

Request for Decision

Larocque Avenue & Municipal Road 80, Val Therese

Presented To:	Planning Committee
Presented:	Monday, Nov 09, 2020
Report Date	Friday, Oct 16, 2020
Type:	Routine Management Reports
File Number:	780-7/05006

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 PINs 73505-0993 & 73505-0964, Part of Parcel 16001 SES, Part 20, Plan 53R-17595, Lot 7, Concession 2, Township of Hanmer, File # 780-7/05006, in the report entitled "Larocque Avenue & Municipal Road 80, Val Therese", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on November 9, 2020, upon payment of Council's processing fee in the amount of \$1316.50 as follows:

1. In Conditions 2, 3, 4, 5, 7, 9, 15, 26, 33 by replacing the word 'Municipality' or 'City of Greater Sudbury' with 'City';

2. By deleting Condition #11 and replacing it with the following:

"11. 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, watermains, 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 and the Nickel District Conservation Authority. 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, if required, shall be registered on title, to the satisfaction of the Chief Building Official and City Solicitor."

3. By deleting Condition #17 and replacing it with the following:

Signed By

Report Prepared By

Wendy Kaufman
Senior Planner
Digitally Signed Oct 16, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Oct 16, 20

Financial Implications

Steve Facey
Manager of Financial Planning & Budgeting
Digitally Signed Oct 22, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Oct 23, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Oct 28, 20

“17. The owner agrees to provide for review and approval the required soils report, storm water, water, sanitary sewer and lot grading master planning reports and plans to the General Manager of Growth and Infrastructure and to the Nickel District Conservation Authority prior to the submission of servicing plans.”

4. By replacing the word ‘Siltation’ with ‘Sediment and Erosion’ in Condition #18.

5. By inserting the following new second sentence in Condition #20:

“The report must demonstrate that each noted lot has a sufficient developable area outside of the flood plain to the satisfaction of the Nickel District Conservation Authority.”

6. By deleting Condition #27 and replacing it with the following:

“27. That this draft approval shall lapse on October 14, 2022.”

7. By adding a new clause (iii) in Condition #34:

“(iii) The owner provides the City with a 10 m easement to construct a pedestrian path along the future Lillian Street extension right-of-way and along the future Jeanne D’Arc Street right-of-way until such time as these road connections are constructed.”

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 for the subject lands (File # 780-7/05006) in the community of Val Therese for a period of two years until October 14, 2022. The Planning Services Division is recommending approval of the application.

The Planning Services Division has reviewed the request to extend the draft approval and has 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. 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 \$158,000 in taxation revenue, based on the assumption of 34 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 \$620,000 based on the assumption of 34 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).

Date: October 13, 2020

Staff Report

Applicant:

Saldan Developments Ltd.

Location:

PINs 73505-0993 & 73505-0964, Part of Parcel 16001 SES, Part 20, Plan 53R-17595, Lot 7, Concession 2, Township of Hanmer

Application:

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on May 11, 2006. The draft approval was most recently extended by Council on December 12, 2017, and is set to expire again on January 14, 2021 following a temporary administrative extension. The lands are described as PINs 73505-0993 & 73505-0964, Part of Parcel 16001 SES, Part 20, Plan 53R-17595, Lot 7, Concession 2, Township of Hanmer (Larocque Avenue & Municipal Road 80, Val Therese).

Proposal:

The owner is requesting that the draft approval for the above noted lands be extended for a period of two years until October 14, 2022.

Background:

The City received a request from Saldan Developments Ltd. on September 10, 2020 to extend draft approval on a plan of subdivision for a period of two years on those lands described as PINs 73505-0993 & 73505-0964, Part of Parcel 16001 SES, Part 20, Plan 53R-17595, Lot 7, Concession 2, Township of Hanmer.

