

## Request for Decision

**Dalron Construction Ltd. - Application to extend a draft approved plan of subdivision approval, Part of former Parcel 709 SES, being Part of PIN 73504-0953, Part Lot 6, Concession 1, Township of Hanmer (Dominion Drive and Saddle Creek Drive, Val Therese)**

Presented To:	Planning Committee
Presented:	Wednesday, Sep 09, 2020
Report Date	Thursday, Aug 13, 2020
Type:	Routine Management Reports
File Number:	780-7/04006

## 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 Part of former Parcel 709 SES, being Part of PIN 73504-0953, Part Lot 6, Concession 1, Township of Hanmer, File # 780-7/04006, as outlined in the report entitled "Dalron Construction Ltd.", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on September 9, 2020, as follows:

1. In Conditions 2, 3, 4, 5, 7, 12, 15, 28 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 General Manager of Growth & Infrastructure, 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. The geotechnical engineer will be required to address On-site and Excess Soil Management in accordance with O. Reg. 406/19 under the Environmental Protection Act. A soils caution agreement, if required, shall be registered on title, to the satisfaction of the Chief Building Official and City Solicitor."

### Signed By

#### Report Prepared By

Wendy Kaufman  
Senior Planner  
*Digitally Signed Aug 13, 20*

#### Manager Review

Alex Singbush  
Manager of Development Approvals  
*Digitally Signed Aug 13, 20*

#### Recommended by the Division

Jason Ferrigan  
Director of Planning Services  
*Digitally Signed Aug 13, 20*

#### Financial Implications

Apryl Lukezic  
Co-ordinator of Budgets  
*Digitally Signed Aug 21, 20*

#### Recommended by the Department

Tony Cecutti  
General Manager of Growth and Infrastructure  
*Digitally Signed Aug 24, 20*

#### Recommended by the C.A.O.

Ed Archer  
Chief Administrative Officer  
*Digitally Signed Aug 24, 20*

3. By deleting Condition #34 and replacing it with the following:

“34. That this draft approval shall lapse on November 28, 2023.”

4. By deleting Condition #36 and replacing it with the following:

“36. That the applicant/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 implemented during the construction of each phase of the project. Said plan shall be to the satisfaction of the General Manager of Growth & 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.”

5. By deleting Condition #37 and replacing it with the following:

“37. That in the subdivision agreement the owner acknowledges the completion of the Paquette Whitson Municipal Drain engineer’s report dated February 8, 2012 by K. Smart Associates Ltd. Said report provides for the construction of outlet drainage channel improvements and stormwater pond quantity and quality control facilities to service the subject subdivision lands within the Saddle Creek Subdivision.

That in the subdivision agreement the owner agrees to pay the assessments set out in the engineer’s report for the subject subdivision for stormwater conveyance channel improvements, stormwater quantity control and stormwater quality control, at the time of registration of each subdivision phase, in the amount of \$2,500 per lot until December 31, 2014 and thereafter with interest accruing at the rate of 4.5 percent per annum.

The major storm over flow system shall be designed and directed down City roads and City drainage blocks to outlet to the Paquette Whitson Municipal Drain.”

6. In Condition #38, by replacing the word ‘developer’ with ‘owner’.

7. In Condition #40, by adding the word ‘Services’ after the words ‘Director of Planning’.

## **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 Saddle Creek draft approved plan of subdivision (File # 780-7/04006) in the community of Val Therese for a period of three years until November 28, 2023. 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 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. 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 \$414,000 in taxation revenue, based on the assumption of 89 single family dwelling units at an estimated assessed value of \$375,000 per dwelling units at the 2020 property tax rates.

In addition, this development would result in total development charges of approximately \$1,620,000 based on the assumption of 89 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).

**Date: August 10, 2020**

## **STAFF REPORT**

### **Applicant:**

Dalron Construction Ltd.

### **Location:**

Part of former Parcel 709 SES, being Part of PIN 73504-0953, Part Lot 6, Concession 1, Township of Hanmer, Dominion Drive and Saddle Creek Drive, Val Therese

### **Application:**

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on November 25, 2004. The draft approval was most recently extended by Council on November 22, 2017, until November 28, 2020, for a plan of subdivision on those lands described as Part of former Parcel 709 SES, being Part of PIN 73504-0953, Part Lot 6, Concession 1, Township of Hanmer (Saddle Creek Subdivision).

