

Date: April 15, 2020

STAFF REPORT

Applicant:

Dalron Construction Ltd.

Location:

Parcel 49532 SES, Lots 163-165, Plan M-423, Lot 2, Concession 2, Township of McKim (Twin Lakes Subdivision, Sudbury)

Application:

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on March 24, 2004. The draft approval was most recently extended by Council on May 30, 2017, until March 24, 2020, for a plan of subdivision on those lands described as Parcel 49532 SES, Lots 163-165, Plan M-423, Lot 2, Concession 2, Township of McKim (ie. Twin Lakes Subdivision). Two administrative extensions have been issued by the Director of Planning Services having the effect of establishing a new lapsing date of September 24, 2020, in order to allow for agencies and departments to complete their review of the request. The most recent administrative extension was granted in order to also 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.

Proposal:

The owner is requesting that the draft approval conditions for the above noted lands be extended for a period of one year until March 24, 2021.

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 one year on those lands described as Parcel 49532 SES, Lots 163-165, Plan M-423, Lot 2, Concession 2, Township of McKim. The draft approved plan of subdivision was initially approved by Council for a total of 72 urban residential lots to the north of South Bay Road and to the south of Bethel Lake in the community of Sudbury. The lots are to be accessed from Lakewood Drive and South Bay Road. Staff notes that no phases of the draft approved plan of subdivision have been registered since the initial draft approval granted by Council on March 24, 2004.

The draft approval is set to expire again on September 24, 2020 following two administrative extensions. Staff has circulated the request to relevant agencies and departments and is now bringing forward this report to extend the draft approval to March 24, 2021.

Departmental & Agency Circulation:

Active Transportation, Nickel District Conservation Authority, Operations, Roads, Traffic and Transportation, and Transit Services have each advised that they have no concerns from their respective areas of interest.

Building Services has no objections the draft approval extension request. It is however being recommended that Condition #10, which addresses geotechnical requirements be amended to add that a soils caution agreement, if required, shall be registered on title to the satisfaction of the Chief Building Official and City Solicitor.

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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.

Development Engineering notes that no construction drawings have been received with respect to the draft approved plan of subdivision since May 2013. Conditions #10, #11 and #29 should be amended to provide clarification on the required geotechnical report, lot grading plan and siltation control plan. Conditions #12, #26, #27 and #28 require updating to reflect current and standard draft approval conditions. It is also recommended conditions be added or updated which address the design and provision of lands for storm-water management purposes, standard street-lighting requirements and a condition that a Master Servicing Plan be provided addressing sanitary sewer, storm sewer and water-mains as they pertain to the overall intended final subdivision layout.

The City's Drainage Section has requested that Conditions #13, #14, #39 and #40 be deleted and replaced with one comprehensive conditions 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 notes there are no significant environmental concerns that are not already addressed in the draft approval conditions. Condition #41 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 to ensure that all requirements set out by the Province of Ontario under the [Endangered Species Act](#) have been satisfied.

Water-Wastewater has no objections but have noted that Policy S5F-LUP under the [City's Source Water Protection Plan](#) places restrictions on the creation of new lots that would rely on private septic systems and/or storage tanks. The draft approved plan of subdivision would however involve the creation of new lots however each of the new lots will be fully serviced.

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 24, 2004, and since that time none of the 72 lots have been registered.

The owner did not provide an update in regards to their progress on clearing draft approval conditions in their letter dated January 7, 2020.

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Draft Approval Conditions

Condition #20 should be deleted entirely and replaced with a sentence referring to March 24, 2021, as the revised date on which the subject draft plan of subdivision approval shall lapse.

Development Engineering and the City's Drainage Section have both requested that several conditions be updated to reflect current standard draft approval condition practices in terms of the infrastructure that will be required to facilitate development of the Twin Lakes subdivision. Building Services requested that standard draft approval condition wording as it relates to geotechnical requirements be updated. Environmental Initiatives notes 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 conditions relating to the above are included in 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 29, 2004, for reference purposes.

Processing Fees

The owner is required to pay the applicable processing fee in the amount of \$910.58. 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 one year. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approval of the subdivision. Appropriate changes where identified have been included in the Resolution 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 Twin Lakes Subdivision for a period of one year until March 24, 2021, be approved as outlined in the Resolution section of this report.