

Request for Decision

Riverglen Developments Ltd. – Application to extend a draft approved plan of subdivision approval (Riverdale Subdivision, Lively)

Presented To:	Planning Committee
Presented:	Monday, Aug 10, 2020
Report Date	Tuesday, Jul 14, 2020
Type:	Routine Management Reports
File Number:	780-8/89008

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 PIN 73378-0092, Part of Parcel 1386 SWS, Lot 7, Concession 3, Township of Waters, File #780-8/89008, in the report entitled "Riverglen Developments Ltd.", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on August 10, 2020, upon payment of Council's processing fee in the amount of \$1,365.88 as follows:

1. By deleting Condition #12 and replacing it with the following:

"12. That this draft approval shall lapse on May 18, 2022.";

2. By deleting the words "9 and 14" in Condition #11 and replacing them with "and 9";

3. By deleting the words "Infrastructure Services" in Condition #13 and replacing them with "Growth and Infrastructure";

4. By deleting Condition #14 entirely and replacing it with the following:

"14. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the General Manager of 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, storm-water management facilities, water-mains, roads to a 20 year design life, the amass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. Included in this report must be details regarding the removal of substandard soils (if any) and placement of engineered fill (if required) for the construction of homes. The

Signed By

Report Prepared By

Glen Ferguson
Senior Planner
Digitally Signed Jul 14, 20

Manager Review

Alex Singbush
Manager of Development Approvals
Digitally Signed Jul 14, 20

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed Jul 16, 20

Financial Implications

Apryl Lukezic
Co-ordinator of Budgets
Digitally Signed Jul 22, 20

Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
Digitally Signed Jul 26, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jul 27, 20

owner shall also retain a hydro geological engineer to establish (minimum) monthly groundwater fluctuations by piezometer for a minimum of one (1) year cycle within the proposed lots. Also, the report must include an analysis illustrating how the groundwater table will be lowered to a level that will not cause problems to adjacent boundary housing and will, in conjunction with the subdivision grading plan and the geotechnical report, show that basements of new homes will not require extensive foundation drainage pumping. The investigation shall include as a minimum commentary with respect to minimum allowable bearing capacity of native materials, ground water table control for a foundation, potential soil gas issues, differential consolidation of underlying soil strata, as well as frost protection of the foundation for residential structures. The geotechnical and hydro geological 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."

5. By deleting Condition #15 entirely and replacing it with the following:

"15. The owner shall employ the services of a registered Professional Engineer to ensure slopes are designed and constructed in a manner that shall ensure the safety of the occupants of the home and any structures to ensure the long-term stability of the constructed slopes, to the satisfaction of the Nickel District Conservation Authority.";

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

"17. The owner must identify the limits of the floodplain for lots adjacent to Junction Creek to the satisfaction of the Nickel District Conservation Authority. No development shall occur within the floodplain.";

7. By deleting Condition #18 entirely and replacing it with the following:

"18. 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 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.";

8. By adding the following words to the end of Condition #19:

"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.";

9. By deleting Condition #20 entirely and replacing it with the following:

"20. 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 2 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 2 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 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;

c) "Enhanced" level must be used for the design of storm-water quality controls as defined by the Ministry of the Environment, Conservation and Parks;

d) Storm-water management must follow the recommendations of the Junction Creek Sub-watershed Study;

e) The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any storm-water management plan;

f) 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 & Infrastructure;

g) Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties;

h) Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted; and,

i) 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 & 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."

