

Request for Decision

Moonglo East Subdivision, Sudbury

Presented To:	Planning Committee
Presented:	Monday, Feb 08, 2021
Report Date	Monday, Jan 18, 2021
Type:	Routine Management Reports
File Number:	780-6/89019E

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 described as Part of Parcel 1446 SES, Lots 7 & 8, Concession 1, Township of McKim, File # 780-6/89019E, as outlined in the report entitled "Moonglo East Subdivision, Sudbury", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on February 8, 2021, as follows:

1. By deleting Condition #23 and replacing it with the following:

"23. That this draft approval shall lapse on February 6, 2024.";

2. By deleting Condition #28 entirely and replacing it with the following:

"28. A storm-water management report and associated plans must be submitted by the Owner's Consulting Engineer for approval by the City. The report must address the following requirements:

a) The underground storm sewer system within the plan of subdivision must be designed to accommodate and/or convey the minor storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 5 year design storm. The permissible minor storm discharge from the subject development must be limited to the existing pre-development site runoff resulting from a 5 year design storm. Any resulting post-development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision;

b) The overland flow system within the plan of subdivision must be designed to accommodate and/or convey the major storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 100 year design storm or Regional storm event, whichever is greater, without

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed Jan 18, 21

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Jan 18, 21

Recommended by the Division

Alex Singbush
Manager of Development Approvals
Digitally Signed Jan 21, 21

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Jan 21, 21

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Jan 25, 21

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jan 26, 21

causing damage to proposed and adjacent public and private properties. The permissible major storm discharge from the subject development must be limited to the existing pre-development runoff resulting from a 100 year design storm or Regional storm event, whichever is greater;

c) "Enhanced" level must be used for the design of storm-water quality controls as defined by the Ministry of the Environment, Conservation and Parks;

d) Storm-water management must follow the recommendations of the Junction Creek Sub-watershed Study;

e) The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any storm-water management plan;

f) The final grading of the lands shall be such that the surface water originating on or tributary to the said lands, including roof water from buildings and surface water from paved areas, will be discharged in a manner satisfactory to the General Manager of Growth and Infrastructure;

g) Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties; and,

h) Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted; and,

i) The owner shall be responsible for the design and construction of any required storm-water management works to the satisfaction of the General Manager of Growth and Infrastructure as part of the servicing plans for the subdivision and the owner shall dedicate the lands for storm-water management works as a condition of this development."

3. By deleting Condition #38 entirely; and,

4. By deleting Condition #48 entirely and replacing it with the following:

"48. The owner shall provide to the City, as part of the submission of servicing plans an Erosion and Sediment Control Plan detailing the location and types of sediment and erosion control measures to be implemented during the construction of each phase of the project. 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."

Relationship to the Strategic Plan / Health Impact Assessment

The application to extend this 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 the Moonglo East draft approved plan of subdivision in the community of Sudbury for a period of three years until February 6, 2024. 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.

Conservation Sudbury has requested that Condition #48 be updated to reflect current standard condition verbiage relating to the requirement for the owner to prepare an Erosion and Sediment Control Plan to the satisfaction of the Nickel District Conservation Authority (NDCA).

The City's Drainage Section has requested that the existing condition addressing storm-water management be updated to reflect current standard draft approval condition practices in terms of the infrastructure that will be required to facilitate the development of the Moonglo East subdivision.

Environmental Planning Initiatives has provided comment that the owner is advised that prior to vegetation removal or other site alteration on the subject lands they are to consult with the Ministry of the Environment, Conservation and Parks to ensure that all requirements set out by the Province of Ontario under the Endangered Species Act have been satisfied. Environmental Initiatives has therefore also advised that Condition #38 can be removed as it is no longer necessary based on the above.

Other housekeeping changes where necessary are included and outlined in the Resolution section of this report.

The Planning Services Division is recommending approval of the application to extend the Moonglo East draft approved plan of subdivision for a period of three years until February 6, 2024. 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 \$623,000 in taxation revenue, based on the assumption of 93 single detached dwelling units at an estimated assessed value of \$500,000 per dwelling unit at the 2020 property tax rates.