The plan of subdivision was draft approved initially on May 11, 2006, for a total of 54 single-detached dwelling lots. At the time of writing this report, there are 34 remaining unregistered lots in the draft approved plan of subdivision. The most recent set of draft plan conditions are attached to this report, which include that the plan lapses on January 14, 2021.

The lands are to be accessed via the extension of Larocque Avenue and from Municipal Road 80 to the south. The lands within the plan of subdivision are designated Living Area 1 and Parks & Open Space in the Official Plan. The lands are currently zoned 'R1-5', Low Density Residential One, with a portion of the lands subject to a Flood Plan Overlay.

The draft approval is set to expire on January 14, 2021 following a three month administrative extension. Following the owner's request, staff has circulated the request to relevant agencies and departments and is now bringing forward this report to extend the draft approval to October 14, 2022.

Owners are advised to contact the Planning Services Division a minimum of four months prior to the lapsing date in order to facilitate the processing time associated with draft plan of subdivision approval extension requests. Applicants must reapply for subdivision approval if a draft plan approval has lapsed as there is no other avenue for relief.

Date: October 13, 2020

Departmental & Agency Circulation:

Infrastructure and Capital Planning Services, Building Services, Development Engineering, Environmental Planning Initiatives, Conservation Sudbury, Greater Sudbury Fire Services, Transit Services, and Canada Post have each advised that they have no concerns from their respective areas of interest. In some cases, they have recommended technical updates or revisions.

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.

The owner has advised that they have been working on the design for the balance of the site. Development Engineering has advised that pre-consultation regarding the design for Phase 2 of this subdivision occurred in June of 2020. Submission of design drawings for this phase is anticipated this fall. Staff is satisfied that the owner is making reasonable efforts towards developing the subdivision.

Draft Approval Conditions

Condition #27 should be deleted entirely and replaced with a sentence referring to October 14, 2022, as the revised date on which the subject draft plan of subdivision approval shall lapse.

Building Services has requested wording be added to Condition #11 to address the requirement to manage excess soils.

Conservation Sudbury has requested updating Condition #17 to clarify that certain required reports are subject to their review and approval, updating the title of a report in Condition #18, and updating Condition #19 to ensure that there is sufficient developable area outside of the flood plain as a result of the Hope Municipal Drain project on certain lots.

Infrastructure and Capital Planning Services has advised that the City requires a 10 m easement to construct a pedestrian path along the future Lillian Street extension right-of-way and along the future Jeanne D'Arc Street right-of-way until such time as the Developer constructs these road connections. It is recommended that this requirement be added to Condition #34 which permits the final approval for registration in phases.

Housekeeping changes are recommended to ensure consistency in terminology when referring to the City.