10. By adding the word "Services" after the words "Director of Planning" in Condition #30;

11. By adding a new Condition #32 as follows:

"32. 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.";

12. By adding a new Condition #33 as follows:

"33. A geotechnical report will be required, addressing the requirements for compliance to the "On-Site and Excess Soil Management" in O.Reg. 406/19 made under the Environmental Protection Act, if required, by the construction process planned for the subdivision including the excavation of basements, all to the satisfaction of the Chief Building Official."; and,

13. By adding a new Condition #34 as follows:

"34. The owner must identify the limits of the wetlands west of Birch Avenue and south of Black Creek Drive. Parcels that contain wetland must demonstrate a sufficient building envelope outside of the wetland. For any lots that cannot demonstrate a building envelope outside of the wetland, the applicant must demonstrate, through the proper technical studies (ie. Geotechnical and/or hydrogeological studies), that development within the wetland is consistent with the requirements of Ontario Regulation 156/06 and the Conservation Authorities Act. All of this work must be done to the satisfaction of the Nickel District Conservation Authority."

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 Riverdale draft approved plan of subdivision in the community of Lively for a period of two years until May 18, 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 requested that standard draft approval condition wording as it relates to geotechnical requirements for the further development of the Riverdale Subdivision be updated. Conservation Sudbury has noted that several existing conditions should be updated, along with the addition of a new condition addressing the need to delineate wetlands to the west of Birch Avenue and south of Black Creek Drive to ensure that lots which contain wetland demonstrate that a sufficient building envelope outside of the wetland can be achieved. 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 Riverdale subdivision. Environmental Planning Initiatives has provided comment that the owner is hereby advised that prior to vegetation removal or other site alteration on the subject lands, they are to consult with the Ministry of the Environment, Conservation and Parks to ensure that all requirements set out by the Province of Ontario under the Endangered Species Act have been satisfied.

The 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 \$435,000 in taxation revenue, based on the assumption of 91 single family dwelling units at an estimated assessed value of \$400,000 per dwelling units at the 2020 property tax rates.

In addition, this development would result in total development charges of approximately \$1,660,000 based on the assumption of 91 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: July 8, 2020

STAFF REPORT

Applicant:

Riverglen Developments Ltd.

Location:

Part of PIN 73378-0092, Part of Parcel 1386 SWS, Lot 7, Concession 3, Township of Waters (Riverdale Subdivision, Lively)

Application:

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on November 20, 1989. The draft approval was most recently extended on May 18, 2017 when Plan 53M-1425 was registered as a phase of the Riverdale Subdivision. This most recent registration facilitated the creation of 17 new urban residential lots having frontage on Herman Mayer Drive.

There was one administrative extension issued by the Director of Planning Services having the effect of establishing a new lapsing date of September 18, 2020, in order to allow for agencies and departments to complete their review of the request. The most recent administrative extension was granted in order to also afford staff the opportunity to schedule the item to a meeting of Planning Committee that is appropriate given the emerging and changing best practices for scheduling meetings due to the Covid-19 global pandemic.

Proposal:

The owner is requesting that the draft approval conditions for the above noted lands be extended for a period of two years until May 18, 2022.

Background:

The City received a written request from Riverglen Developments Ltd. on April 15, 2020 to extend the draft approval on a plan of subdivision for a period of two years on those lands described as Part of PIN 73378-0092, Part of Parcel 1386 SWS, Lot 7, Concession 3, Township of Waters. The draft approved plan of subdivision was initially approved by Council for a total of 143 urban residential lots to the west of Black Lake Road and to the north of Junction Creek along Herman Mayer Drive in the community of Lively. The remaining lots within the draft approved plan of subdivision are to be accessed from the continuation of Herman Mayer Drive, as well as from Thomas Avenue.

Staff notes that the most recent phase of the subdivision was registered as Plan 53M-1425 on May 18, 2017. In accordance with Council policy, a three year extension was granted at this time with a new lapsing date of May 18, 2020, having been established. Staff further notes however that the draft approval is now set to expire on September 18, 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 May 18, 2022.

Date: July 8, 2020

Departmental & Agency Circulation:

Active Transportation, 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. Whitefish First Nation was circulated the application and at the time of writing this report have not provided any comments.