In addition, this development would result in total development charges of approximately \$1,696,000 based on the assumption of 93 single detached dwelling units and based on the rates in effect as of this report.

Also, this development falls within the South End Sewer Rock Tunnel project area and would be subject to Section 391 Charges relating to this growth related infrastructure in the mid-2000's. The total Section 391 Charge is approximately \$178,000 based on current rates.

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).

Date: January 8, 2021

Staff Report

Applicant:

17896832 Ontario Ltd.

Location:

Part of Parcel 1446 SES, Lots 7 & 8, Concession 1, Township of McKim, (Moonglo East Subdivision, Sudbury)

Application:

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on March 9, 1990. The draft approval was most recently extended by the City's Planning Committee on April 23, 2018, through Resolution PL2018-72, which was ratified by Council on May 29, 2018.

Proposal:

The owner is requesting that the draft approval conditions for the above noted lands be extended for a period of three years until February 6, 2024.

Background:

The City received a written request via email from the owner's agent on November 13, 2020, to extend the draft approval on a plan of subdivision for a period of three years on those lands described as Part of Parcel 1446 SES, Lots 7 & 8, Concession 1, Township of McKim. The draft approved plan of subdivision was initially approved by Council for a total of 557 urban residential dwelling lots with one block of land being to west of Nova Drive and the other block of land being to the south of Moonrock Avenue in the community of Sudbury. The separate blocks of land described above are under separate ownership. For the purposes of clarity and convenience, the draft approval now carries two file numbers with each having an alphabetic letter assigned to it (i.e. 780-6/89019E & 780-6/89019W) in order to distinguish between Moonglo West and Moonglo East. The lands forming the Moonglo East draft approved plan of subdivision are intended to be accessed via Moonrock Avenue.

The Moonglo East draft approval is set to expire again on February 6, 2021. Staff has circulated the request to relevant agencies and departments and is now bringing forward this report to extend the draft approval to February 6, 2024.

Departmental & Agency Circulation:

Active Transportation, Building Services, Development Engineering, Fire Services, Leisure Services, Operations, Roads, Traffic & Innovation and Transit Services have each advised that they have no concerns from their respective areas of interest.

Canada Post has not requested any changes to the draft approval conditions. Canada Post did however note in an emailed letter their requirements and expectations for providing mail service to the subdivision. The above noted letter is attached to this report for the owner's information and reference purposes.

Date: January 8, 2021

Conservation Sudbury has requested that Condition #48 be updated to reflect current standard condition verbiage relating to the requirement for the owner to prepare an Erosion and Sediment Control Plan to the satisfaction of the Nickel District Conservation Authority (NDCA). Conservation Sudbury is also requesting that three conditions be added which would properly address the placement of fill, alteration of grades and construction activities on the portion of the subject lands that are regulated under [Ontario Regulation 156/06](#). Conservation Sudbury is also further requesting to be added as a reviewing agency in Condition #27, which requires the owner to provide a geotechnical report to the satisfaction of the Chief Building Official. Finally, Conservation Sudbury also generally notes that any works occurring within a regulated area will require a permit pursuant to Section 28 of the [Conservation Authorities Act](#).

The City's Drainage Section has requested that Condition #28 be deleted and replaced with one comprehensive and modernized condition addressing the requirement for a storm-water management report and associated plans. The comprehensive condition will act to provide clarity in the draft approval document in terms of what is required from a storm-water management perspective.

Environmental Initiatives has noted that Condition #38 is no longer required and should be removed. Environmental Initiatives advises and cautions that the owner is solely responsible for ensuring that activities relating to vegetation removal, site alteration and development undertaken on the subject lands do not result in a contravention of the [Endangered Species Act](#). The owner is advised to consult with the Ontario Ministry of the Environment, Conservation and Parks.

Planning Considerations:

[Planning Act](#)

Section 51 of the Planning Act has established two land use planning principles with respect to the initial approval of a draft plan of subdivision and how extensions to an existing draft approved plan of subdivision can be addressed.

First, Section 51(32) allows for a municipality to provide a lapsing date on a draft approved plan of subdivision of not less than three years and the draft approval is considered to have lapsed at the end of the specified time period.

