

**Date: May 1, 2020**

## **STAFF REPORT**

### **Applicant:**

Dalron Construction Ltd.

### **Location:**

PINs 73475-1373 & 73478-9526, Parts 1 to 19, Plan 53R-14976, Township of Broder (Pondsvie Subdivision, Sudbury)

### **Application:**

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on January 14, 1994. The draft approval was most recently extended by Council until April 16, 2020 for a plan of subdivision on those lands described as PINs 73475-1373 & 73478-9526, Parts 1 to 19, Plan 53R-14976, Township of Broder (ie. Pondsvie Subdivision). The most recent administrative extension was granted by the Director of Planning Services in order to afford staff the opportunity to schedule the item to a meeting of Planning Committee that is appropriate given the emerging and changing best practices for scheduling meetings due to the Covid-19 global pandemic. The draft approval therefore has a current lapsing date of August 16, 2020.

### **Proposal:**

The owner is requesting that the draft approval conditions for the above noted lands be extended for a period of two years until April 16, 2022.

### **Background:**

The City received a written request from Dalron Construction Ltd. on January 7, 2020, to extend the draft approval on a plan of subdivision for a period of two years on those lands described as PINs 73475-1373 & 73478-9526, Parts 1 to 19, Plan 53R-14976, Township of Broder. The draft approved plan of subdivision was initially approved by Council for a total of 20 urban residential lots to the north of Countryside Drive and to the east of Trailridge Drive in the community of Sudbury.

The lots are to be accessed from Algonquin Road, which is located immediately south of the draft approved Pondsvie Subdivision. Staff notes that no phases of the draft approved plan of subdivision have been registered since the initial draft approval granted by Council on January 14, 1994.

The draft approval is set to expire again on August 16, 2020 following one administrative extension that was issued due to the Covid-19 global pandemic. Staff has circulated the request to relevant agencies and departments and is now bringing forward this report to extend the draft approval to April 16, 2022.

### **Departmental & Agency Circulation:**

Active Transportation, Building Services, Operations, Roads, Traffic and Transportation, and Transit Services have each advised that they have no concerns from their respective areas of interest. Leisure Services was also circulated and have no comments.

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: May 1, 2020**

Conservation Sudbury has no concerns with the extension request and have recommended that minor changes for clarification purposes be made to Conditions #12 and #26 which collectively address which plans are subject to the approval and satisfaction of the Nickel District Conservation Authority (NDCA).

Development Engineering has no concerns with the requested extension, but has noted that construction drawings for the draft approved Pondsview Subdivision were approved by the City on March 28, 2017. It is further noted and the owner is therefore advised that the approved construction drawings may be required to be updated to reflect current standards.

The City's Drainage Section has requested that a new and comprehensive condition addressing the requirement for a storm-water management report and associated plans be added to the draft approval conditions. 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 notes there are no significant environmental concerns that are not already addressed in the draft approval conditions. Condition #36 is recommended to be removed and 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 (MECP) to ensure that all requirements set out by the Province of Ontario under the Endangered Species Act have been satisfied. It is also recommended that the wording in Condition #11 be updated to reflect the Province's renamed Ministry of the Environment, Conservation and Parks.

### **Planning Considerations:**

#### Official Plan

Section 20.4.2 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 16, 1989, and since that time none of the 20 urban residential lots have been registered.

The owner did outline in their letter to the City dated January 7, 2020, that they continue to work toward obtaining required MCEP approvals related to the Pondsview draft approved plan of subdivision.

#### Draft Approval Conditions

Condition #28 should be deleted entirely and replaced with a sentence referring to April 16, 2022, as the revised date on which the subject draft plan of subdivision approval shall lapse.

Conservation Sudbury has requested technical changes for clarification purposes to Conditions #12 and #26 with respect to those plans that are required and are to be approved to the satisfaction of the NDCA.

The City's Drainage Section has requested that a new and comprehensive condition addressing the requirement for a storm-water management report and associated plans be added to the draft approval conditions. This requested change is reflected in the Resolution section of this report as new Condition #36 that is being recommended.

**Date: May 1, 2020**

Environmental Initiatives has noted that there are no significant environmental concerns that are not already addressed in the draft approval conditions. It is also noted that the owner is hereby 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. The affected Condition #36 relating to the above would be deleted and replaced with the new condition being requested by the City's Drainage Section. This recommended change is included in the Resolution section of this report.

Other housekeeping changes are also incorporated into the Resolution section of this report.

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 draft approval conditions are attached to this report along with a sketch of the draft approved plan of subdivision dated March 12, 2003, for reference purposes.

#### Processing Fees

The owner is required to pay the applicable processing fee in the amount of \$711.25. It is recommended that the draft approval extension be granted upon receipt of Council's processing fee from the owner. 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 was made.

#### **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 two 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.

The City's Drainage Section has requested that a new and comprehensive condition addressing the requirement for a storm-water management report and associated plans be added to the draft approval conditions. Environmental Initiatives has noted that there are no significant environmental concerns that are not already addressed in the draft approval conditions. The owner is also cautioned in the report 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.

Appropriate changes where identified have been included in the Resolution section of this report and will now form part of the draft plan approval if approved by Council. The Planning Services Division therefore recommends that the application to extend the draft approval for the Pondsview Subdivision for a period of two years until April 16, 2020, be approved as outlined in the Resolution section of this report.