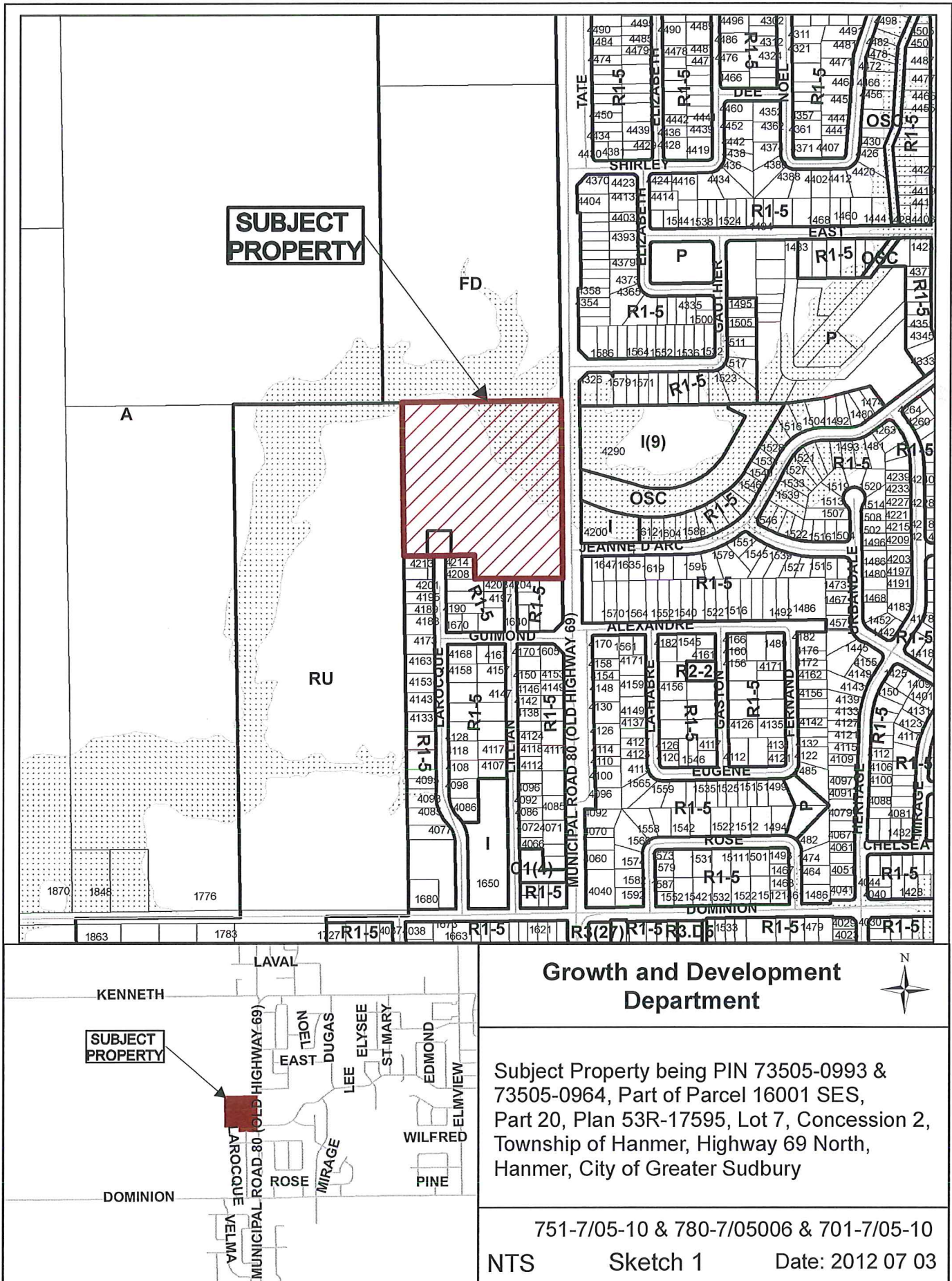
No other changes to the draft approval documents have been requested either by the owner or by circulated agencies and departments. The draft conditions are attached to this report along with the draft approved plan of subdivision for reference purposes.

The applicant will be required to pay the applicable processing fee in the amount of \$1316.50. It is recommended that the draft approval extension be granted upon receipt of Council's processing fee from the applicant. This amount is calculated as per By-law 2017-24 being the Miscellaneous Use Fees By-law.