In practice, where a draft plan of subdivision has lapsed there is nothing preventing a landowner from filing another draft plan of subdivision application for consideration. The re-application is treated as a new application and all requirements under Section 51 are applicable (e.g. a public hearing would be required). Section 51(33) allows for a municipality to extend draft approval beyond the initial period for a time specified by the municipality.

Lapsing conditions are imposed by a municipality to ensure that development once approved will proceed in an expeditious manner. The municipality is most typically concerned that development takes place within the current policy and regulatory framework and especially where scarce services or capacity to service development have been committed to the draft approved plan of subdivision. Three years is generally considered to be sufficient time to clear conditions of draft approval and proceed to registering a plan of subdivision. Section 51(33) allows for some flexibility whereby some additional time can be afforded to a landowner where they are actively pursuing the clearing of draft approval conditions.

Second, Section 51(44) on the other hand allows for a municipality to withdraw draft approval of a plan of subdivision at its discretion or to change the conditions of a draft approval at any time before the registration of a plan of subdivision.

Appeal rights in both cases noted above are found in Section 51 should a landowner or interested party wish to appeal a refusal to extend a lapsing date, a change of conditions or the complete withdrawal entirely of a draft approval by a municipality.

Date: January 8, 2021

2020 Provincial Policy Statement

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters are consistent with the PPS. Settlement areas, employment areas, housing and housing supply, provision of public spaces, sewage and water capacities, transportation, natural heritage areas, natural hazards and human-made hazards are some examples of areas of provincial interest that a draft approved plan of subdivision may impact and should be considered when an initial approval is granted as well as when an extension to an existing draft approval is granted. The PPS is updated from time-to-time by the Province, and any draft approval extension should be considered within the context of the in-force PPS at the time an extension request is made.

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 draft approval. At the time of an extension request, Council is to review the draft plan conditions and may make appropriate modifications.

Staff notes that this particular draft plan approval was originally approved by Council on March 9, 1990, and at the time of writing this report, multiple phases of the Moonglo Subdivision have been registered across time with two remnant portions now remaining that are both also now under separate ownership (i.e. Moonglo West and Moonglo East). At present, those lands now known as the Moonglo East Subdivision contain 93 unregistered lots and there have been no phases registered in the Moonglo East Subdivision since the last draft approval extension was granted by Council.

The owner did note in their draft approval extension request that they remain committed to the draft approved plan of subdivision and are generally seeking to preserve existing development rights on the subject lands.

Planning Analysis:

With respect to the City's Official Plan, staff advises that Phase 2 of the City's Official Plan review is, in part, examining issues related to water and waste-water capacities and demands. Section 19.4.2 in particular has been identified as being a policy requiring an update to address these capacities and demand issues. Staff through this process will consider the embedding of criteria into this section to strengthen the policy position and clarification around what constitutes reasonable effort on behalf of a landowner when they seek to extend a draft approved plan of subdivision. Internal procedures and application requirements for extension requests are also under review and a stronger "landowner onus" approach will be applied to extension requests in the future once said procedures are established. It is on the above noted basis that staff is supportive of the current draft approval extension request. The owner is cautioned that future draft approval extensions may be subject to review under strengthened criteria embedded in the Official Plan through the City's Phase 2 Official Plan Review.

Draft Approval Conditions

Condition #23 should be deleted entirely and replaced with a sentence referring to February 6, 2024, as the revised date on which the subject draft plan of subdivision approval shall lapse.

Date: January 8, 2021

Conservation Sudbury has requested that Condition #48 be updated to reflect current standard condition verbiage relating to the requirement for the owner to prepare an Erosion and Sediment Control Plan to the satisfaction of the Nickel District Conservation Authority (NDCA). Conservation Sudbury is also requesting that three conditions be added which would properly address the placement of fill, alteration of grades and construction activities on the portion of the subject lands that are regulated under

[Ontario Regulation 156/06](#). Staff has reviewed the three additional conditions pertaining to the placement of fill, alteration of grades and construction activities on the portion of the subject lands that are regulated and would recommend that they more appropriately be addressed through the subdivision registration process. With respect to the required geotechnical report, staff advises that Conservation Sudbury can be included in the circulation and review of said report but it would not be necessary to amend Condition #27 to explicitly make the geotechnical work to the satisfaction of the NDCA. The owner is however cautioned that the lands are partially within a regulated area and it would certainly be in their interest to address any concerns raised by the NDCA.

