

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.

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.

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Staff advises that the proposed exemption from part lot control would appropriately implement the approved rezoning in terms of facilitating a series of lot boundary re-alignments resulting in urban residential lots that meet the development standards of the "R2-2" Zone. The exemption from part lot control does not remove the above noted conditions that are related to the approved rezoning application and the lands will not formally be rezoned to "R2-2" until such time as the above conditions are satisfied.

The previous [staff report](#) addressing the related application for Zoning By-law Amendment is available online and a copy of the as-approved Planning Committee resolution is attached for reference purposes to this report.

Summary:

The Planning Services Division recommends that the 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 be approved and that a by-law be passed by Council to this effect.