

Request for Decision

Vytis Lands (Kagawong) Ltd. - Application to extend a draft approved plan of subdivision approval (Vytis Timestone Subdivision, Sudbury)

Presented To:	Planning Committee
Presented:	Monday, Sep 21, 2020
Report Date	Wednesday, Aug 26, 2020
Type:	Routine Management Reports
File Number:	780-6/1101

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 73572-0248 & 73561-0008, Lots 10 & 11, Concession 4, Township of Neelon, File # 780-6/11001, in the report entitled "Vytis Lands (Kagawong) Ltd.", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on September 21, 2020, as follows:

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

"11. That this draft approval shall lapse on September 12, 2022."

2. That the words "Director of Leisure, Community and Volunteer Services" be replaced with "Director of Leisure Services" in Condition #14

3. By adding the following sentence at the end of Condition #23:

"A soils caution agreement, if required, shall be registered on title, to the satisfaction of the Chief Building Official and the City Solicitor."

4. By adding the following sentence at the end of Condition #24:

"A lot grading agreement, if required, shall be registered on title 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 any required lot grading agreement."

5. By adding the words "Canada Post," after "Bell," in Condition #32;

6. By deleting Condition #35 and replacing it with the following:

"35. The owner shall provide to the City, as part of the submission of servicing plans a Sediment and Erosion Control Plan detailing the location and types of sediment and erosion control measures to be

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed Aug 26, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Aug 26, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Aug 31, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Sep 3, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Sep 3, 20

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. Siltation controls 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.”

7. By deleting Condition #25 and replacing it with the following:

“25. A storm-water 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:

- a) 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;
- b) 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;
- c) 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;
- d) “Enhanced” level must be used for the design of storm-water quality controls and 20% over-control of peak flows as defined by the Ministry of the Environment, Conservation and Parks;
- e) Storm-water management must follow the recommendations of the Ramsey Lake Sub-watershed Study;
- f) The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any storm-water management plan;
- g) 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;
- h) Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties; and,
- i) Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted.”;

8. By deleting Conditions #41 and #49 entirely;

9. By adding a new Condition #50 as follows:

“50. 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.”

10. By adding a new Condition #51 as follows:

“51. The owner shall be responsible for the design and construction of any required storm-water 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 storm-water management works as a condition of this development.”

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 of the Vytis Timestone draft approved plan of subdivision in the community of Sudbury for a period of two years until September 12, 2022. The Planning Services Division has reviewed the request to extend the 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.

Building Services has requested that verbiage relating to the possible requirement for a soils caution agreement that would be registered on title of the lands be added to the City's standard geotechnical condition. Conservation Sudbury has recommended that the existing condition addressing erosion and sediment control during construction of the subdivision be updated to reflect current verbiage and best practices. Development Engineering has noted that since initial draft approval there have construction drawings for a first phase were submitted for review on April 17, 2015. At the time of writing this report, the first phase has not proceeded to the Ministry of Environment and Climate Change (MOECC) regarding compliance requirements around construction of said first phase. The City's Drainage Section has requested that the existing condition addressing storm-water management be updated to reflect current standard draft approval condition practices in terms of the infrastructure that will be required to facilitate the future and further development of the Vytis Timestone Subdivision. Environmental Planning Initiatives has provided comment that 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. Other housekeeping changes are included and outlined in the Resolution section of this report.

The Planning Services Division is recommending approval of the application to extend the draft approved plan of subdivision. 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 \$235,000 in taxation revenue, based on the assumption of 35 single family dwelling units at an estimated assessed value of \$500,000 per dwelling units at the 2020 property tax rates.

In addition, this development would result in total development charges of approximately \$640,000 based

on the assumption of 35 single family dwelling units 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).

This application also includes 19 business industrial lots. However, staff is unable to determine the property taxation and development charge implications as the size/type of building development for each of the 19 lots is unknown at this time.

Date: August 18, 2020

STAFF REPORT

Applicant:

Vytis Lands (Kagawong) Ltd.

Location:

PINs 73572-0248 & 73561-0008, Lots 10 & 11, Concession 4, Township of Neelon (Vytis Timestone Subdivision, Sudbury)

Application:

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on September 12, 2011. The draft approval was most recently extended by Council on September 12, 2017, and is set to expire again on December 12, 2020, following a temporary administrative extension for a draft approved plan of subdivision on those lands described as PINs 73572-0248 & 73561-0008, Lots 10 & 11, Concession 4, Township of Neelon.