Building Services has requested that Condition #14 be updated to reflect current standard draft approval condition verbiage as it relates to geotechnical work that is required in order to develop the Riverdale Subdivision. Building Services is also recommending that a new condition be included which addresses requirements for compliance to the "On-Site and Excess Soil Management" under the Environmental Protection Act, if required, by the construction process planned for the subdivision including the excavation of basements. This request has been included as a new Condition #33 in the Resolution section of this report.

Canada Post has not requested any changes to the draft approval conditions. Canada Post did however note in an emailed letter their requirements and expectations for providing mail service to the subdivision. The above noted letter is attached to this report for the owner's information and reference purposes.

Conservation Sudbury has no concerns with the draft approval extension request. Conservation Sudbury has however noted that several existing conditions should be updated, along with the addition of a new condition addressing the need to delineate wetlands to the west of Birch Avenue and south of Black Creek Drive to ensure that lots which contain wetland demonstrate that a sufficient building envelope outside of the wetland is provided for appropriately.

Development Engineering has noted that since initial draft approval there have been two phases of the Riverdale Subdivision that have proceeded to construction with the most recent phase being registered in May 2017. Development Engineering further advises that they have had contact with the developer regarding the next phase of the subdivision and await further submission requirements from the developer in order to proceed.

The City's Drainage Section has requested that Condition #20 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.

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](#). To that end, the owner is advised to consult with the Ontario Ministry of the Environment, Conservation and Parks.

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.

Date: July 8, 2020

Staff notes that this particular draft plan approval was originally approved by Council on November 20, 1989 and at the time of writing this report there are 91 remaining lots within the draft approved Riverdale Subdivision. To date, there have been 52 urban residential lots created within the Riverdale Subdivision.

The owner did note in their draft approval extension request that given the current global pandemic that they will be unable to realistically proceed at this time with registering the next phase of the Riverdale draft approved plan of subdivision.

Draft Approval Conditions

Condition #12 should be deleted entirely and replaced with a sentence referring to May 18, 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 #20 be updated to reflect current standard draft approval condition practices in terms of the infrastructure that will be required to facilitate development of the Riverdale subdivision. This requested change is reflected in the Resolution section of this report as an amendment to existing Condition #20.

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 #32 that is being recommended.

Other housekeeping changes requested by Building Services related to geo-technical requirements for the Riverdale Subdivision are also incorporated into the Resolution section of this report.

No other administrative and housekeeping changes to the draft approval documents are required at this time. No other changes beyond those described in this report to the draft approval documents have been requested either by the owner or by circulated agencies and departments.

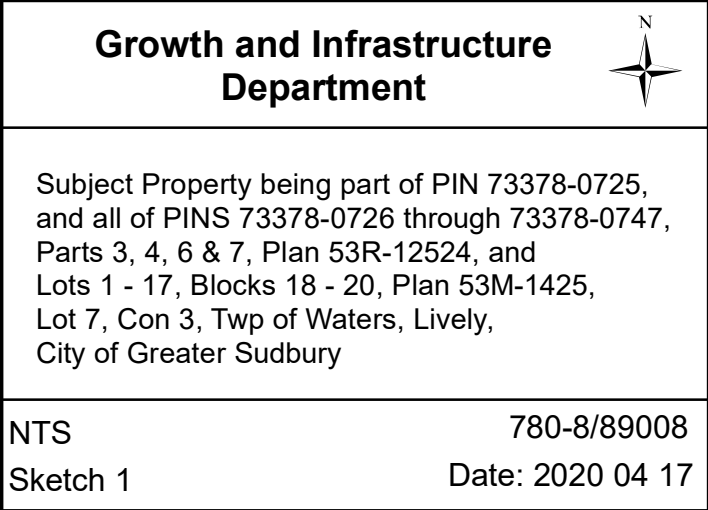
The draft approval conditions are attached to this report along with a sketch of the draft approved plan of subdivision dated July 10, 1989, for reference purposes.

