main building façade faces a public road:

- A minimum one (1) parking space per dwelling unit is required; and,
- The driveways for each pair of units shall be paired and centred at the common wall.

b) Buffering of existing low density housing

The revised plan would eliminate the draft approved R1-5 lot abutting Lot 14, Plan M-331 on St. Albert Street, identified as PIN 73348-0192 on the rezoning sketch, which is an existing single detached dwelling. However, the width of Lot 1 has been increased to provide an enhanced separation distance, with the building set back more than 25 metres from the northerly lot line. A planting strip will also be required as per the requirements of the Zoning By-law.

- It is recommended that a minimum setback of 15 metres be implemented for a main building from the northerly interior side lot line abutting Lot 14, Plan M-331. A 15-metre setback allows a sufficient buffer for the abutting low density use and will also provide some flexibility in siting the main building.

c) Other site-specific relief

Lots 8, 11 and 14 also require relief for the easterly rear yard setback. As these are corner lots with the shorter street frontage on Albert Street, the easterly yard is considered the rear yard under the Zoning By-law. The rear yards on these lots can be treated as interior side yards, given that full privacy yards are provided adjacent to each unit. Such variances are common when siting dwellings on corner lots, particularly when the main building façade faces the corner side yard.

The reduced rear yard necessitates a variance for a planting strip, as the lots abut an R1-5 zone. In lieu of a planting strip, an opaque fence shall be provided in order to appropriately screen the use.

Title: Baikinson Land Corp

Date: January 17, 2018

The following site-specific provisions are recommended for Lots 8, 11 and 14:

- The minimum rear yard setback for row dwellings shall be 1.2 metres;
- No planting strip shall be required;
- A minimum 1.8-metre high opaque fence shall be provided along the easterly rear lot line from the interior side lot line to the front building line.

Draft Plan of Subdivision amendments

The application requires concurrent amendments to the draft plan approval in order to recognize the revised lot fabric and also extend the lapsing date. The following amendments to the draft plan conditions are recommended:

- All of the required modifications to the road network as outlined in Condition #2 have been incorporated onto the amended draft plan and the condition can be deleted;
- A three-year extension of the lapsing date to April 7, 2021;
- Other housekeeping amendments to update the draft conditions to current day wording and/or standards.

2014 Provincial Policy Statement

The proposal presents consistency with the 2014 Provincial Policy Statement (PPS), including the following policies:

- 1.1.1 b): The row dwellings will diversify the supply of new housing in Chelmsford, thereby accommodating an appropriate range and mix of housing in the community;
- 1.1.3.1: The proposal represents new development in a fully-serviced settlement area, which shall be the focus of growth;
- 1.1.3.3: The location is appropriate for residential intensification based on the availability of existing and planned infrastructure and the proximity to community services; and,
- 1.4.3: The development will provide a mix of housing and densities to meet projected needs in an area with appropriate levels of infrastructure and public service facilities.

Conformity with the Official Plan

The proposal conforms to the Official Plan based on the following considerations:

- The lots are suitable for the proposed use, with residential density not exceeding 36 dwelling units per hectare, which is the maximum density permitted in low density residential areas;
- Physical compatibility is achieved based on the scale of development, building height, appropriate siting on the lot, enhanced setbacks where required to buffer existing uses, and by grouping the row dwellings on a block and part-block basis;
- Staff are satisfied that adequate parking can be provided on-site;
- No local traffic impact is anticipated given the net increase of only four (4) units;
- Housing policies promoting a mix of dwelling types are addressed; and,
- Lands are serviced, suitable for infill development and offer close proximity to community services.

Planning Services recommends that the applications for rezoning and draft plan amendment be approved subject to the conditions outlined in the Resolution section of this report.

Appendix 1

Departmental & Agency Comments

File: 751-5/17-2
780-5/12006

RE: Applications for Rezoning and to Amend Draft Plan of Subdivision Approval – Baikinson Land Corp
Part of PIN 73348-0644, Parts 1, 2 & 8, Part of Parts 9 & 10 in Lot 2, Concession 2, Township of Balfour (St. Albert Street and Errington Avenue South, Chelmsford)

Development Engineering

We require the following additional conditions be added to the Draft Plan Approval:

1. The owner shall provide sodded rear yard drainage swales as a condition of initial acceptance of the subdivision infrastructure to the satisfaction of the Director of Planning Services.
2. 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 General Manager of Growth and Infrastructure.
3. The owner will be required to ensure that the corner radius for all intersecting streets is to be 9.0 m.

We require the following modifications to the draft conditions:

- Remove Condition 2.a) through 2.g). These conditions are to be removed as they have been satisfied based on the Draft Plan of Proposed Subdivision, dated October 5th, 2017.

