

Request for Decision PLANNING COMMITTEE



Type of Decision					
Meeting Date	January 8, 2018			Report Date	November 27, 2017
Decision Requested	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Direction Only <input type="checkbox"/>		

Report Title
Dalron Construction Ltd. – Application for Exemption from Part Lot Control, 1305 Holland Road, Sudbury

Section Review	Division Review	Department Review
 Eric Taylor, Manager of Development Approvals	 Jason Ferrigan, Director of Planning Services	Tony Cecutti, General Manager, Growth & Infrastructure

Budget Impact	
<input type="checkbox"/>	This report has been reviewed by the Finance Division and the funding source has been identified.
<input type="checkbox"/>	Background Attached
Recommended by the Department	
Report Prepared By:	File #
Glen Ferguson Senior Planner	PLC2017-01

Resolution	
THAT the City of Greater Sudbury approves the application by Dalron Construction Ltd. to pass a by-law under Section 50(7) of the Planning Act thereby exempting those lands described as PIN 02119-0026, Lots 48, 49, 51, 52, 53 and Lots 58 to 63 and parts of Lot 50 and Arvo Avenue, Registered Plan M-353, Lot 1, Concession 6, Township of McKim, from part lot control for a maximum period of two years, as outlined in the report entitled "Dalron Construction Ltd." from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of January 8, 2018 subject to the following conditions:	
<input checked="" type="checkbox"/>	Resolution Continued
Recommended by the C.A.O.	
Ed Archer Chief Administrative Officer	

Title: Dalron Construction Ltd.

Date: November 27, 2017

Resolution Cont'd

1. That prior to the registration of the part lot control by-law on title for Lots 50, 51, 52, 53, 60, 61 and Arvo Avenue, Plan M-353, the owner:
 - a) Shall have paid the City the required tree fee for the street frontages on Arvo, Lamothe and Holland Streets;
 - b) Shall submit a lot grading plan to the City to the satisfaction of the Director of Planning Services.
2. That prior to the registration of the part lot control by-law on title for Lots 48, 49, 58, 59, 62 and 63, Plan M-353, the owner:
 - a) In addition to 1 a) and 1 b) above, the owner shall have entered into a servicing agreement with the City for the servicing of the lots fronting onto Holland Street to the satisfaction of the General Manager of Growth and Infrastructure.
3. Conditional approval shall lapse on January 23, 2020 unless conditions #1 and #2 above have been met or an extension has been granted by Council.

Relationship to the Strategic Plan/Health Impact Assessment:

The application to exempt the subject lands from part lot control is an operational matter under the Planning Act to which the City is responding.

Report Summary:

This application reviews an application to exempt certain lands within a registered plan of subdivision from the part lot control provisions of the Planning Act for a maximum period of two years. The Planning Services Division is recommending that the application be approved and that a by-law be passed by Council to lift part lot control from the lands for the specified time period.

Title: Dalron Construction Ltd.

Date: November 27, 2017

STAFF REPORT

Applicant:

Dalron Construction Ltd.

Location:

PIN 02119-0026, Lots 48, 49, 51, 52, 53 and Lots 58 to 63 and parts of Lot 50 and Arvo Avenue, Registered Plan M-353, Lot 1, Concession 6, Township of McKim (1305 Holland Road, Sudbury)

Site Description & Surrounding Land Uses:

The subject lands are located on the west side of Holland Road and to the north of Lamothe Street and to the east of Arvo Avenue in the community of New Sudbury. The lands have a total lot area of 1.23 ha (3.05 acres) with approximately 70.71 m (232 ft) of frontage on Lamothe Street and 283.16 m (929 ft) of frontage on Holland Road. The lands contain a vacant institutional building that was formerly used as an elementary school.

Surrounding uses are primarily urban residential in nature with the predominant built-form being that of single-detached dwellings. There is a more general mix of land uses to the south including both commercial and higher density urban residential uses along the Lasalle Boulevard corridor. There is also a public elementary school located to the south-west which is accessed from Roy Avenue.