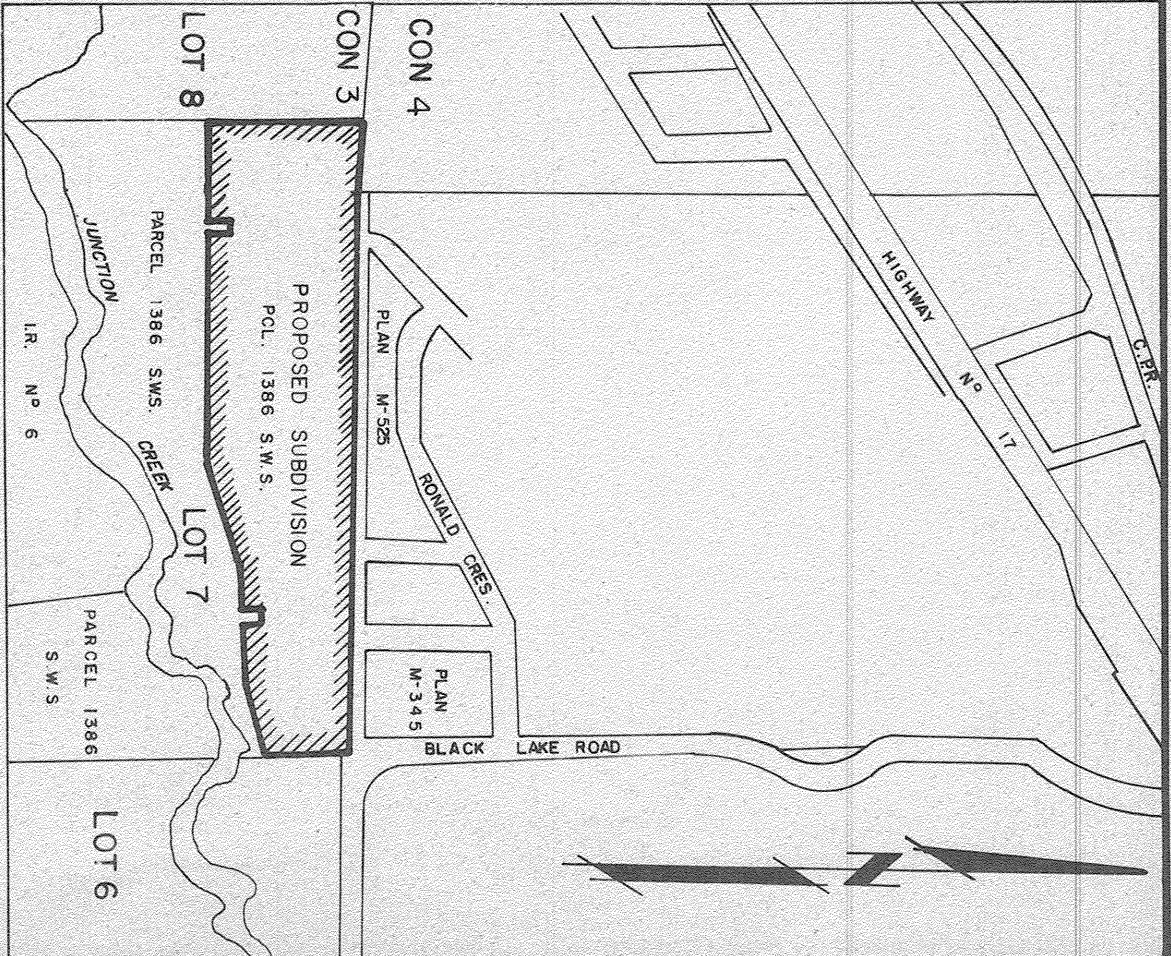
Processing Fees

The owner is required to pay the applicable processing fee in the amount of \$1,365.88. It is recommended that the draft approval extension be granted upon receipt of Council's processing fee from the owner. This amount was calculated as per [By-law 2020-26](#) being the Miscellaneous User Fees for Certain Services By-law that was in effect at the time the request was made.