As noted above, there was one administrative extension issued by the Director of Planning Services having the effect of establishing a new lapsing date of December 12, 2020, in order to allow for agencies and departments to complete their review of the request. The most recent administrative extension was also 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 two years until September 12, 2022.

Background:

The City received a written request via email from the owner's agent on May 26, 2020, to extend the draft approval on a plan of subdivision for a period of two years on those lands described as PINs 73572-0248 & 73561-0008, Lots 10 & 11, Concession 4, Township of Neelon. The draft approved plan of subdivision was initially approved by Council for a total of 19 industrial lots and 35 urban residential lots, along with 4 parks/open space blocks of land to the south of Kingsway Boulevard and to the east of Third Avenue in the community of Sudbury. The lots within the Vytis Timestone Subdivision are to be accessed from Kingsway Boulevard and with southerly road connections to the Hazelton and Lionsgate Subdivisions.

Staff notes that no phases of the draft approved plan of subdivision have been registered since the initial draft approval granted by Council on September 12, 2011. It should be noted however that construction drawings for a first phase were submitted for review on April 17, 2015. At the time of writing this report, the first phase has not proceeded to the Ministry of Environment and Climate Change (MOECC) regarding compliance requirements around construction of said first phase. No changes are requested the existing draft approval conditions.

Staff further notes that the draft approval is now set to expire on December 12, 2020 following an administrative extension that was granted in order to afford staff time to review the request during the ongoing 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 September 12, 2022.

Date: August 18, 2020

Departmental & Agency Circulation:

Fire Services, Leisure Services, Operations, Roads, Traffic and Transportation, and Transit Services have each advised that they have no concerns from their respective areas of interest. Canada Post was also circulated the request to extend the draft approval for the Vytis Timestone Subdivision and did not provide any comments.

Active Transportation has noted that the owner will be required to construct a portion of the streets within the Vytis Timestone Subdivision (i.e. from Jeanine Street in an easterly direction and connecting generally then connecting to Kingsway Boulevard) to an urban collector standard complete with on-road bicycle lanes and sidewalks on both sides. On-street parking shall be restricted on both sides of streets constructed to said urban collector standard.

Building Services has requested that Condition #23 be updated to reflect current standard draft approval condition verbiage with respect to a soils caution agreement being registered on title of the lands, if required, to the satisfaction of the Chief Building Official.

Conservation Sudbury has no concerns with the draft approval extension request. Conservation Sudbury has however noted that existing Condition #35 should be updated to reflect current wording and best practices with respect to the requirement for an Erosion and Sediment Control Plan that details the location and types of erosion and sediment control measures that are to be implemented during the construction of each new phase of the Vytis Timestone Subdivision. Conservation Sudbury also notes that any works occurring within a regulated area under Ontario Regulation 156/06 will require a permit pursuant to Section 28 of the Conservation Authorities Act.

Development Engineering has noted that since initial draft approval there have construction drawings for a first phase were submitted for review on April 17, 2015. At the time of writing this report, the first phase has not proceeded to the Ministry of Environment and Climate Change (MOECC) regarding compliance requirements around construction of said first phase. No changes are requested the existing draft approval conditions.

The City's Drainage Section has requested that Condition #25 be deleted and replaced with one comprehensive condition 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. Condition #41 may also now be deleted as the updated Condition #25 addresses the need for conveyances of drainage channels when and where required to service the Vytis Timestone Subdivision. There is also a new Condition #42 being recommended that would provide clarity to the owner that they are responsible for the design and construction and conveyance of lands for any new storm-water management works that would be required in order to service the Vytis Timestone Subdivision.

Environmental Initiatives advises and cautions that the owner is solely responsible for ensuring that activities relating to vegetation removal, site alteration and development undertaken on the subject lands do not result in a contravention of the Endangered Species Act. The owner is advised to consult with the Ontario Ministry of the Environment, Conservation and Parks. It is therefore recommended that existing Condition #49 be deleted as it is no longer necessary given the above caution to the owner.

Water/Wastewater notes that the subject lands are within a Source Water Protection Area (ie. Intake Protection Zone 3 – Ramsey and the Ramsey Lake Issue Contributing Area). It is noted that a Risk Management Plan will be required for the activity of applying road salt and the storing of snow should there be any external parking lots having an area of equal to or greater than 1 ha (2.47 acres). The future handling and storage of road salt is also prohibited in the Ramsey Lake Issue Contributing Area. It is further noted however that no specific changes to the existing draft plan approval conditions are necessary.