- Amend Condition 26:

The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, new asphalt binder course, storm sewers and related appurtenances to the City of Greater Sudbury Engineering Standards at the time of submission.

- Add the following to Condition 27:

A lot grading agreement shall be registered on title, if required, to the satisfaction of the Director of Planning Services and the City Solicitor.

- Replace Condition 29 with the following:

The owner/applicant shall provide, 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 construction. Said plan shall be to the satisfaction of the General Manager of Growth and Infrastructure 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.

- Replace Condition 32 with the following:

The owner/applicant will provide a utilities servicing plan, designed by a consulting engineer with a valid Certificate of Authorization from the Association of Professional Engineers of Ontario, for the lots being created, to the satisfaction of the General Manager of Growth and Infrastructure. The utilities servicing plan, as a minimum, shall show the location of all utilities including City services, Greater Sudbury Hydro Plus or Hydro One, Bell, Union Gas, Eastlink and Canada Post. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase. The owner/applicant shall be responsible for all costs associated with the installation of said services.

Roads and Transportation

a) Traffic and Transportation

The applicant has submitted a revised traffic impact study in conjunction with the application. The traffic impact study has partially addressed Council's Condition #17 as outlined in the draft approval related to the number of dwelling units, but it does not address the following:

- Analyze the connection to Laura Drive.

It is noted that traffic generated by the proposed subdivision has not been applied to Laura Drive at the northeast end of the subdivision. Laura Drive has now been constructed up to Edna Street which borders this subdivision. Based on the proposed distribution of traffic for the subdivision, Laura Drive will be an important link between the access to and from the subdivision. Staff require that the traffic impact study be revised to reflect the above changes and analyze the connection to Laura Drive.

- The traffic impact study should also review the phasing of the development to ensure that road connections are made in a manner that balances traffic volumes within the existing neighbourhood.

b) Drainage Section

The area to be rezoned R3 must still meet Condition #20 of the April 2015 subdivision approval where drainage must be conveyed to the southeast corner of the subdivision lands to the Lavallee Municipal Drain

Building Services

Building Services has reviewed the draft plan and Council's conditions applying to the approval of the final plan for registration of the subject subdivision. We can advise that Building Services has no objections other than the following modifications:

- a) To be added at the end of Condition #28 and #38, a soils caution agreement, if required, shall be registered on title to the satisfaction of the Chief Building Official and City Solicitor.

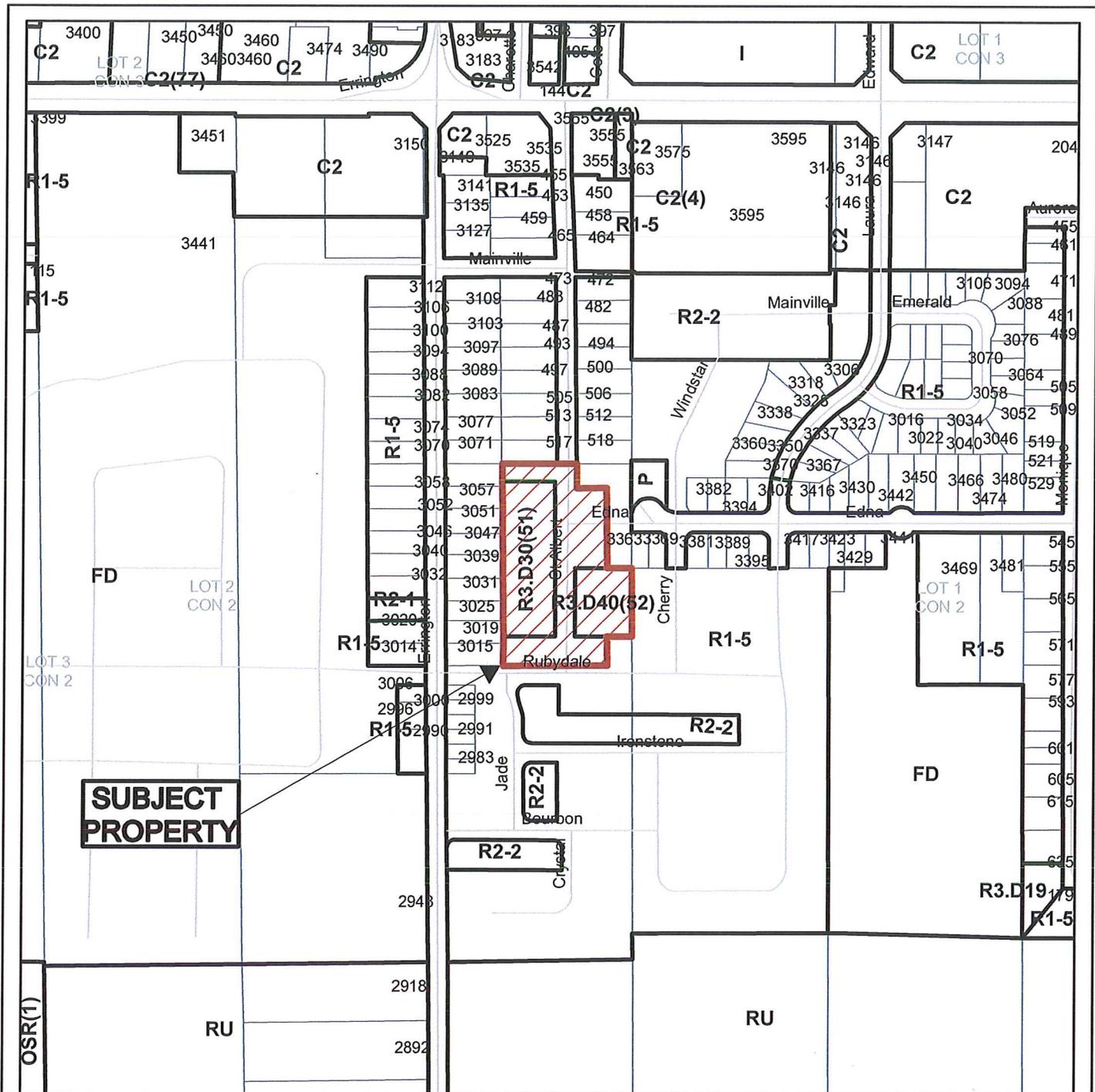
Building Services has no objection to the rezoning application other than the following comments for the applicant's information:

- a) Applications for building permits are required for the proposed row dwellings, as well as the four (4) single detached dwellings.
- b) Drawings prepared by a qualified designer are to be submitted showing floor layouts, exits, fire separations and all fire and life safety requirements to the satisfaction of the Chief Building Official.

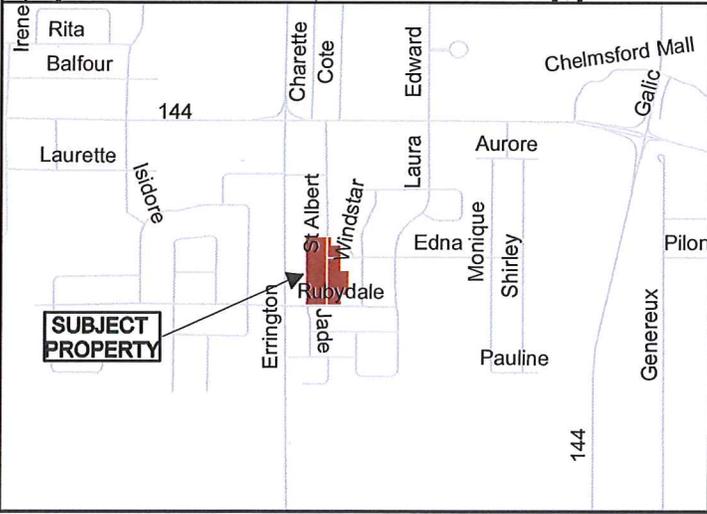
c) Site-specific relief for the rear yard setbacks for row dwellings on corner lots is required.

Nickel District Conservation Authority

No concerns.