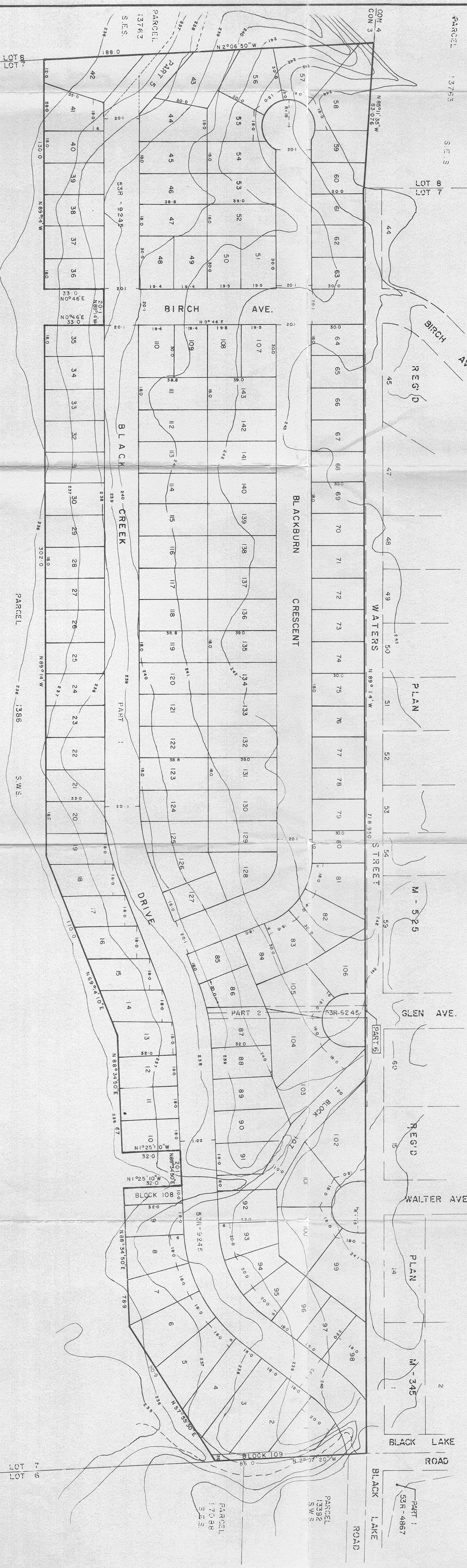
Summary:

The Planning Services Division 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 were 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 Riverdale Subdivision for a period of two years until May 18, 2022, be approved as outlined in the Resolution section of this report.





KEY PLAN
SCALE - 1:10,000



ADDITIONAL INFORMATION
THE PLANNING ACT

SECTION 50

- (a) SEE PLAN.
- (b) SEE PLAN.
- (c) SEE PLAN.
- (d) SINGLE FAMILY RESIDENTIAL BLOCKS 107, 108 & 109 FOR DRAINAGE PURPOSES TO NORTH, RESIDENTIAL SUBDIVISION DEVELOPED.
- (e) TO EAST, SMALL RESIDENTIAL HOLDINGS ALONG BLACK LAKE RD.
- (f) TO SOUTH, VACANT IDE LAND.
- (g) TO WEST, VACANT IDE LAND.
- (h) MINIMUM LOT AREA 340 m²
- (i) MINIMUM LOT WIDTH 18m AT 6 m SETBACK LINE.
- (j) MINIMUM LOT DEPTH 30.0m (MEAN).
- (k) SEE PLAN.
- (l) MUNICIPAL PIPED WATER TO BE AVAILABLE SHORTLY
- (m) LOAM TYPE SAND, CLAY AND SILT TOPSOIL, AVERAGING 1 METRE IN DEPTH CHANGING TO CLAY SUBSOIL

