

## Request for Decision

### Cote Boulevard, Hanmer

Presented To:	Planning Committee
Presented:	Monday, Nov 23, 2020
Report Date	Friday, Oct 30, 2020
Type:	Routine Management Reports
File Number:	780-7/08006

### Resolution

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 Part of PIN 73508-1102, Part of Parcel 698 S.E.S., in Lot 12, Concession 3, Township of Capreol, City of Greater Sudbury, File 780 7/08006, in the report entitled "Cote Boulevard, Hanmer", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on November 23, 2020, as follows:

a) By deleting Condition #10 and replacing it with the following:

"That this draft approval shall lapse on September 30, 2022."

b) By deleting Condition #13 and replacing it with the following:

"That Street E will require a sidewalk to be constructed on both sides of the roadway as it will be designated a Collector Road."

c) By adding the following to Condition #19:

"The geotechnical engineer will be required to address On-site and Excess Soil Management when O. Reg. 406/19 comes into force. A soils caution agreement shall be registered on title, if required, to the satisfaction of the Chief Building Official and the City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement."

d) By adding the following to Condition #20:

"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."

e) By deleting Condition #21 and adding the following as Condition #35:

#### Signed By

**Report Prepared By**

Mauro Manzon  
Senior Planner  
*Digitally Signed Oct 30, 20*

**Manager Review**

Alex Singbush  
Manager of Development Approvals  
*Digitally Signed Oct 30, 20*

**Financial Implications**

Apryl Lukezic  
Co-ordinator of Budgets  
*Digitally Signed Nov 3, 20*

**Recommended by the Department**

Tony Cecutti  
General Manager of Growth and Infrastructure  
*Digitally Signed Nov 8, 20*

**Recommended by the C.A.O.**

Ed Archer  
Chief Administrative Officer  
*Digitally Signed Nov 12, 20*

"A stormwater 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:

- 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.
- The underground storm sewer system within future right-of-way classified as collector, 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 10 year design storm.
- 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 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.
- "Enhanced" level must be used for the design of stormwater quality controls as defined by the Ministry of the Environment, Conservation and Parks.
- Stormwater management must follow the recommendations of the Whitson River Subwatershed Study.
- The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any stormwater management plan.
- 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.
- Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties.
- Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted.

The owner shall be responsible for the design and construction of any required stormwater 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 stormwater management works as a condition of this development.

f) By adding the following as Condition #36:

"That Streets F, A, B, C and D must connect to St. Michel Street as part of the development."

g) By adding the following as Condition #37:

"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."

h) By adding the following as Condition #38:

"That prior to the signing of the final plan, the owner shall satisfy Canada Post with respect to mail delivery

facilities for the site.”

## **Relationship to the Strategic Plan / Health Impact Assessment**

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

## **Report Summary**

The owner of the subject lands has requested a two-year extension of the draft plan approval for subdivision File 780-7/08006. The draft plan comprises 85 lots for single residential use on the north side of Cote Boulevard in Hanmer. If approved, the new lapsing date will be September 30, 2022. The original draft approval date is September 30, 2008. No major amendments to the design of the subdivision are proposed at this time. The new owner is currently working on Phase 1 submissions. Staff recommend a two-year extension as requested.

## **Financial Implications**

If approved, staff estimates approximately \$395,000 in taxation revenue, based on the assumption of 85 single detached dwelling units at an estimated assessed value of \$375,000 per dwelling unit at the 2020 property tax rates.

In addition, this development would result in total development charges of approximately \$1,550,000 based on the assumption of 85 single detached dwelling units and based on the rates in effect as of this report.

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).

## **Staff Report**

### **Background:**

The owner of the above noted property has requested a two-year draft approval extension for the proposed Nature's Haven II subdivision on the north side of Cote Boulevard in Hanmer. If approved, the new lapsing date will be September 30, 2022. The original draft approval date is September 30, 2008

The plan is comprised of 85 lots for single residential use. The lands were rezoned in final form in February 2013. Draft plan approval was previously extended in 2011, 2014 and 2017. None of the conditions of draft approval have been addressed to date.

The property was sold in July 2019. No major amendments to the draft plan are proposed by the owner at this time. Draft plan conditions dated August 2020 are attached for review.

### **Departmental & Agency Comments:**

#### Development Engineering

A pre-consultation meeting was held regarding Phase 1 and we are currently awaiting submission of construction drawings.

We have no objection to the two-year extension of this draft plan of subdivision.

#### Transportation and Innovation

Please revise the conditions as follows:

That Street E will require a sidewalk to be constructed on both sides of the roadway, as it will be designated a Collector Road.