The City's Drainage Section has requested that Condition #28 be deleted and updated as a modernized and comprehensive drainage condition addressing storm-water management infrastructure needs for the Moonglo East Subdivision. This requested change is reflected in the Resolution section of this report through the deletion of Condition #28 in favour of the above noted modernized draft approval condition.

Environmental Initiatives advises that Condition #38 should be deleted entirely.

No other administrative and housekeeping changes to the draft approval documents are required at this time. No other changes beyond those described in this report to the draft approval documents have been requested either by the owner or by circulated agencies and departments.

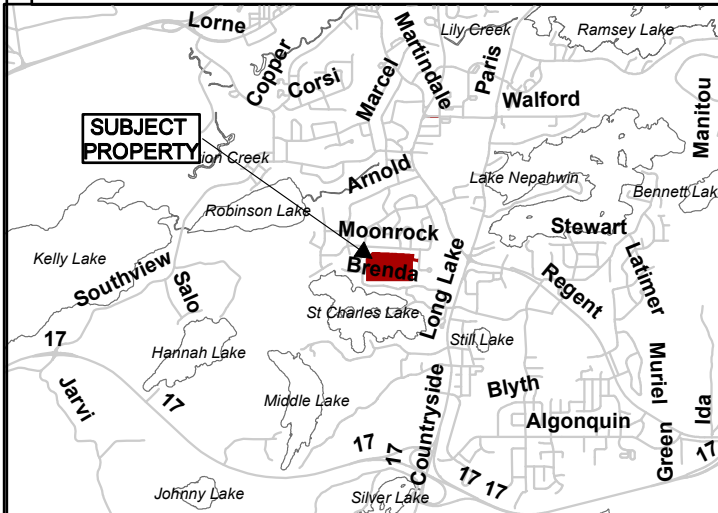
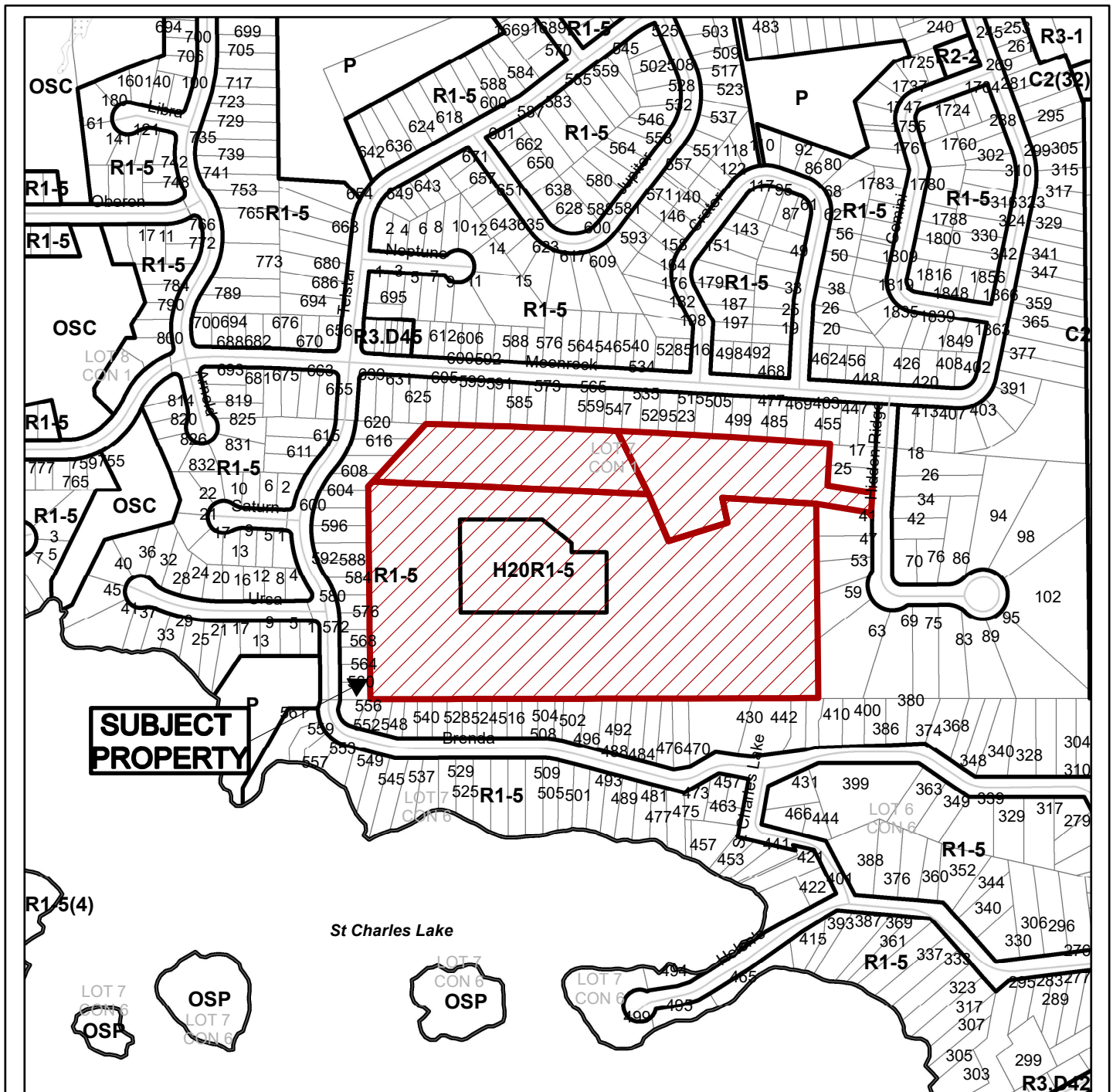
The existing draft approval conditions are attached to this report along with a copy of the draft approved plan of subdivision for reference purposes.