Application:

To exempt those lands described as PIN 02119-0026, Lots 48, 49, 51, 52, 53 and Lots 58 to 63 and parts of Lot 50 and Arvo Avenue, Registered Plan M-353, Lot 1, Concession 6, Township of McKim from the part lot control provisions under Section 50(5) of the Planning Act for a maximum period of two years.

Proposal:

The exemption from part lot control would facilitate a series of lot boundary re-alignments to the underlying registered plan of subdivision resulting in a total of sixteen urban residential lots along with two blocks for the purposes of completing a cul-de-sac at the end of Arvo Avenue and a pedestrian connection eastward to Holland Road.

Departmental/Agency Circulation:

Building Services and Roads and Traffic have each advised that they no concerns from respective areas of interest.

Development Engineering has advised that as part of fulfilling the condition on the related rezoning approval, the owner has entered into an agreement with the City for the servicing of Arvo and Lamothe Streets with water and sewer connections. Prior to the registration of the part lot control by-law on title the owner shall enter into a servicing agreement for the extension of water and sanitary services to the lots on Holland Road and the required road remediation.

The owner shall also make payment to the City the street tree fees based on the User Fee By-law and submit a lot grading plan to the satisfaction of the Director of Planning Services, prior to the registration of the part lot control by-law.

Title: Dalron Construction Ltd.

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Planning Considerations:

Background

Part lot control is established under Section 50(5) of the Planning Act, while Section 50(7) enables a municipality to pass a by-law exempting part lot control from all or part of a registered plan of subdivision. Such a by-law has the effect of allowing the conveyance of a portion of a lot without requiring approval from the City's Consent Official. Staff would also note that if required Section 50(7.4) of the Planning Act would allow for an extension to the two year time period. Plan M-353, which was registered on November 8, 1954.

Part Lot Control By-law

Staff is recommending that a by-law be passed by Council which removes those lands described as PIN 02119-0026, Lots 48, 49, 51, 52, 53 and Lots 58 to 63 and parts of Lot 50 and Arvo Avenue, Registered Plan M-353, Lot 1, Concession 6, Township of McKim, from the part lot control provisions of the Planning Act for a maximum period of two years. The lifting of part lot control will allow the owner to complete a series of lot boundary re-alignments to the underlying registered plan of subdivision resulting in a total of sixteen urban residential lots along with two blocks for the purposes of completing a cul-de-sac at the end of Arvo Avenue and a pedestrian connection eastward to Holland Road. A copy of both original Plan M-353 and the draft plan depicting the new lotting once part lot control is lifted is attached to this report.

Related Zoning By-law Amendment

The lands were the subject of a recent application for Zoning By-law Amendment (File # 751-6/16-17), which was approved by Planning Committee on November 21, 2016, and ratified by Council on November 22, 2016.

The approved rezoning would change the zoning classification applicable to the subject lands from "I", Institutional to "R2-2", Low Density Residential Two under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. The amending zoning by-law has not yet been enacted as conditions relating to the approval have not yet been satisfied. The conditions of the rezoning approval are as follows:

1. That prior to the enactment of the amending by-law the owner shall enter into an agreement with the City of Greater Sudbury agreeing to transfer to the City lands sufficient for cul-de-sacing Arvo Avenue and a 6m wide walkway block between Holland Road and Arvo Avenue along with any required easements and also agree to enter into a future servicing agreement for the construction of Arvo Avenue cul-de-sac and related services to the satisfaction of the General Manager of Infrastructure Services.

And that the servicing agreement shall provide that the owner construct the Arvo Avenue cul-de-sac at a rural standard and no upgrading of the existing portions of Arvo Avenue and Lamothe Streets abutting the subject lands to an urban standard shall be required.

At the time of finalizing this report, the lands required for the cul-de-sac and walkway in condition 1 above had not been transferred to the City. The owner has entered into a servicing agreement for servicing Arvo Avenue.