### **Proposal:**

The owner is requesting that the draft approval for the above noted lands be extended for a period of three years until November 28, 2023.

### **Background:**

The City received a request from Dalron Construction on June 16, 2020 to extend draft approval on a plan of subdivision for a period of three years on those lands described as Part of former Parcel 709 SES, being Part of PIN 73504-0953, Part Lot 6, Concession 1, Township of Hanmer.

The Saddle Creek plan of subdivision was draft approved on November 25, 2004 and included the creation of 89 lots for single detached dwellings. The first phase of 27 lots was registered on November 28, 2005; subsequently the lapsing date on the draft approval was extended in 2008, 2011, 2014 and 2017. The most recent set of draft plan conditions are attached to this report, which include that the plan lapses on November 28, 2020.

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 the majority of the lands subject to a Flood Plan Overlay.

Staff has circulated the request to relevant agencies and departments and is now bringing forward this report to extend the draft approval to November 28, 2023.

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.

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

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

**Date: August 10, 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.

The owner has advised that while they have been waiting for floodplain work to move forward they have been working on design for the balance of the site and preparing the site for future development. Staff is satisfied that the owner is making reasonable efforts towards developing the subdivision.

**Draft Approval Conditions**

Condition #34 should be deleted entirely and replaced with a sentence referring to November 28, 2023, 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 a minor housekeeping amendment to Condition #36 related to the title of a report.

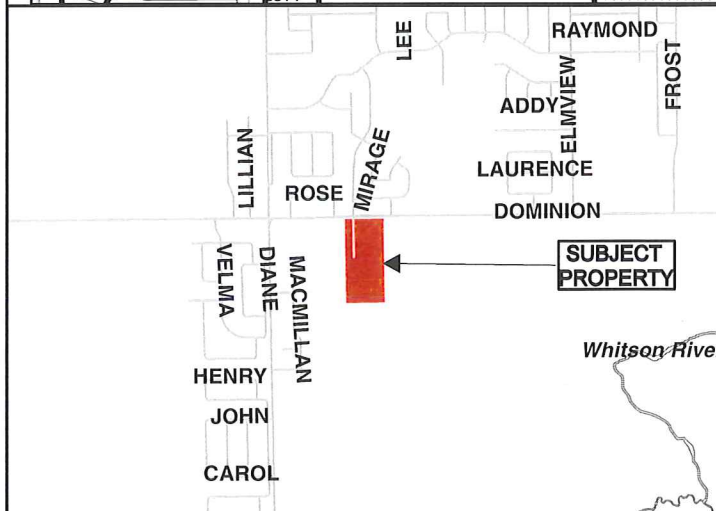
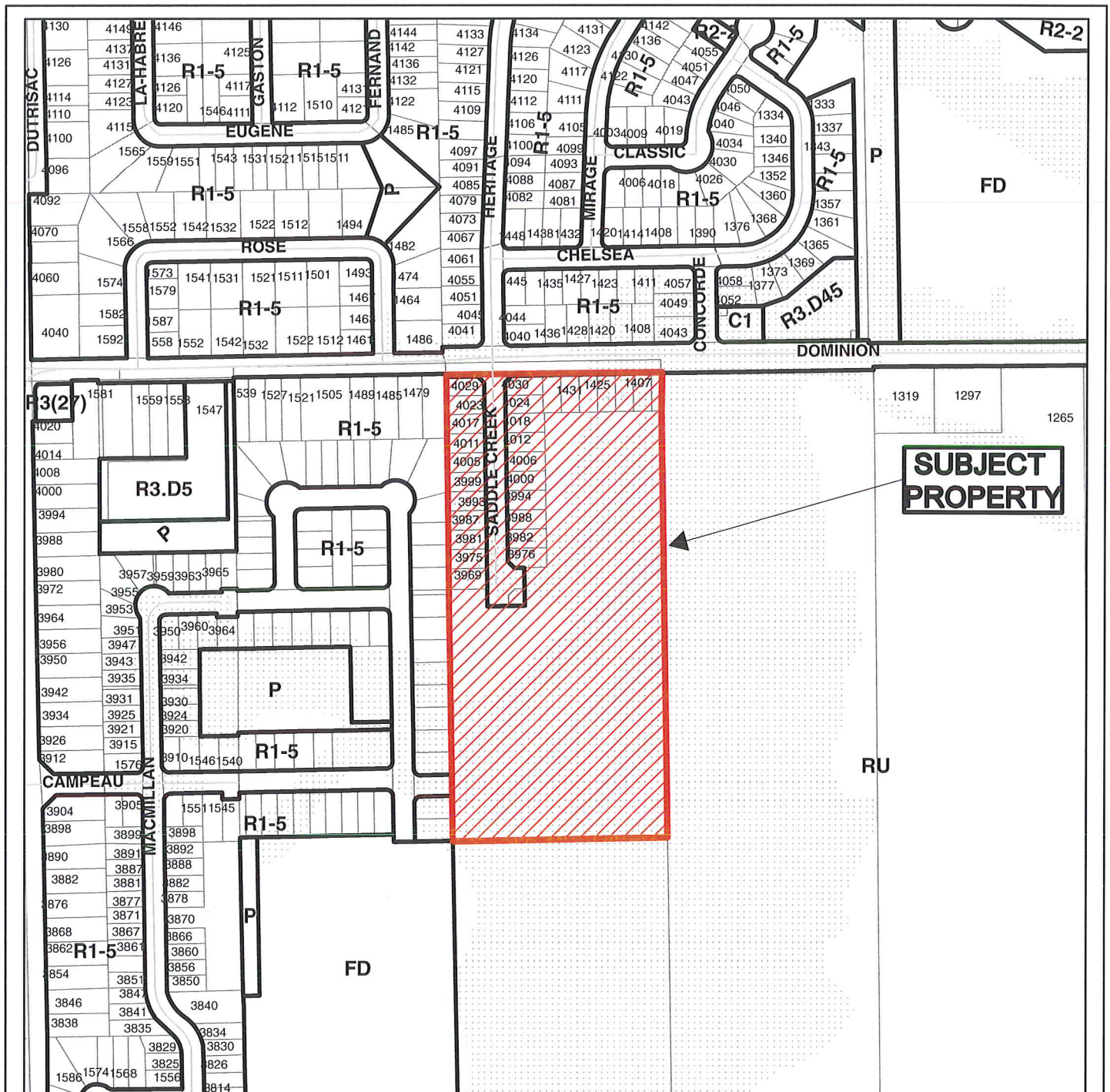
Development Engineering and the City's Drainage Section have requested that Condition #37 be updated to reflect the Paquette Whitson Municipal Drain project, and the requirement to provide a financial contribution to the project rather than providing on-site stormwater management.