That Streets F, A, B, C and D must connect to St. Michel Street as part of the development.

#### Drainage Section

Original condition number 21 is deleted and replaced with the following condition:

A stormwater 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:

- 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.
- The underground storm sewer system within future right-of-way classified as collector, 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 10 year design storm.

- 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 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.
- "Enhanced" level must be used for the design of stormwater quality controls as defined by the Ministry of the Environment, Conservation and Parks.
- Stormwater management must follow the recommendations of the Whitson River Subwatershed Study.
- The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any stormwater management plan.
- 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.
- Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties.
- Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted.

The owner shall be responsible for the design and construction of any required stormwater 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 stormwater management works as a condition of this development.

#### Water/Wastewater Services

This request does not appear to have any activities that would be considered a significant drinking water threat at this time. The applicant may be subject to a Section 59 Restricted Land Use Review for future Planning/Building Services applications in WHPA C of Wells E, F, Q and R.

#### Building Services

Based on the information provided, we can advise that Building Services has no objections to the request for extension, subject to the following modifications:

- To be added to the geotechnical requirements of Condition #19: "The geotechnical engineer will be required to address On-site and Excess Soil Management when O. Reg. 406/19 comes into force.
- To be added at the end of Condition #19: "A Soils Caution Agreement, if required, shall be registered on title to the satisfaction of the Chief Building Official and City Solicitor."
- Proposed Lots 15 to 50 are located within an area designated as WHPA C Wellhead Protection Area Score 8, and will be subject to Land Use Review under the Greater Sudbury Source Protection Plan.

## **Summary:**

### Proposed amendments

The new owner is not proposing any major amendments to the draft plan at this time. However, Staff are requesting updates to several conditions as follows:

- Roads Section has provided greater clarity as to the requirements applied to the proposed road network;
- Drainage Section has updated the stormwater condition to provide more detail;
- Clauses related to a soils caution agreement, lot grading agreement and development charges agreement are added to the applicable conditions (these are now standard conditions to be applied to all draft plan approvals); and,
- Canada Post condition was added as a housekeeping item.

### Official Plan

Section 20.4.2 of the Official Plan 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 September 30, 2008.

In this case, the property was sold in July 2019 to the current owner. The new owner's consultant is working on Phase 1 submissions including the stormwater management design. An extension to the draft plan approval is therefore warranted.

### 2020 Provincial Policy Statement (PPS) and 2011 Growth Plan for Northern Ontario (GPNO)

Under Section 1.1.3.6 of the PPS, new development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. Section 2.2.1 addresses water resources. Planning authorities shall protect, improve or restore the quality and quantity of water by implementing necessary restrictions on development and site alteration to protect all municipal drinking water supplies and designated vulnerable areas.

In this case, the subject lands are designated Living Area 1 and form part of a designated growth area. The draft plan represents a logical extension of services to accommodate future residential development and is consistent with the phasing policies of the PPS. The development will be fully serviced and does not represent a threat to the municipal wellhead protection area.