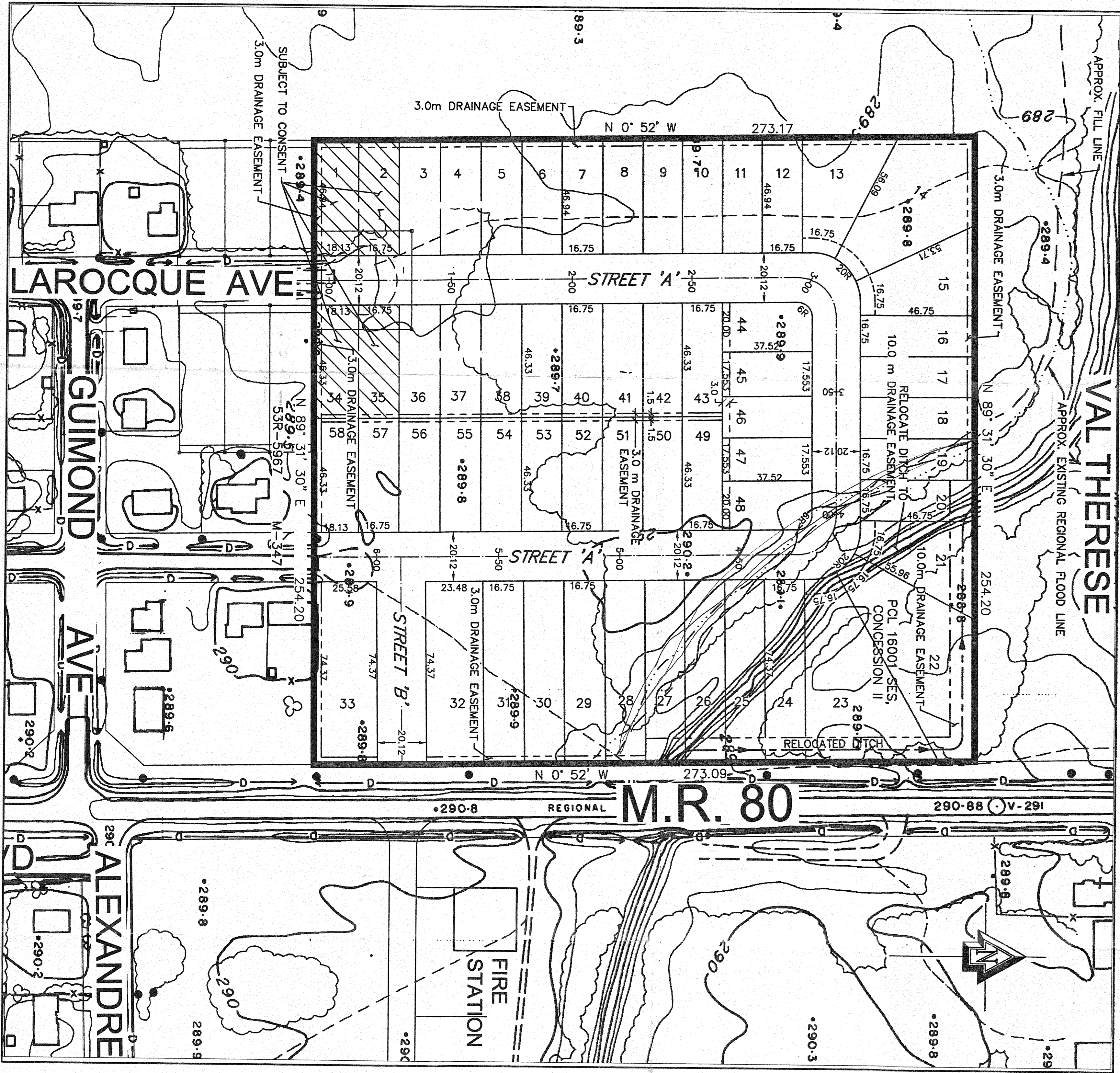
Date: October 13, 2020

Summary:

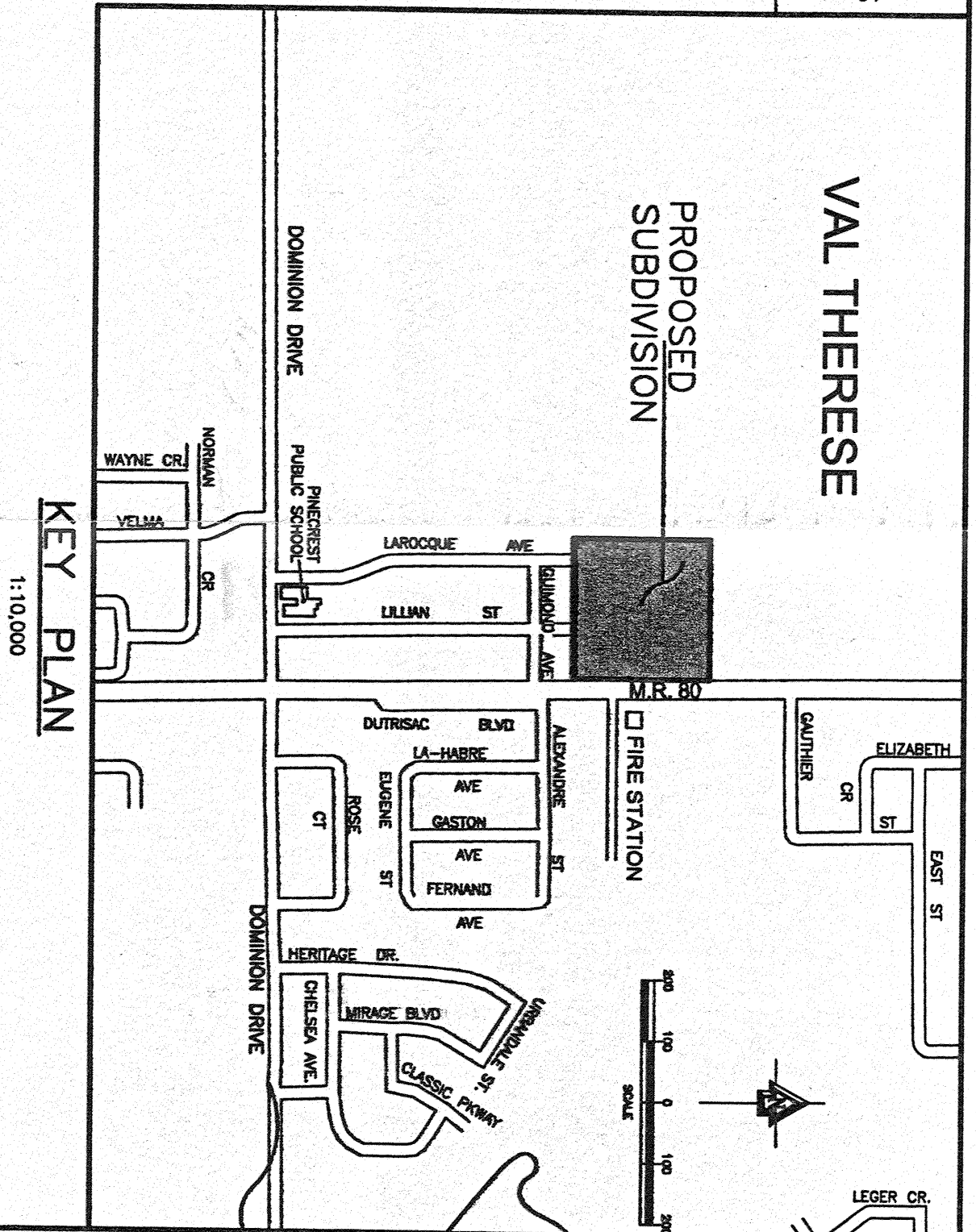
The Planning Services Division has reviewed the request to extend the subject draft approval and has no objections to the requested extension. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approval 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 subject lands for a period of two years until October 14, 2022, be approved as outlined in the Resolution section of this report.



DRAFT PLAN OF SUBDIVISION
OF PARCEL 16001 S.E.S. PART OF 'E' 1/3
OF 'S' 1/2 OF LOT 7, CONCESSION II
TOWNSHIP OF HANMER
CITY OF GREATER SUDBURY
DISTRICT OF SUDBURY
SCALE 1:1000



METRIC
DIMENSIONS ARE IN METRES
AND/OR MILLIMETRES
UNLESS OTHERWISE SHOWN



ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(12)
OF THE PLANNING ACT, 1990.