Processing Fees

The owner has provided the applicable processing fee in the amount of \$2,813.75. This amount was calculated as per [By-law 2020-26](#) being the Miscellaneous User Fees for Certain Services By-law that was in effect at the time the request to extend the draft approval was made by the owner.

Summary:

The Planning Services Division have 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 were identified and explained within this report have been included in the Resolution section of this report and would now form part of the draft plan approval if approved by Council. The owner is also cautioned that future draft approval extensions may be subject to review under strengthened criteria embedded in the Official Plan through the City's Phase 2 Official Plan Review. The Planning Services Division therefore recommends that the application to extend the draft approval for the Moonglo East Subdivision for a period of three years until February 6, 2024, be approved as outlined in the Resolution section of this report.



Growth and Infrastructure Department



Moonglo East

Subject Property being PIN 73596-0892,
Pt of PINs 73596-0931 & 73596-0894,
PCL 40226, Pts 1,3,12-14, Pt Parts 2, 11, Plan 53R-13355,
Part 2, Plan 53R-18832, Pt BLK M, Plan M-998,
Pts 3, 4, 7-9, Pt Parts 6 & 11, Plan 53R-18832,
Pt Lot 7, Concession 1, Township of McKim,
Moonrock Avenue, Sudbury,
City of Greater Sudbury