- (1) SEE PLAN.
- (2) LAND IN THIS APPLICATION IS TO BE SERVED WITH A MUNICIPAL WATER SUPPLY/MUNICIPAL SANITARY SEWER SYSTEM UNDER AGREEMENT WITH THE OWNER, THE REGIONAL MUNICIPALITY HAS OBTAINED AN EASEMENT TO CONSTRUCT AN OUTFALL SEWER ON THE LOCATION OF WALDEN CREEK AND DRAINAGE TO BE CONSTRUCTED TO REMAIN.
- (3) THERE ARE NO RESTRICTIVE COVENANTS OR EASEMENTS AFFECTING THE LAND PROPOSED TO BE SUBDIVIDED.
- (4) THE APPLICANT PROPOSES TO OFFER LAND LYING TO THE SOUTH OF THE DRAFT PLAN LIMITS AND NORTH OF JUNCTION CREEK FOR PARK PURPOSES BEING IN EXCESS OF 10% OF THE TOTAL AREA TO REMAIN ACCESS TO THE REMAINDER OF PARCEL 1386 S.W. LYING SOUTH OF JUNCTION CREEK.

NOTE:
AREA OF APPLICATION 12 976 HECTARES

NOTE:
ELEVATIONS AND TOPOGRAPHIC DATA ON THIS PLAN ARE BASED ON THE 1985 TOPOGRAPHIC MAPS PROVIDED BY THE REGIONAL MUNICIPALITY OF SUBURRY

OWNER'S CERTIFICATE

I HEREBY CONSENT TO THE MANNER IN WHICH THE LAND SHOWN ON THIS PLAN IS PROPOSED TO BE SUBDIVIDED AND REQUEST THE APPROVAL OF THE REGIONAL MUNICIPALITY OF SUBURRY.

SURVEYOR'S CERTIFICATE

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

METRIC
MEASUREMENTS SHOWN ON THIS PLAN ARE IN METRES AND MAY BE CONVERTED TO FEET BY DIVIDING BY 0.3048

DRAFT PLAN OF PROPOSED SUBDIVISION OF PART OF LOT 7, CONCESSION 3 TOWNSHIP OF WALDEN REGIONAL MUNICIPALITY OF SUBURRY			
DATE	SCALE	REF. No. (S)	
1988	1:1,000	IV-7-WATERS	
OGILVIE HOLDERS GOSLING INC. ONTARIO LAND SURVEYORS 8 574 ELM ST. W. SUDBURY			



April 24, 2020

Connie Rossi
Secretary of Development Approvals
Planning Services
The City of Greater Sudbury

Reference: File 780-8/89008, Riverdale Subdivision

Mme Rossi,

Thank you for contacting Canada Post regarding plans for a new subdivision at Riverdale Subdivision. Please see Canada Post's feedback regarding the proposal, below.

Service type and location

1. Canada Post will provide mail delivery service to the subdivision through centralized Community Mail Boxes (CMBs).
2. Given the number and the layout of the lots in the subdivision, we have determined that the CMB(s) will be installed on **2** sites. This sites are listed below and are identified on the site plan
 - a. **Side of lot 128—3 modules**
 - b. **Side of lot 110---3 modules**
3. If the development includes plans for (a) multi-unit building(s) with a common indoor entrance, the developer must supply, install and maintain the mail delivery equipment within these buildings to Canada Post's specifications.

Municipal requirements

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this subdivision application be approved, please provide notification of the new civic addresses as soon as possible.

Developer timeline and installation

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB(s).

Please see Appendix A for any additional requirements for this developer.