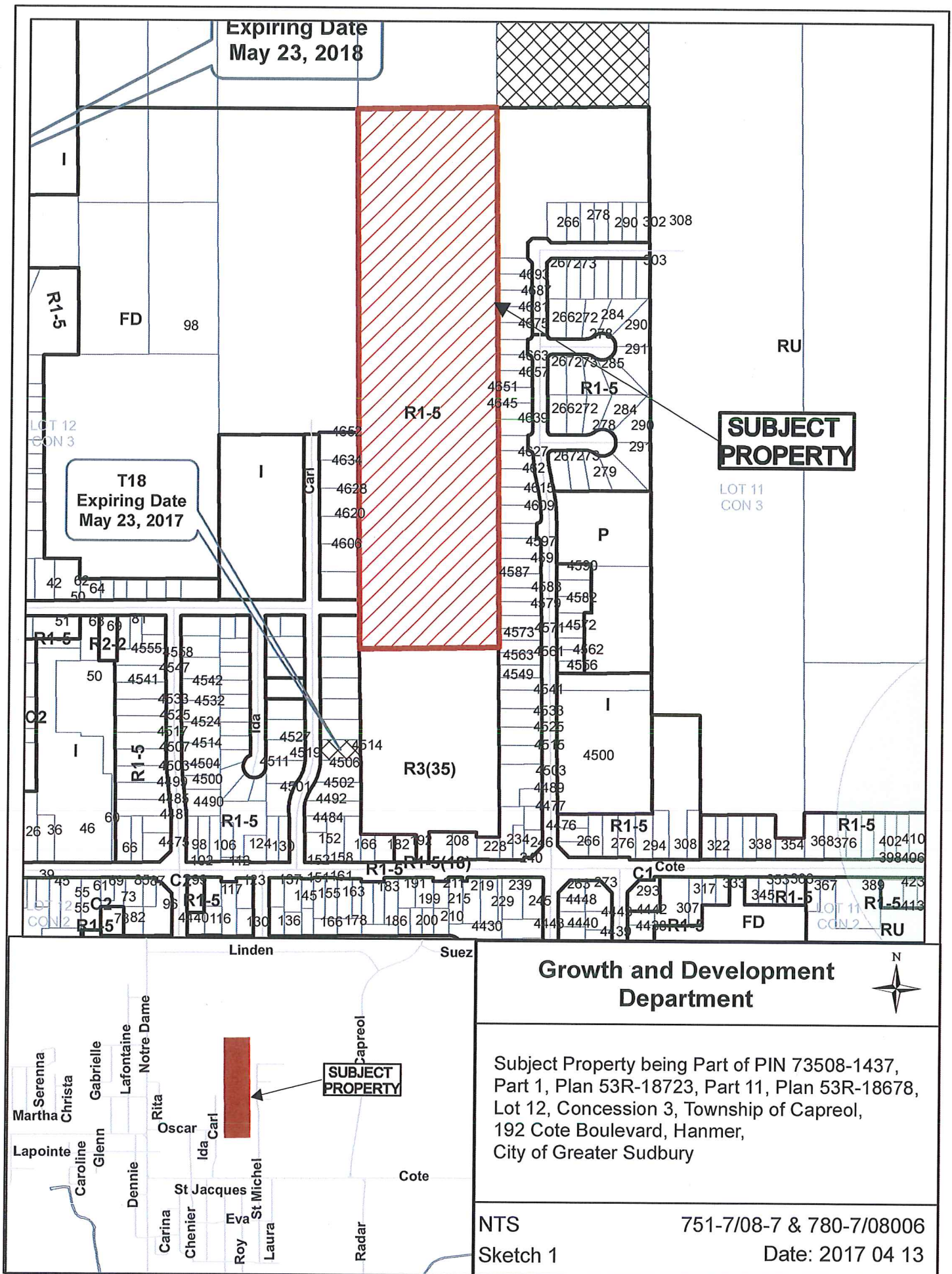
Along with other major urban centres in Northern Ontario, Greater Sudbury is identified as an Economic and Service Hub. Policy 4.3.2 of the GPNO states that these identified municipalities should be designed to accommodate a significant portion of future population and employment growth in Northern Ontario.

The application is consistent with the relevant policies of the 2020 PPS and conforms to the 2011 GPNO.

## **Conclusion:**

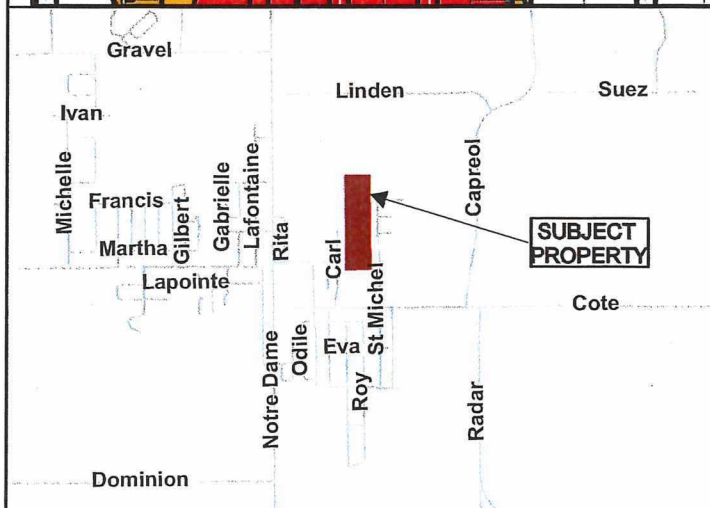
Planning Services recommends that a 2-year extension of the draft plan of subdivision be granted subject to the conditions outlined in the Resolution section of this report.