- (a) AS SHOWN
- (b) AS SHOWN
- (c) AS SHOWN
- (d) LOTS 1 TO 58, SINGLE FAMILY R-1.
- (e) TO THE EAST & SOUTH - SINGLE FAMILY RESIDENTIAL TO THE NORTH - COMMUNITY PARKS & GREEN BELT TO THE WEST - AGRICULTURAL RESERVE
- (f) AS SHOWN
- (g) AS SHOWN
- (h) CITY OF GREATER SUDBURY WATER SUPPLY
- (i) PREDOMINANTLY SILTY SAND
- (j) AS SHOWN
- (k) SANITARY SEWERS, HYDRO, BELL, TELEPHONE, CABLE T.V., GAS, POLICE, FIRE & AMBULANCE.
- (l) AS SHOWN

LAND USE ANALYSIS	
INTENDED USE	AREA IN Ha.
SINGLE FAMILY R-1	5.71 Ha.
200 m R.O.W	1.23 Ha.
TOTAL AREA	6.94 Ha.

OWNER'S CERTIFICATE

I HEREBY CONSENT TO THE FILING OF THIS PLAN FOR DRAFT PLAN APPROVAL AND BEING THE REGISTERED OWNER OF THE SUBJECT LANDS HEREBY AUTHORIZE NORTHLAND ENGINEERING LIMITED TO PREPARE AND SUBMIT A DRAFT PLAN OF SUBDIVISION FOR APPROVAL

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO ADJOINING LANDS ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.


DATE: Feb 21/06
Adrian Bortolussi
ONTARIO LAND SURVEYOR

REVISIONS			PCL 16001 S.E.S., PART OF 'E' 1/3 OF 'S' 1/2 OF LOT 7 CONCESSION II TOWNSHIP OF HANMER CITY OF GREATER SUDBURY DRAFT PLAN OF SUBDIVISION	SCALE: 1 : 1500		DRAWN: D.K.R. (NEL)	
DATE	DETAILS	BY		PROJECT NO.: SU - 3566	DATE: JULY/2005		
FEB. 16/2006	ADDITIONAL RESIDENTIAL LOTS ADDED	N.W.C.		CAD/FILE NUMBER:	CHECKED: T. S.		
				DESIGNED: T.S.	ENGINEER:		
				PAGE NO.: 1 of 1	APPROVED:		

northland
engineering
(1987) limited

Consulting Engineers and Planners

NORTH BAY



SUDBURY

**CITY OF GREATER SUDBURY 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 Parcel 16001, S.E.S., Part of Lot 7, Concession 2, Township of Hanmer, City of Sudbury, as shown on a plan prepared by Adrian Bortolussi, O.L.S., dated February 21, 2006.
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 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. 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.
9. That cash in lieu of land or lands representing 5% of residential land included in the plan of subdivision be dedicated to the City of Greater Sudbury for municipal parks purposes in accordance with Section 51.1 (1) of the Planning Act, R.S.O.
10. Deleted.

11. 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, watermains, 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 and the Nickel District Conservation Authority. A soils caution agreement, if required, shall be registered on title, to the satisfaction of the Chief Building Official and City Solicitor.
12. The owner shall provide a detailed lot grading plan prepared 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, 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.
13. There is insufficient depth in the existing watercourse to provide for the necessary subdivision storm outlet. As a result, the owner has to support the Hope Municipal Drain Petition and project to achieve the required water course deepening to obtain a sufficient drainage outlet. Within the Hope Municipal Drain Report, the owner will be assessed outlet and benefit costs by K. Smart Associates Limited, the appointed municipal drain engineers. The owner is required to provide storm water management for the site to restrict flows to pre-development levels and to deal with storm water quality concerns. As a result, the owner will be required to pay a cost share assessment of the development of a communal storm water management facility associated with the Hope Municipal Drain and delineate the new flood plain as a result of this work and submit this information to the Nickel District Conservation Authority.
14. The owner will pay the drainage assessment allocated to the subdivision of lands for drainage outlet benefits, and storm water management in accordance with the Hope Municipal Drain project.
15. The owner will be required to dedicate easements to the City of Greater Sudbury for municipal services where required.
16. The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, storm sewers, and related appurtenances.