NTS

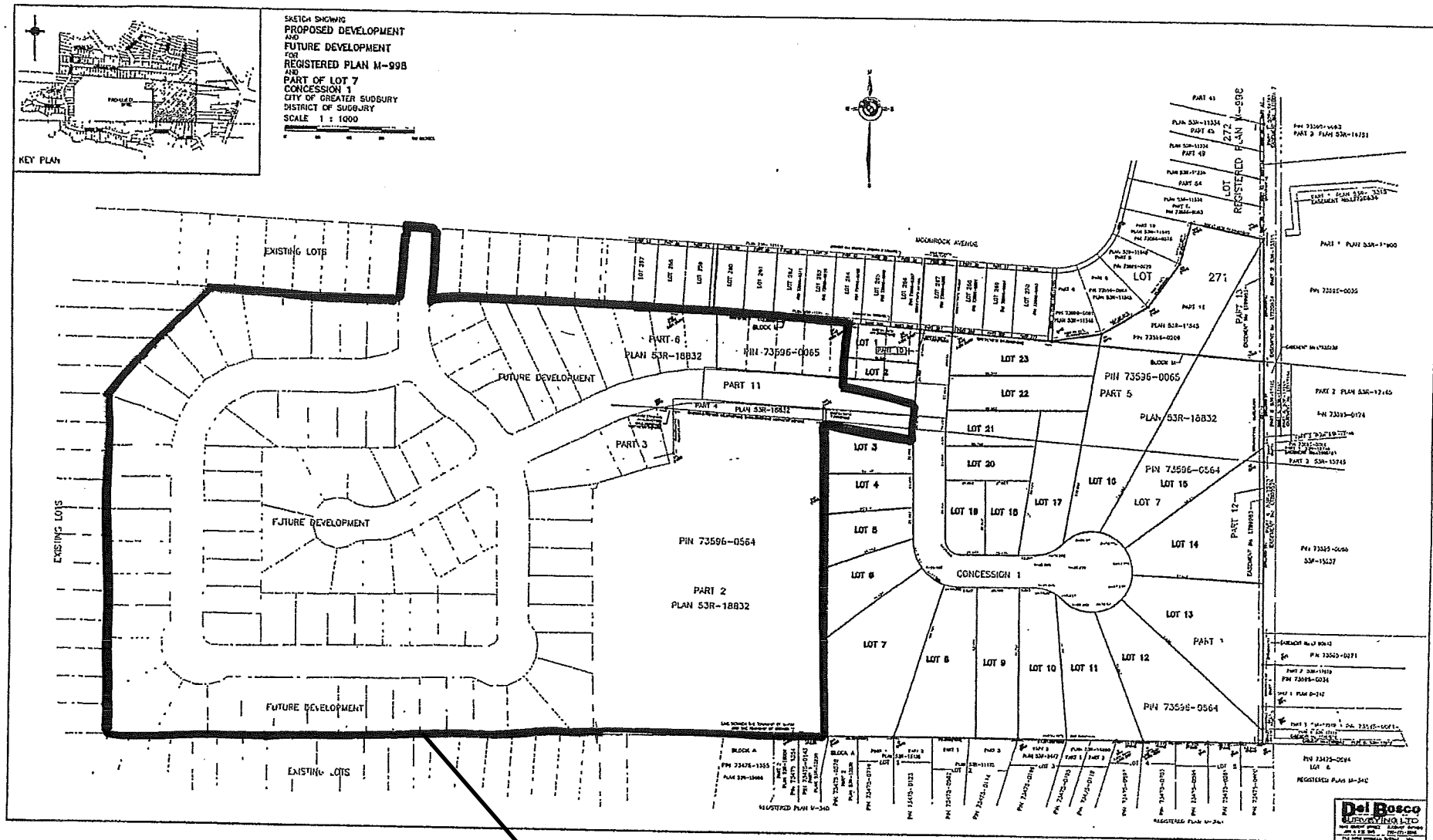
780-6/89019

Sketch 1

Date: 2020 11 17

EXISTING DRAFT APPROVED PLAN OF SUBDIVISION

FILE 780-6/89019



Lands subject to the Application

November 18 20, 2020

Alex Singbush, MCIP, RPP
Manager of Development Approvals
City of Greater Sudbury
PO Box 5000 Stn. A.
200 Bradly Street
Sudbury ON P3A 5P3

Reference: File # 780-6/89019—Moonglo East Subdivision

Dear Mr. Singbush,

Thank you for contacting Canada Post regarding plans for a new subdivision in the City of Greater Sudbury.

Please see Canada Post's feedback regarding the proposal, below.

Service type and location

1. Canada Post will provide mail delivery service to the subdivision through centralized Community Mail Boxes (CMBs).
2. Given the number of lots (93) in the subdivision, we have determined that a minimum of 6 CMB(s) will be installed on a minimum of 2 different locations site(s).
3. I will need to identify the locations as per lot numbers and street names once they are assigned; please inform me as soon as they are.