Date: August 18, 2020

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 September 12, 2011, and at the time of writing this report none of the 19 industrial lots and 35 urban residential lots, along with 4 parks/open space blocks of land, have been registered.

The owner did not provide an update in regards to their progress on clearing draft approval conditions in their emailed letter dated May 26, 2020.

Draft Approval Conditions

Condition #11 should be deleted entirely and replaced with a sentence referring to September 12, 2022, as the revised date on which the subject draft plan of subdivision approval shall lapse.

The City's Drainage Section has requested that Condition #25 be updated to reflect current standard draft approval condition practices in terms of the infrastructure that will be required to facilitate development of the Vytis Timestone Subdivision. These requested changes are reflected in the Resolution section of this report as an amendment to existing Condition #25 and a new Condition #51.

Staff recommends that a standard draft approval condition be added that in accordance with Section 59(4) of the Development Charges Act, that 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. This requested change is reflected in the Resolution section of this report as new Condition #50 that is being recommended.

Building Services and Conservation Sudbury have both requested housekeeping changes to existing verbiage contained within existing Conditions #23 and #35 respectively.

No other administrative and housekeeping changes to the draft approval documents are required at this time. Further to this, 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 existing draft approval conditions are attached to this report along with a sketch of the draft approved plan of subdivision dated December 16, 2010, for reference purposes.