17. The owner agrees to provide the required soils report, storm water, water, sanitary sewer and lot grading master planning reports and plans to the General Manager of Growth and Infrastructure prior to the submission of servicing plans provide all reports to the Nickel District conservation Authority as well.
18. The applicant/owner shall provide to the City, 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 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.
19. Streetlights for the subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
20. Development of lots 19, 20, 21, 22, 23, 24, 25, 26, and 27 located in a designated flood plain, are suspended pending the engineers report from K. Smart and Associates Limited, regarding the relocation of the Hope Municipal Drain as proposed. Any realignment of the drain will be at the owners expense. All works on the Municipal Drain must be to the complete satisfaction of the General Manager of Growth and Infrastructure. All works on the Municipal Drain must be to the complete satisfaction of the General Manager of Growth and Infrastructure and the Nickel District Conservation Authority.
21. The development of the following lots; 3, 4, 5, 6, 7, 36, 37, 38, 39, 40 ,52, 53, 54, 55, 56, 57, 58, 29, 30, 31, 32, and 33 can proceed once the Hope Municipal Drain is in place to the complete satisfaction of the Nickel District Conservation Authority
22. The owner will be required to provide underground cable telephone and hydro utilities.
23. The owner will be required to construct the road connection opposite Jean D'Arc extending from M.R. 80 to Street A to an urban collector standard complete with a sidewalk along the south side.

24. That the owner will be required to upgrade the traffic signals at the intersection of M.R. 80 and Jean D'Arc at their expense and if development of the property precedes the installation of traffic signals, the owner will be required to install the traffic signals at their expense, all to the satisfaction of the General Manager of Growth and Infrastructure.
25. The owner will be required to dedicate a 0.3 metre reserve along the entire frontage of M.R. 80 with the exception of the 20 metre right of way opposite Jean D'Arc.
26. The owner will be required to dedicate a 3.0 metre strip of land along the frontage of M.R. 80 to the City of Greater Sudbury, if and when required.
27. That this draft approval shall lapse on January 14, 2021.
28. That prior to the signing of the final plan the Planning and Development Department is to be advised by the City Solicitor that Conditions #2, #3, #5, #6, #7, #9, #11, #12, #15 and #37, have been complied with to his satisfaction.
29. The owner 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.
30. The owner 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.
31. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Greater Sudbury Hydro Utilities or Hydro One, Bell Canada, Union Gas, East Link Cable and Canada Post. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.
32. 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.

33. The owner shall complete to the satisfaction of the City of Greater Sudbury and Canada Post:
- a) That the owner agrees to include on all offers of purchase and sale a statement that advises the prospective purchaser that the home/business mail delivery will be from a designated Centralized Mail Box and that the developers/owners be responsible for officially notifying the purchasers of the Centralized Mail Box locations prior to the closing of any home sales
 - b) The owner further agrees to:
 - i) Work with Canada Post to determine and provide suitable Centralized Mail Box location, which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision;
 - ii) Install a concrete pad in accordance with the requirements of, and in locations to be approved by, Canada Post to facilitate the placement of the Community Mail Boxes;
 - iii) Identify the pads above on the engineering drawings. The pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision; and,
 - iv) Determine the location of the all centralized mail facilities in cooperation with Canada Post and to post the location of these sites on appropriate maps, information boards and plans.
34. 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.

35. 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.
36. That the subdivision agreement contains 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.
37. That in accordance with Section 59(4) of the Development Charges Act, a notice 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 of the development charges related to development.