SUBJECT PROPERTY



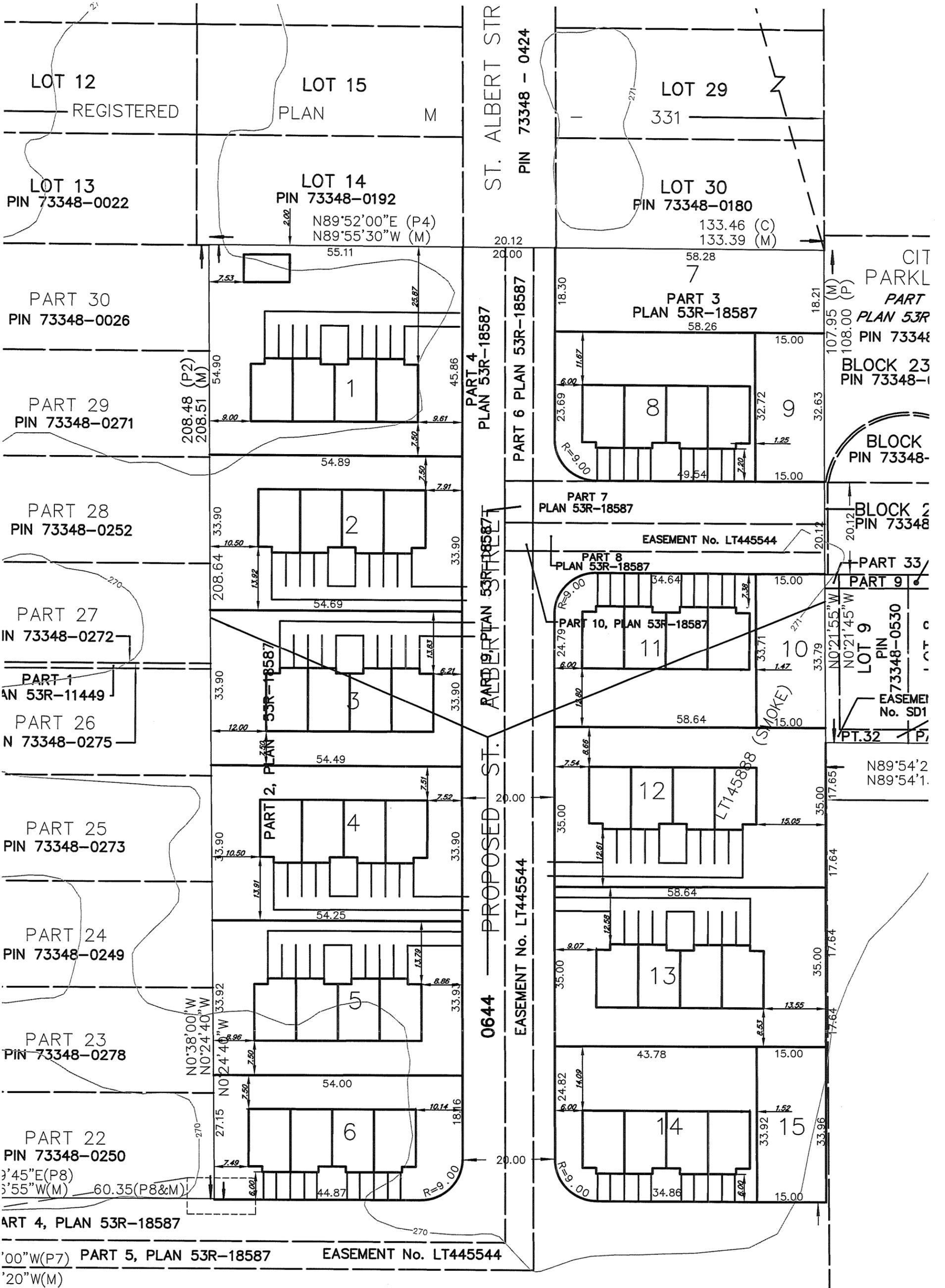
Growth and Infrastructure Department



Subject Property being part of PIN 73348-0644,
 Parts 1, 2 & 8, Pt of Parts 9, & 10,
 Plan 53R-20598, Lot 2, Concession 2,
 Township of Balfour, Errington Avenue South,
 Chelmsford, City of Greater Sudbury

NTS
 Sketch 1

751-5/17-2
 Date: 2017 10 16



File: 751-5/17-2 and
780-5/12006
Errington Ave., Chelmsford,
Baikinson Land Corp.
2012 Orthophotography

ST ALBERT STREET

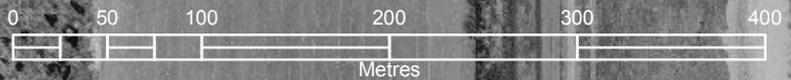
Lands to be
Rezoned

LAURA DRIVE

EDNA STREET

ERRINGTON AVENUE

Draft Approved
Lands



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 PINs 73348-0611 & 73348-0644 in Lot 2, Concession 2, Township of Balfour, as shown on a plan of subdivision prepared by D.S. Dorland, O.L.S., and dated August 12, 2014.
2. That the final plan to be submitted for registration shall be revised to the satisfaction of the Director of Planning Services as follows:
 - a) Rubydale Street be extended to the easterly boundary of the plan;
 - b) Ironstone Avenue between Lots 40 and 41 be incorporated into the residential lotting of the plan;
 - c) That a walkway block to the satisfaction of the Director of Planning Services be provided between Errington Avenue and Crystal Street;
 - d) Laura Drive be extended to the southerly boundary of the plan in the vicinity of Lot 50 and the adjacent lotting be revised;
 - e) The intersection of Rubydale Street and Laura Drive be aligned at 90 degrees;
 - f) The north end of Jade Street be realigned to provide sufficient queuing distance on Jade Street perpendicular to Rubydale Street;
 - g) Block 164 be revised to a minimum width of 10 metres as a drainage block in the vicinity of Lots 48 and 49 to accommodate the conveyance of the 100 Year Storm to the outlet of Drain F of the Lavallee Municipal Drain. The stormwater outlet infrastructure and location of the drainage block shall be to the satisfaction of the General Manager of Infrastructure Services.
3. Final approval for registration may be issued in phases to the satisfaction of the Director of Planning Services provided that:
 - a) Phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure and other essential services; and,
 - b) 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.