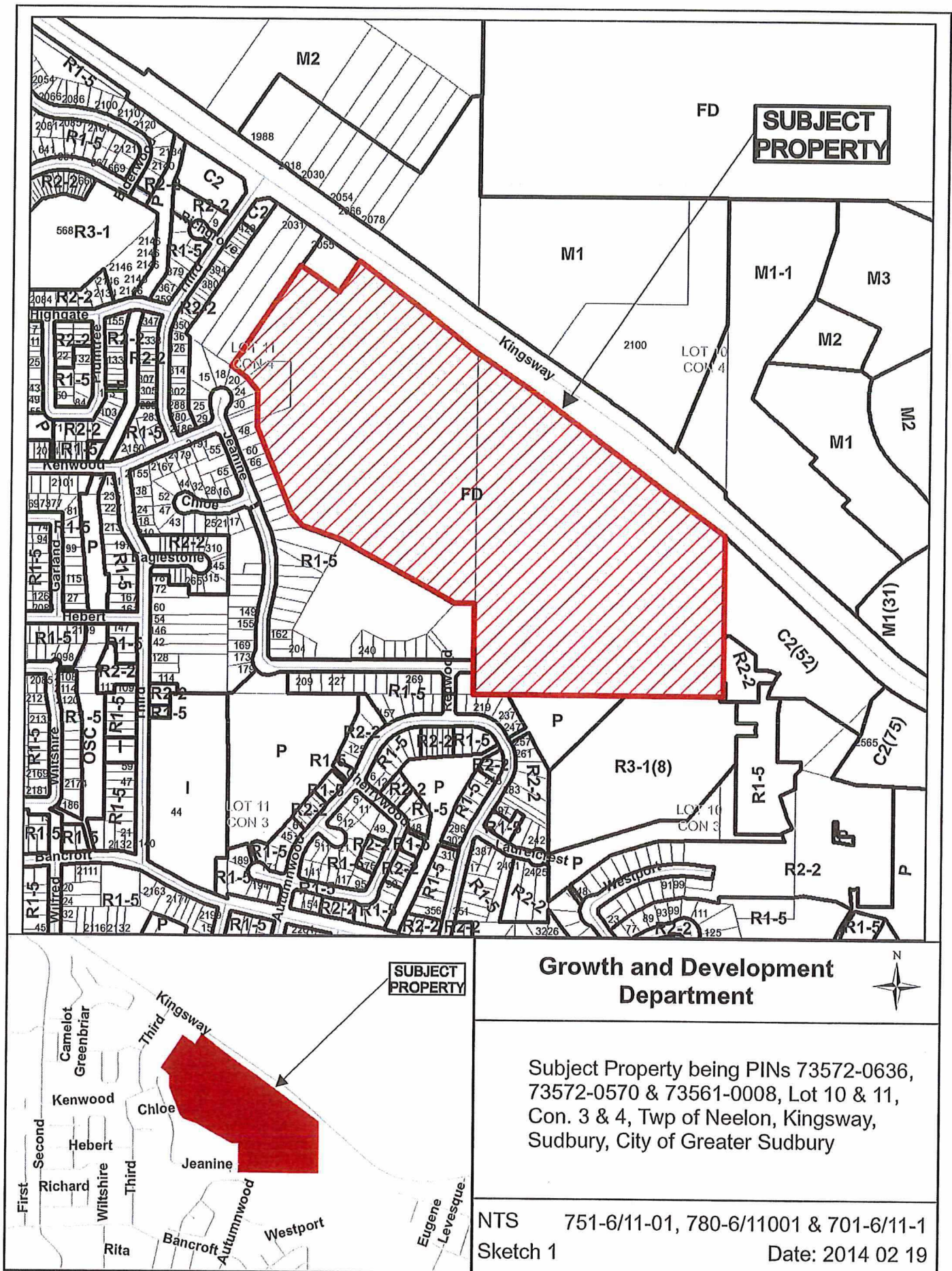
Processing Fees

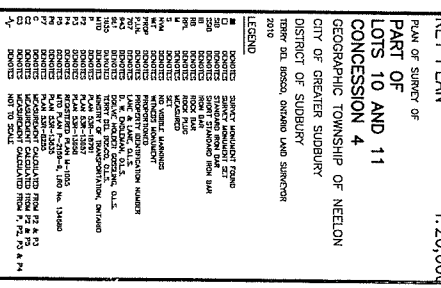
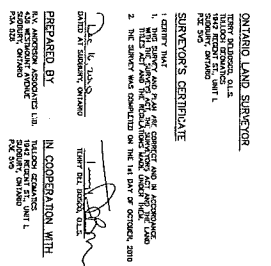
The owner has provided the applicable processing fee in the amount of \$1,998.33. This amount was calculated as per By-law 2020-26 being the Miscellaneous User Fees for Certain Services By-law that was in effect at the time the request was made.

Date: August 18, 2020

Summary:

The Planning Services Division has reviewed the request to extend the subject 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 of the subdivision. Appropriate changes where identified and explained within this report have been included in the Resolution section of this report and would 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 Vytis Timestone Subdivision for a period of two years until September 12, 2022, be approved as outlined in the Resolution section of this report.



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**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 PIN 73572-0248 & 73561-0008, Lots 10 & 11, Concession 4, Township of Neelon as shown on a plan of subdivision prepared by Terry Del Bosco, O.L.S. and dated December 16, 2010 and redlined as follows:
 - a) Lots 1 to 19 to be shown as M1-1
2. That the plan be revised such that Blocks A, B and C be incorporated into the residential lotting in a layout acceptable to the Director of Planning Services.
3. That the streets shall be named to the satisfaction of the Municipality.
4. 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.
5. 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.
6. That the subdivision agreement be registered by the Municipality against the land to which it applies, prior to any encumbrances.
7. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
8. 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.
9. 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.
10. 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.

11. That this draft approval shall lapse on December 12, 2020.
12. 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.
13. That 2% of the cash value of the land for the business industrial lots described on the plan as Lots 1 through 19 shall be paid to the City in lieu of the conveyance of land in accordance with Section 51.1 (3) of the Planning Act.
14. That the Owner agrees to develop a paved pathway extending from the parkland (lots 37 and 38) in this plan to Autumnwood Crescent to the satisfaction of the Director of Leisure, Community and Volunteer Services.
15. That the Owner agrees to improving the existing Autumnwood playground to the satisfaction of the Director of Leisure, Community and Volunteer Services.
16. That the Owner agrees to convey to the City lots 37 and 38 for parks purposes in accordance with Section 51.1 of the Planning Act.
17. 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 including an elevation of the water table 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.
18. The Owner will be required in the geotechnical report to outline how the work related to blasting shall be undertaken safely to protect adjoining structures and other infrastructure. The geotechnical report shall be undertaken by a blasting consultant defined as a professional engineer licensed in the Province of Ontario with a minimum of five years experience related to blasting.