Housekeeping changes are recommended to ensure consistency in terminology when referring to the Director of Planning Services, the City, and the owner.

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.

**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 Saddle Creek Subdivision for a period of three years until November 28, 2023, be approved as outlined in the Resolution section of this report.



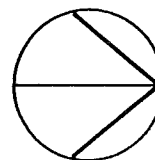
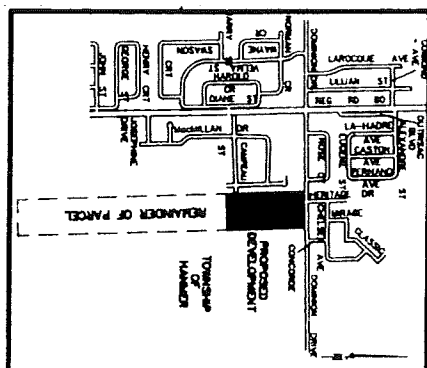
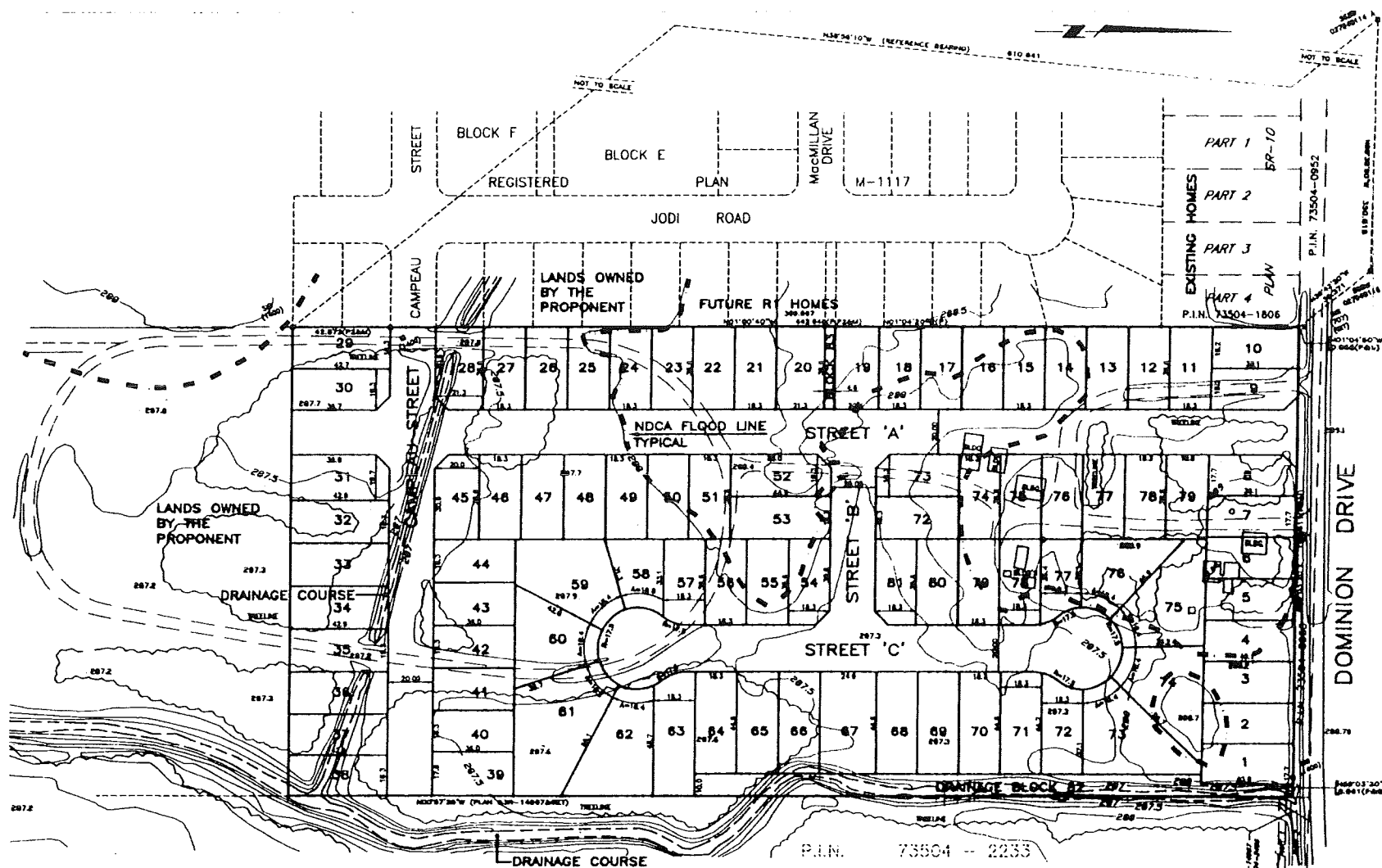
## Growth and Development Department



Subject Property being part of Pcl. 709,  
Lot 6, Con. 1, Twp of Hanmer, 1439 Dominion  
Drive, Val Therese, City of Greater Sudbury

Sketch 1  
NTS

751-7/04-11 & 780-7/04006  
Date: 2011 10 11



## Economic Development and Planning Services

Subject Property being PIN 73504-0953,  
Part of Parcel 709, Township of Hanmer,  
Lot 6, Con 1, 1439 Dominion Drive,  
City of Greater Sudbury.

751-7/04-11  
Not to Scale

780-7/04006  
Date: 2004 05 17

**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 73504-0953 (formerly Parcel 709 SES) in Lot 6, Concession 1, Hanmer Township as shown on a plan of subdivision prepared by T. Del Bosco, O.L.S. and dated May 5, 2004.
2. That the streets 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 lands.
4. That the lot areas, frontages and depths appearing on the final plan shall 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.
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 requirements, financial and otherwise, of the City of Greater Sudbury concerning the provision of roads, installation of services and drainage.
8. That the subdivision agreement contain provisions whereby the owner agrees that all requirements of the subdivision agreement including installation of required services be completed within 3 years after registration.
9. The owner shall ensure that the corner radii for all intersecting streets is 9.0m.
10. The owner shall provide a detailed lot grading plan prepared by a consulting 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.
11. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the General Manager of Growth & Infrastructure, 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. A soils caution agreement, if required, shall be registered on title, to the satisfaction of the Chief Building Official and City Solicitor.