4. 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 Development and the General Manager of Infrastructure Services.
5. That the street(s) shall be named to the satisfaction of the Municipality.
6. 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.
7. 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.
8. That the subdivision agreement be registered by the Municipality against the land to which it applies, prior to any encumbrances.
9. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
10. 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.
11. 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.
12. 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 Infrastructure Services that sufficient sewage treatment capacity and water capacity exist to service the development.
13. That this draft approval shall lapse on April 7, 2018.
14. 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.

15. That 5% cash in lieu of parkland be paid to the City of Greater Sudbury in accordance with Section 51.1 (3) of the Planning Act to the satisfaction of the Director of Leisure Services.
16. Prior to any site alteration or construction on the subject lands, the owner shall demonstrate to the satisfaction of the Director of Planning Services that all requirements set out by the Ministry of Natural Resources under the Endangered Species Act have been satisfied.
17. The owner shall revise the Traffic Impact Study to the satisfaction of the Director of Roads and Transportation to address the following:
 - discrepancies between the impact study and the draft approved plan related to the total number of dwelling units and the proposed road network;
 - analyze the connection to Laura Drive; and,
 - review the phasing of the development to ensure that road connections are made in a manner that balances traffic volumes within the existing neighbourhood.
18. That Laura Drive and Rubydale Street be constructed to an urban collector standard.
19. That the owner be required to upgrade Errington Avenue from the south limit of the subject property to Rubydale Street to an urban collector standard complete with a sidewalk along the west side.
20. In accordance with the Lavallee Municipal Drain Engineer's Report, the stormwater drainage, including major storm overland flow for the subject subdivision, is to be conveyed to the southeast corner of the subdivision lands to outlet to the Lavallee Municipal Drain. The subdivision lot grading plan shall reflect the required grade.
21. The owner shall complete a stormwater master plan and lot grading plan for the complete draft subdivision plan prior to the submission of engineering drawings for the first phase of the subdivision.
22. The owner shall provide engineered temporary drainage channel outlets to the Lavallee Municipal Drain to accommodate for subdivision phasing to the satisfaction of General Manager of Infrastructure Services.
23. The owner shall have the filling of all existing Castonguay Municipal Drain channels designed, supervised and certified by a geotechnical engineer, registered in the Province of Ontario.
24. The owner shall provide a storm sewer outlet, at his/her cost, for the existing ditches and drainage area of St. Albert Street.

25. Prior to the submission of servicing plans, the owner shall provide an updated geotechnical report prepared, signed, sealed, and dated by a geotechnical engineer licensed in the Province of Ontario to the satisfaction of the Director of Planning Services. 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, building foundations, and migration of groundwater along the former ditch bed. 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.
26. All streets will be constructed to an urban standard, including the required curbs and gutters and sidewalks.
27. 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.
28. 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.
29. 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).
30. Any streetlights required for this subdivision will be LED lights and be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
31. 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.

32. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Greater Sudbury Hydro, 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.
33. 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.
34. 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.
35. The owner shall agree in an agreement with the City to be registered on title, to include in all Agreements of Purchase and Sale wording informing the purchasers of Lots 31 to 49 as shown on the draft plan that the lot backs onto lands containing a private aerodrome and that activities related to the aerodrome including the taking-off and landing of aircraft may result in noise from time to time which may affect the enjoyment of their property.
36. That the stormwater master plan and lot grading plan be reviewed and approved by Conservation Sudbury (Nickel District Conservation Authority).
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. A soils report prepared by a qualified geotechnical professional shall be submitted for review to the satisfaction of the Chief Building Official documenting construction parameters for the residential structures such as soil bearing capacity, frost cover for foundations and groundwater table characteristics effecting sub-soil foundation drainage and sump pump design.
39. 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.
40. That prior to the signing of the final plan the Growth and Development Department is to be advised by the City Solicitor that conditions 5, 6, 8, 9, 10, 11 & 35 have been complied with to his/her satisfaction.