19. The Owner agrees that blasting consultant shall be retained by the developer and shall be independent of the contractor and any subcontractor doing blasting work. The blasting consultant shall be required to complete specified monitoring recommended in their report of vibration levels and provide a report detailing those recorded vibration levels. Copies of the recorded ground vibration documents shall be provided to the contractor and contract administration weekly or upon request for this particular project.
20. The Owner agrees that the geotechnical report will provide recommendations and specifications on the following activity as a minimum but not limited to:
 - i) Pre-blast survey of surface structures and infrastructures within the affected area;
 - ii) Trial blast activities;
 - iii) Procedures during blasting;
 - iv) Procedures for addressing blasting damage complaints;
 - v) Blast notification mechanism to adjoining residences; and,
 - vi) Structural stability of exposed rock faces.
21. The Owner agrees that the report shall be submitted for review to the satisfaction of the Chief Building Official prior to the commencement of any removal of rock by blasting.
22. The Owner agrees that should the developer's schedule require to commence blasting and rock removal prior to the site plan agreement having been signed, a site alteration permit shall be required under the City of Greater Sudbury's By-law 2009-170 and shall require a similar geotechnical report as a minimum prior to its issuance.
23. The Owner agrees that a geotechnical report is also required to confirm the bearing capacity and suitability of all underlying soils for this development.
24. 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 building envelopes, retaining walls, 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.

25. 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 owner shall be required to submit a comprehensive drainage plan of the subject property, and any upstream areas draining through the subdivision. The Regional Storm flow path is to be set out on the plan(s). The civil engineering consultant shall meet with the Development Approvals Section prior to commencing the stormwater management report.
26. 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.
27. The proposed internal subdivision roadways are to be built to urban standards, including barrier curbs, gutters, storm sewers maximum 6% road grades and related appurtenances to the City of Greater Sudbury Engineering Standards at the time of submission.
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 lot grading 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 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.
30. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
31. The owner will be required to ensure that the corner radius for all intersecting streets is to be 9.0 m.

32. 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.
33. The owner shall 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.
34. The owner shall provide proof of sufficient sanitary sewer capacity in conjunction with the submission of construction drawings for each phase of construction.
35. 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.
36. Sidewalks shall be constructed consistent with Official Plan policies to the satisfaction of the Director of Planning Services.
37. That a Traffic Impact Study be completed to identify any improvements or upgrading that is required to roadways or traffic control in order to accommodate the development.
38. The owner agrees to participate in the cost of any improvements or upgrading identified in the approved Traffic Impact Study, including if and when required the installation of traffic signals at the Kingsway entrance to the development including participating in any front-ending agreements for these improvements or upgrades, all to the satisfaction of the General Manager of Growth and Infrastructure.
39. The owner agrees to construct those roadways which are adjacent to the industrial lands to an urban collector standard.
40. That direct access onto Kingsway Boulevard will be prohibited from the subject property through the dedication of a 0.3 m (9.84 ft) wide reserve along the entire Kingsway Boulevard frontage, except for the future public road right-of-way.

41. The Owner agrees to convey a drainage channel for the Regional Storm along the northern boundary of the proposed subdivision adjacent to the Kingsway, and along the eastern limits of the subject property.
42. The Owner must ensure that adequate turnarounds are provided at the ends of streets for firefighting and school bus vehicles.
43. The owner shall include on all offers to purchase and sale to the satisfaction of the Director of Engineering of the City of Greater Sudbury and Canada Post, a statement that advises the prospective purchaser that home/business mail delivery will be from a designated Community Mail Box.
44. The Owner/Developer further agrees to:
 1. Work with Canada Post to determine and provide temporary suitable Community Mail Box locations, which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision;
 2. 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;
 3. Identify the pads above on the engineering servicing 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. Curb depression will be required if not a roll over curb; and,
 4. These pads are to be installed 3 m (9.84 ft) from a fire hydrant or a transformer.
45. Prior to the submission of servicing plans for any phase that includes Lot 1 and Lots 20 to 54, the location of the 750 mm diameter trunk water-main is to be field determined and the condition of the water-main is to be assessed to the satisfaction of the General Manager of Growth and Infrastructure. The owner shall not connect to the existing 750 mm diameter trunk water-main at any location.
46. The owner is to provide sufficiently wide access to the 750 mm diameter trunk water-main by way of a municipal right-of-way or easements to the satisfaction of the General Manager of Growth and Infrastructure.

47. 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.”
48. 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.
49. That prior to the signing of the final plan, the owners/applicants shall contact the Ministry of Natural Resources and Forestry (MNRF), Sudbury District Office, and satisfy all requirements set out by the MNRF under the Endangered Species Act. In addition, the owners/applicants shall, to the satisfaction of the Director of Planning Services, demonstrate that all requirements set out by the MNRF under the Endangered Species Act have been satisfied prior to any site alteration or development taking place on the subject lands.