

**Title: Dalron Construction Ltd.**

**Date: February 5, 2019**

## **STAFF REPORT**

### **Applicant:**

Dalron Construction Ltd.

### **Location:**

Parcel 2205, Lot 4, Concession 5, Township of Broder (Mallard's Green Subdivision, Sudbury)

### **Application:**

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on March 16, 1989. The draft approval was most recently extended on the remaining lands within the draft plan of subdivision on April 25, 2016 following the registration of Plan 53M-1423. The lands are described as Parcel 2205, Lot 4, Concession 5, Township of Broder.

### **Proposal:**

The owner is requesting that the draft approval conditions for the above noted lands be extended for a period of three years until April 19, 2022.

### **Background:**

The City received a written request from Dalron Construction Ltd. on December 17, 2018, to extend the draft approval on a plan of subdivision for a period of three years on those lands described as Parcel 2205, Lot 4, Concession 5, Township of Broder. The subject draft plan of subdivision was initially approved by Council for a total of 171 urban residential lots. The current in-force zoning that is applicable to the lands remaining in the draft approved plan of subdivision allow for a mix of single-detached and double-residential built-forms. The remaining lots would be accessed from Trailview Drive.

The draft approval is set to expire again on April 19, 2019 and staff has circulated the request to relevant agencies and departments and is now bringing forward this report to extend the draft approval to April 19, 2022.

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

Active Transportation, Canada Post, Environmental Planning Initiatives, Nickel District Conservation Authority, and Roads, Traffic and Transportation have each advised that they have no concerns from their respective areas of interest.

Building Services has requested that a standard draft approval condition addressing possible soils caution agreements as it relates to required geotechnical work to be completed on the subject lands.

Development Engineering has advised that standard draft approval conditions related to the phasing of developments and outstanding major infrastructure deficiencies should be added to the draft approval document.

The City's Drainage Section has requested a new condition to be added relating to contributions required in order to ensure storm-water quantity control and improvements to storm-water control within the Algonquin Road Watershed are achieved.

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## **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 a number of phases have been registered since the initial draft approval was granted. The most recent phase was registered on April 19, 2016 as Plan 53M-1423, and in accordance with Council policy a three year extension was granted with a new lapsing date of April 19, 2019. The owner has advised staff that they intend to continue to pursue the development of the subdivision.

### Draft Approval Conditions

Condition #16 should be deleted entirely and replaced with a sentence referring to April 19, 2022, as the revised date on which the subject draft plan approval shall lapse. Staff advises that Condition #18 may be deleted entirely as a holding provision is no longer applicable to this portion of the draft approved plan of subdivision.

Condition #18 should be deleted entirely as the holding provision which formerly applied to Lots 11, 12 and 13 on the amended draft approved plan referenced in Section 1 (b) (c) and (d) of the draft conditions has been removed from the lands. The holding provision existed in order to maintain and provide access to a Ministry of Transportation antenna system to the north-west of the draft approved lands. The antenna system has since been removed and for a period of time was accessed from a driveway fronting Algonquin Road.

Staff advises that the City's standard soils caution agreement verbiage be added to Condition #20 and that a new Condition #38 addressing storm-water management contributions be added to the draft approval conditions. Standard conditions relating to phasing of development and completion of infrastructure works has been added as new Conditions #41 and #42. Standard draft approval conditions addressing development charges and sewer/water allocation have also been added as new Conditions #39 and #40.

Other administrative and housekeeping changes to the draft approval documents have also been included where necessary.

No other changes to the draft approval documents have been requested either by the owner or by circulated agencies and departments. The draft conditions are attached to this report along with a sketch of the draft approved plan of subdivision for reference purposes.

### Processing Fees

The owner is required to pay the applicable processing fee in the amount of \$1,075.00. 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 2017-222 being the Miscellaneous User Fees By-law that was in effect at the time the request was made.

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**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 where identified have been included in the Resolution portion 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 draft approval for the Mallard's Green Subdivision for a period of three years until April 19, 2022, be approved as outlined in the Resolution section of this report.