Municipal requirements

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this subdivision application be approved, please provide notification of the new civic addresses as soon as possible.

Developer timeline and installation


1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB(s).

Please see Appendix A for any additional requirements for this developer.

Regards,

RAY THERIAULT

Ray Theriault
Delivery Services Officer | Delivery Planning
PO BOX 8037 Ottawa T CSC
Ottawa, ON, K1G 3H6



Appendix A

Additional Developer Requirements:

- The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.
- The developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
- The developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
- The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.
- The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
 - Any required walkway across the boulevard, per municipal standards
 - Any required curb depressions for wheelchair access, with an opening of at least two meters (consult Canada Post for detailed specifications)

Council's conditions applying to the approval of the final plan for registration of the subject subdivision are as follows:

1. That this approval applies to the draft plan of subdivision of Parcels 43309, 40240, 28530 and Part of Parcel 1446, in Lots 7 and 8, Concession 1, Township of McKim, as shown on the 2 part plan of subdivision drawn by S.J. Gossling, O.L.S. and dated October 6, 1989.

Part 2 of the plan has subsequently been amended as shown on a plan issued by Dennis Consultants Ltd. on February 11, 1992 and again amended as shown on a plan prepared by Terry DelBosco, O.L.S. and dated January 14, 2010.

Part 1 of the plan has subsequently been amended by adding those lands to the plan, described on the draft plan of subdivision prepared by Terry DelBosco, O.L.S. and dated July 22, 2004, and again amended as shown on a plan prepared by Terry DelBosco, O.L.S. and dated June 9, 2008, as amended and replaced with a plan prepared by R.V. Anderson Associates Limited and dated October 26, 2017.

2. That the streets 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. Deleted

10. Deleted
11. Deleted
12. That the subdivision agreement contain a provision requiring that the owner provide at his expense, for those changes, alterations or improvements in traffic control or road upgrading as identified in the approved traffic impact analysis.
13. That a drainage control plan be prepared, outlining measures to control erosion and siltation problems in Robinson and St. Charles Lake watershed areas while the site is being developed, as well as potential water quality impacts on these lakes from this development, to the satisfaction of the General Manager of Growth and Infrastructure and the Nickel District Conservation Authority.
14. That 5% of the land included in the subdivision be deeded to the City of Greater Sudbury for park purposes pursuant to Subsection 51.1(1) of the Planning Act.
15. Deleted
16. Deleted
17. Deleted
18. That prior to the signing of the final plan the owner shall indicate the type of treatment proposed for rear yard slopes, and suitable provisions shall be incorporated into the subdivision agreement to ensure that the treatment is undertaken.
19. Deleted
20. 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, 12, 13, 14, 18, 25 and 27 have been complied with to his/her satisfaction.
21. Deleted
22. Deleted
23. That this draft approval shall lapse on May 6, 2021.
24. Deleted
25. That prior to the signing of the final plan for any portion of those lands shown on Part 2 of the approved draft plan, the owner shall dedicate Block 63, Plan 53M-1195 to the City of Greater Sudbury for road purposes.
26. Deleted

27. The applicant shall, to the satisfaction of the General Manager of Growth and Infrastructure, provide a soils report prepared 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 the following items: storm and sanitary sewers, watermains, roads, the mass filling of land, surface drainage works including erosion control, slope stability (if applicable) and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official. A soils caution agreement, if required, shall be registered on title 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.
28. The applicant/owner shall have a stormwater management report and plan prepared by a consulting engineer with a valid certificate of authorization. Said report shall establish the drainage area upstream of the proposed draft plan of subdivision and how the stormwater will be managed both upstream and within the proposed development in order to limit the impact of stormwater both within the proposed addition and downstream receiving storm sewers, drainage channels and creeks. The report shall deal with the control of both the 1:5 and Regional storm events. The Regional storm flow path is to be set out on the plan. The report and plans shall be to the satisfaction of the General Manager of Growth and Infrastructure. The owner shall be responsible for the design and construction of any required stormwater management facility as part of the servicing plans for the subdivision and the owner shall dedicate the lands for the stormwater management facility as a condition of this development.