Regards,

RAY THERIAULT

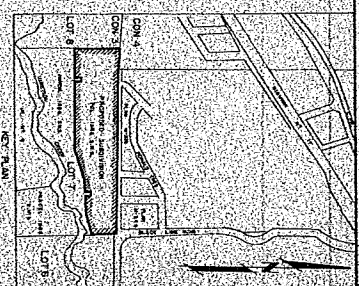
Ray Theriault
PO BOX 8037 Ottawa T CSC
Ottawa, ON, K1G 3H6
613 325 4192
Raynald.theriault@canadapost.ca

Appendix A

Additional Developer Requirements:

- The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.
- The developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
- The developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
- The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.
- The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
 - Any required walkway across the boulevard, per municipal standards
 - Any required curb depressions for wheelchair access, with an opening of at least two meters (consult Canada Post for detailed specifications)

[Add subdivision plan showing proposed CMB sites as part of Appendix as applicable]

[illegible]

SURVEYOR'S CERTIFICATE

DRAFT PLAN OF PROPOSED SUBDIVISION
OF PART OF LOT 2, CONCESSION 3

METRIC
MEASUREMENTS SHOWN ON THIS
PLAN ARE IN METERS AND MAY
BE CONVERTED TO FEET BY
MULTIPLYING BY 3.281

[illegible]

**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 Part of Parcel 1386 S.W.S., Lot 7, Concession 3, Township of Waters, as shown on a plan prepared by D.W. Ogilvie, O.L.S., and dated July 10th, 1989.
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. 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.
9. That 5% of the land included in the subdivision be deeded to the City of Greater Sudbury for park purposes pursuant to Subsection 50(5) of The Planning Act.
10. Deleted
11. That prior to the signing of the final plan the Planning Services Division is to be advised by the City Solicitor that Conditions 2, 3, 5, 6, 7, 8, 9 and 14 have been complied with to his satisfaction.
12. Draft approval shall lapse on September 18, 2020.
13. Draft approval does not guarantee an allocation of sewer or water capacity. Prior to the signing of the final plan, the Director of Planning is to be advised by the General Manager of Infrastructure Services, that sufficient sewage treatment capacity and water capacity exists to service the development.

14. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the General Manager of 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.
15. The owner shall be responsible for all aspects of slope stability and erosion protection, including all costs. Where issues of slope stability occur, the owner shall employ the services of a registered Professional Engineer to ensure slopes are designed and constructed in a manner that shall ensure the safety of the occupants of the home and the structure to ensure the long term stability of the constructed slopes. The owner shall ensure that silt mitigation measures satisfactory to the Nickel District Conservation Authority are employed during the construction phase of the home to prevent sediment escaping the site to Junction Creek.
16. Any alteration to the watercourse for the purposes of slope stability and erosion protection will require the approval of the Nickel District Conservation Authority, Ministry of Natural Resources and Fisheries and Oceans Canada (DFO).
17. The developer will be required to stake out the property lines and the extent of the floodplain when the construction occurs, on the lots adjacent to Junction Creek.
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 Development 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. 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 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 and show the stormwater overland flow path.

20. 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 Junction Creek, the downstream water course. 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.
21. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Hydro services, Bell, Union Gas, Canada Post 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.
22. 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.
23. Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Inc. at the cost of the owner.
24. All streets will be constructed to an urban standard, including the required curbs and gutters, storm sewers and new asphalt binder and surface courses. The owner will be required to ensure that the corner radius for all intersecting streets is to be 9 metres.
25. The owner agrees to provide the required soils report, 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.
26. The owner shall provide proof of sufficient fire flow in conjunction with the submission of the 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.
27. The owner shall 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.

28. The owner shall complete to the satisfaction of the Director of Planning Services of the City of Greater Sudbury and Canada Post:

In the subdivision agreement the owner covenants and agrees to provide the Director of Planning Services with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation of Community Mail Boxes (CMB) as required by Canada Post Corporation and as shown on the approved engineering drawings, at the time of sidewalk and/or curb installation. The owner further covenants and agrees to provide notice to prospective purchasers of the locations of CMBs and that home/business mail delivery will be provided via CMB, provided the owner has paid for the activation and equipment installation of the CMBs.

29. The owner is required to determine the location of all centralized mail facilities in cooperation with Canada Post and to post the location of these sites on appropriate maps, information boards and plans.

30. 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.

31. 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.