# Source Protection Plan Map



## Growth and Development Department



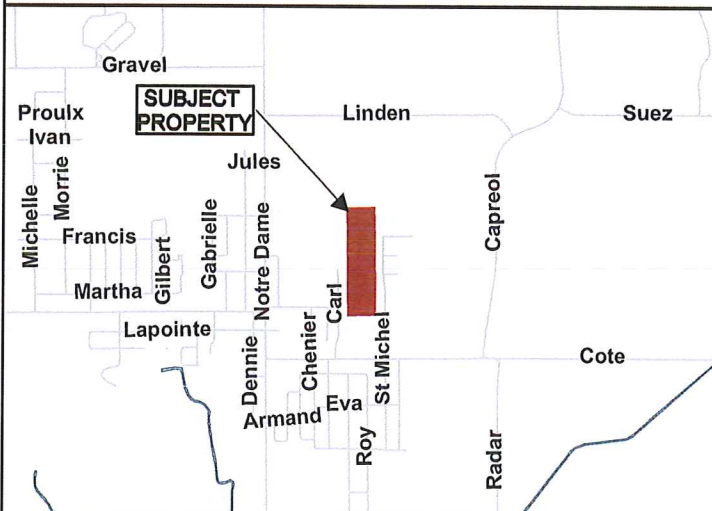
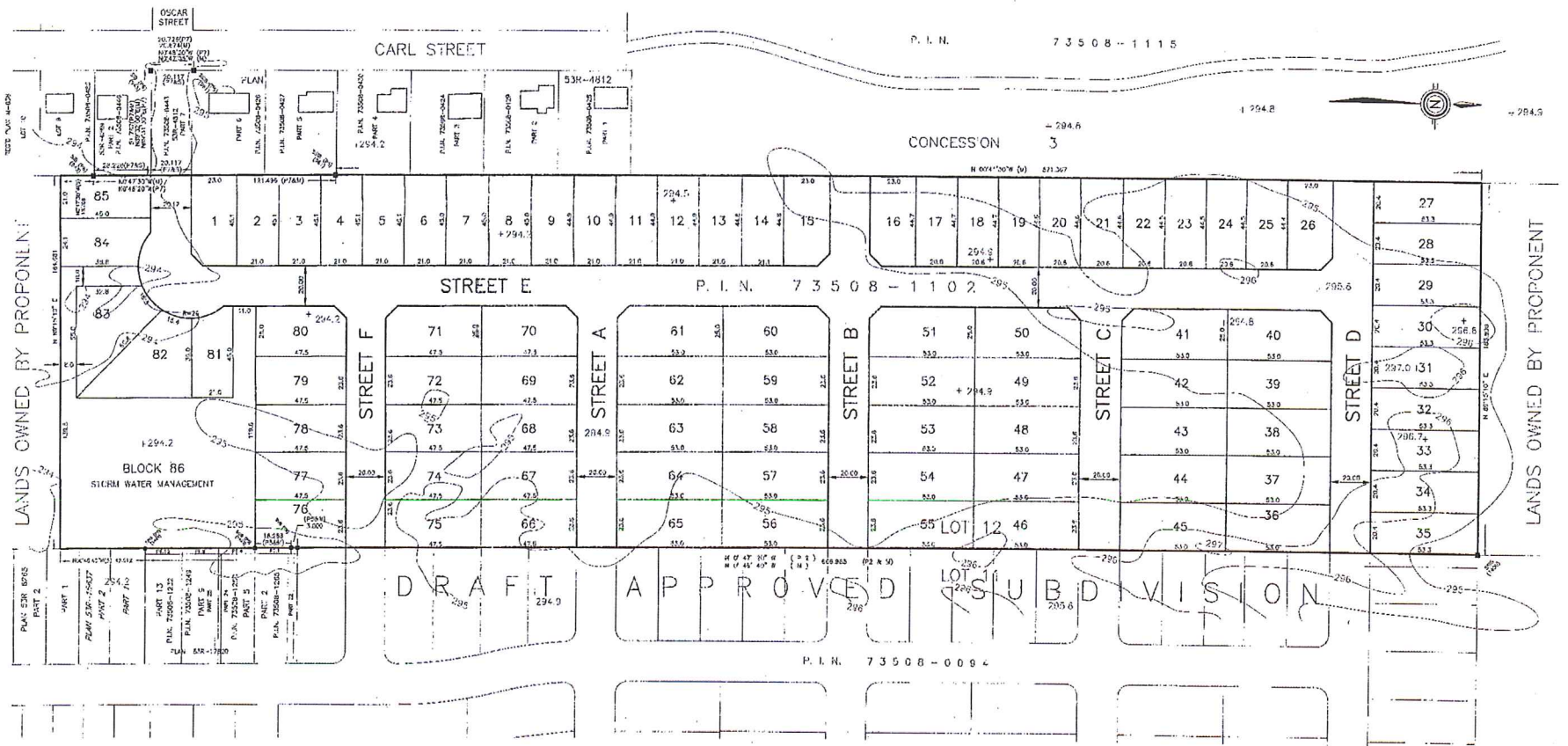
Subject Property being Part of PIN 73508-1437, Part 1, Plan 53R-18723, Part 11, Plan 53R-18678, Lot 12, Concession 3, Township of Capreol, 192 Cote Boulevard, Hanmer, City of Greater Sudbury