The owner shall be responsible for the design and construction of a quantity control stormwater management facility and a stormwater quality control treatment station designed to an 80 percent total suspended solids removal criteria as part of the servicing plans for the subdivision. The owner shall dedicate the lands for said stormwater management facilities as a condition of this development.
29. The owner/applicant shall provide Master Servicing Plans for both the Sanitary and Storm Sewer as well as Watermains as they pertain to the new subdivision layout. Said plans are to show general alignment details, number of units and area serviced by individual runs, pipe diameter and flow direction. Said plan shall ensure that pipe diameters and alignments are established in order to support all phases of development.
30. Deleted

31. 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.
32. 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 and/or sewage lift stations to service this subdivision will be borne totally by the owner.
33. Deleted
34. That the next phase of development on Part 2 of the approved draft plan include the construction of the east/west roadway south of Moonrock Avenue that the proposed park will front on.
35. Sidewalks are required to be installed to the satisfaction of the Director of Planning Services.
36. 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.
37. 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.
38. Prior to any vegetation removal or other site alteration on the subject lands, the owner shall consult with the Ministry of Natural Resources and Forestry (MNRF) with respect to the presence of the eastern whip-poor-will and the Blanding's turtle under the Endangered Species Act. The owner shall demonstrate to the satisfaction of the Director of Planning Services that all requirements set out by MNRF under the Endangered Species Act have been satisfied.

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. 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 exists to service the development.

41. 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.
42. The owner shall amend Schedule "K" of the Subdivision Agreement for Moonglo East concerning the land to be conveyed to the City for public purposes in order to address the following matters to the satisfaction of the Director of Leisure Services:
 - i) Description of the lands to be conveyed;
 - ii) Testing, grading and/or removal of fill that has been placed on the property, as required;
 - iii) Improvements related to the construction of the neighbourhood park;
 - iv) Realignment of the stormwater management pond access road from Hidden Ridge Court;
 - v) Extension of the completion date.
43. The owner shall complete to the satisfaction of the City of Greater Sudbury and Canada Post:

Mail delivery will be to a centralized mail facility via a community mailbox. The community mailbox will be supplied and installed by Canada Post. Canada Post requires the following conditions:

At the expense of the owner:

- i) Inform all prospective purchasers through a clause in all agreements of purchase and sale, as to those identified for potential community mailboxes, mini-park and/or kiosk locations and/or all plans used for marketing purposes shall indicate the proposed community mailbox locations;
- ii) Provide curb depressions at the community mailbox site locations. These are to be 2 metres in width and no higher than 25 millimeters;
- iii) When a grassed boulevard is planned between the curb and the sidewalk at a community mailbox location, the owner shall install a 1 metre walkway across the boulevard. The owner shall also ensure the walkway is handicap accessible from the roadway.

44. The owner shall be required to have all stormwater management facilities constructed and approved by the City prior to initial acceptance of roads and sewers or at such time as the Director of Planning Services may direct.
45. The owner/applicant shall 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 proposed lots, to the satisfaction of the Director of Planning Services. The utilities servicing plan, at 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 provided prior to construction of any individual phase. The owner/applicant shall be responsible for all costs associated with the installation of said services.
46. The owner/applicant shall provide, to the satisfaction of the General Manager of Growth and Infrastructure and the Nickel District Conservation Authority, a detailed lot grading and drainage plan prepared, signed, sealed, and dated by a professional civil engineer with a valid Certificate of Authorization from the Association of Professional Engineers of Ontario, 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. A lot grading agreement shall be registered on title, if required, to the satisfaction of the Director of Planning Services and City Solicitor. The owner/applicant shall be responsible for the legal costs of preparing and registering the associated lot grading agreement.
47. As part of the submission of servicing plans, the owner/applicant shall have rear yard slope treatments designed by a geotechnical engineer licensed in the Province of Ontario, incorporated into the plans at locations required by the General Manager of Growth and Infrastructure. Suitable provisions shall be incorporated in the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the General Manager of Growth and Infrastructure.
48. 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 each phase of construction. Said plan shall be to the satisfaction of the Director of Planning Services 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 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.
49. The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, sidewalks, storm sewers and related appurtenances.

50. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
51. 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.