12. The applicant will be required to dedicate rear lot easements to the City of Greater Sudbury for municipal purposes.
13. The owner shall be required to cost share in the construction of stormwater management facilities as required by the General Manager of Growth & Infrastructure. The owner shall provide lands for said facilities as required by the General Manager of Growth & Infrastructure.
14. The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, storm sewers and related appurtenances.
15. The applicant will be required to enter into a written agreement to satisfy all requirements of the City of Greater Sudbury concerning the provision of roads, walkways, street lighting, sanitary sewers, watermains, storm sewers, storm water management facilities and surface drainage facilities.
16. Draft approval does not guarantee the allocation of either sewer or water capacity. Prior to the signing of the final plan, clearance is required from the General Manager of Growth & Infrastructure that sufficient sewage treatment capacity exists to service this development.
17. The owner shall provide a 1.5 metre concrete sidewalk on the west side of Street A from Dominion Drive to the southerly limit of the draft plan and to the end of the existing Campeau Street.
18. Deleted.
19. The owner shall ensure that lots 30 and 31 are developed with access off of Campeau Street.
20. The owner shall provide a land block to the City along the easterly side of the draft plan to accommodate a walkway and 50 percent of the land required for a realigned drainage channel with 3:1 slopes.
21. The owner shall be responsible for the cost of a 50 mm asphalt overlay along the north side of Dominion Drive and the subdivision frontage.
22. The owner shall be responsible for upgrading the south side of Dominion Drive to urban standard including storm drainage facilities as required.
23. Deleted.

24. The owner shall ensure that the underside of footing elevations for new homes along lots 1, 38, 39 and 61 to 73 inclusive are not affected by flood waters in the new drainage channel. This requirement shall be completed to the satisfaction of the Chief Building Official, Nickel District Conservation Authority and the General Manager of Growth & Infrastructure.
25. The owner shall be responsible for the construction of Campeau Street from the easterly limit of the subject draft plan to the existing end of Campeau Street to a collector standard including a 1.5 metre sidewalk.
26. Lots 72 to 79 on Streets A and B are renumbered to Lots 82 to 89.
27. The owner shall construct a walkway on block 83 to the satisfaction of the General Manager of Growth & Infrastructure.
28. That 5% of the land included in the plan of subdivision be deeded to the City of Greater Sudbury for parks purposes in accordance with Section 51.1 (1) of the Planning Act.
29. That prior to the signing of the final plan the owner shall undertake a traffic impact analysis to determine what local road improvements are made necessary by the proposed subdivision and the owner shall agree to undertake the improvements identified, all to the satisfaction of the General Manager of Growth & Infrastructure.
30. 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.
31. Prior to the registration of any part of the subdivision which includes any part of Lot 1 or Lots 17 to 83 the Planning Services Division is to be advised by the Nickel District Conservation Authority that their requirements under Ontario Regulation 156/06 have been satisfied, and that prior to any development occurring in the designated floodplain, the Paquette-Whitson Drain shall be constructed.
32. That prior to the signing of the final plan the owner shall satisfy Canada Post with respect to mail delivery facilities for the site.
33. The owner shall provide an upgraded watermain from the end of the existing watermain on Campeau Street through to the subject subdivision to the satisfaction of the General Manager of Growth & Infrastructure.
34. That this draft approval shall lapse on November 28, 2020.

35. 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, 9, 10, 11, 12, 15, 20, 28, 29 and 41 have been complied with to his satisfaction.
36. That 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 & 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.
37. 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 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 report shall set out any necessary improvements to downstream storm sewers and water courses. The civil engineering consultant shall meet with the Development Approvals Section prior to commencing the stormwater management report.
38. That the developer provide a utilities servicing plan showing the location of all utilities including City services, Greater Sudbury Hydro Plus or Hydro One, Bell, Union Gas, Eastlink 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.
39. 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 & Infrastructure.
40. Final approval for registration may be issued in phases to the satisfaction of the Director of Planning, 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.
- 41. 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.