SPP: Well Head Protection Area - Vulnerability 8

Sketch 1  
NTS

751-7/08-7 & 780-7/08006  
Date: 2017 04 13





Subject Property being Part of  
 PIN 73508-1437, Part 1,  
 Plan 53R-18723, Part 11,  
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 192 Cote Boulevard, Hanmer,  
 City of Greater Sudbury

## Growth and Development Department



NTS  
 Sketch 1

751-7/08-7 & 780-7/08006  
 Date: 2017 04 13

**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 Part of PIN 73508-1102, Part of Parcel 698 S.E.S., in Lot 12, Concession 3, Township of Capreol as shown on a plan of subdivision prepared by Terry Del Bosco, O.L.S., and dated April 25, 2008.
2. That the street(s) 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 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.
8. That the owner will be required to enter into a written agreement to satisfy all requirements, financial and otherwise, of the City of Greater Sudbury, concerning the provision of roads, walkways, streetlighting, sanitary sewers, storm sewers, stormwater management facilities, watermains and surface drainage.
9. Draft Approval does not guarantee an allocation of sewer or water capacity. Prior to the signing of the final plan, the Planning Services Division 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.
10. That this draft approval shall lapse on December 30, 2020.
11. That the owner be required to undertake a Traffic Impact Study to identify any road improvements that may be required as a result of the development to the satisfaction of the General Manager of Growth and Infrastructure. The owner will be responsible to participate in the cost of any improvements identified in the Traffic Impact Study.

12. Deleted.
13. That Street E be built to a collector standard.
14. That traffic calming measures be included at the intersection of Street F and Street E.
15. That a sidewalk be constructed on one (1) side of each street.
16. That 5% of the land included in the plan of subdivision be dedicated to the City for parks purposes to the satisfaction of the City Solicitor in accordance with Section 51.1 (1) of the Planning Act.
17. 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.
18. That prior to any pre-servicing of the subdivision, the Director of Planning Services shall be advised by the City's Water/Wastewater Division that a sufficient supply of potable water is available for the proposed development.
19. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the Director of Planning Services, provide an updated geotechnical report prepared, signed, sealed, and dated by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommend construction procedures for storm and sanitary sewers, stormwater management facilities, watermain, roads to a 20 year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services.
20. The owner shall provide a detailed lot grading plan prepared, signed, sealed, and dated by a professional civil engineer with a valid certificate of authorization for the proposed lots as part of the submission of servicing plans. This plan must show finished grades around new houses, retaining walls, sideyards, swales, slopes and lot corners. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties.
21. Prior to the submission of servicing plans, the owner shall have a stormwater management report and plan prepared, signed, sealed, and dated by a professional engineer with a valid certificate of authorization. Said report shall establish how the quantity and quality of stormwater will be managed for the subdivision development and assess the impact of stormwater runoff from this developed subdivision on abutting lands, on the downstream storm sewer outlet systems and on downstream water courses. The report shall deal with the control of both the 1:5 year, 1:100 year, and Regional Storm events, so as to limit

the volume of flow generated on the site to pre-development levels. The Regional Storm flow path is to be set out on the plan(s). The quality control shall be based on 85 percent removal of suspended solids based on a particle size of 50 microns, with a minimum design storm target of the 1 in 2 year storm event. The civil engineering consultant shall meet with the Development Approvals Section prior to commencing the stormwater management report.

22. 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. The owner shall provide lands for said facilities as required by the City.
23. The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, sidewalks, walkways, storm sewers and related appurtenances to the City of Greater Sudbury Engineering Standards at the time of submission.
24. The owner agrees to provide the required soils report, stormwater, 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.
25. The owner shall develop a siltation control plan for the subdivision construction period to the satisfaction of the Director of Planning Services and the Nickel District Conservation Authority.
26. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
27. The owner will be required to ensure that the corner radius for all intersecting streets is to be 9.0 m.
28. 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 in to the plans if noted as required at locations required by the Director of Planning Services. Suitable provisions shall be incorporated into the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the Director of Planning Services.
29. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Greater Sudbury Hydro Plus or Hydro One, Bell, Union Gas and Eastlink. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.
30. The owner shall provide proof of sufficient fire flow and maximum day pressures 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.
31. 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.

32. That prior to the signing of the final plan the Planning Services Division is to be advised by the City Solicitor that conditions 3, 5, 6, 7, 8, and 16 have been complied with to his satisfaction.
33. 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.
34. 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.