



Planning Committee Agenda

Monday, February 26, 2024

Tom Davies Square

Councillor Cormier, Chair

11:30 a.m. Closed Session Committee Room C-12 / Electronic Participation

1:00 p.m. Open Session Council Chamber / Electronic Participation

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1. **Call to Order**
2. **Roll Call**
3. **Closed Session**

Resolution to move to Closed Session to deal with one (1) Proposed or Pending Acquisition or Disposition of Land Matters regarding Carina Drive, Hanmer, in accordance with Municipal Act, 2001, par 239 (2)(c).
4. **Recess**
5. **Open Session**
6. **Roll Call**
7. **Declarations of Pecuniary Interest and the General Nature Thereof**
8. **Public Hearings**
 - 8.1 **15 Levesque Street, Sudbury** 5

This report provides a recommendation regarding an application for rezoning to “R3(S)” Medium Density Residential Special, to permit the development of three street townhouse dwelling units.

This report is presented by Wendy Kaufman, Senior Planner.
 - 8.2 **3891 Hydro Road, Hanmer** 24

This report provides a recommendation regarding an application for Official Plan Amendment in order to create two (2) additional lots in the Rural designation where three (3) lots have already been created from the parent parcel since the adoption date of the Official Plan.

This report is presented by Eric Taylor, Senior Planner.
 - 8.3 **250 Billiard’s Way, Sudbury** 66

This report provides a recommendation regarding an application to amend the “H40” – Holding Zone to permit an additional 19 units prior to construction of a public road connection to Maurice Street or Tuscany Trail, to enable the development of 20 row dwelling units.

This report is presented by Wendy Kaufman, Senior Planner.

- Letter(s) of concern from concerned citizen(s).
9. **Matters Arising from the Closed Session**

At this point in the meeting, the Chair of the Closed Session, will rise and report. The Committee will then consider any resolution(s) emanating from the Closed Session.

10. Consent Agenda

For the purpose of convenience and for expediting meetings, matters of business of repetitive or routine nature are included in the Consent Agenda, and all such matters of business contained in the Consent Agenda are voted on collectively.

A particular matter of business may be singled out from the Consent Agenda for debate or for a separate vote upon the request of any Councillor. In the case of a separate vote, the excluded matter of business is severed from the Consent Agenda, and only the remaining matters of business contained in the Consent Agenda are voted on collectively.

Each and every matter of business contained in the Consent Agenda is recorded separately in the minutes of the meeting.

10.1 Routine Management Reports

- 10.1.1 **Silver Hills Subdivision, Sudbury Extension of Draft Plan Approval** 80
This report provides a recommendation regarding an application for an extension to the draft plan of subdivision approval for the subject lands (File #780-6/11004) for a period of three years until March 27, 2027.
- 10.1.2 **Failed Tax Sale Properties - Vesting** 95
This report provides a recommendation to vest two vacant properties.
- 10.1.3 **Street Renaming – Sanitary Landfill Road to Northern Road** 100
This report provides a recommendation regarding a request to rename Sanitary Landfill Road to Northern Road as a result of two new residences being built on rural lots severed from 500 Gravel Drive with their frontage being on Sanitary Landfill Road.

11. Managers' Reports

- 11.1 **Strategic Core Areas Community Improvement Plan – 96 Larch Street** 104
This report provides a recommendation regarding an application received under the Strategic Core Areas Community Improvement Plan.

12. Members' Motions

- 12.1 **Request for Review of Community Improvement Plans Program**
As presented by Councillors Fortin and Cormier:

WHEREAS The City’s 2019-2027 Strategic Plan includes a goal to revitalize Greater Sudbury’s Downtown and Town Centres with public investment that supports private investment;

AND WHEREAS it is a goal of the Strategic Plan to demonstrate the creative use of Community Improvement Plans (CIPs) to incentivize economic growth;

AND WHEREAS the Strategic Plan seeks to evaluate the potential to partner with private sector developers through CIPs or directly to increase or accelerate mixed-use rental housing projects;

AND WHEREAS The City regularly conducts service reviews to examine options for improving service levels and/or reducing the City's net costs;

NOW THEREFORE BE IT RESOLVED that staff be directed to return with a report by the end of Q2, 2024 outlining policy options, including but not limited to, the following parameters of the Strategic Core Areas Community Improvement Plan:

- Non-Commercial Façade Improvements
- Concurrent applications per property (owner and tenant)
- Business Improvement Areas Tenant Attraction (Loan) program

AND BE IT FURTHER RESOLVED THAT effective March 1, 2024, those portions of new applications to CIP programs which include non-commercial façade improvements, the loan program, or concurrent applications involving both an owner and tenant on the same property, will not be accepted by the City pending further direction from Council;

AND BE IT FURTHER RESOLVED THAT all other applications or portions of applications which do not include the above elements will be considered by the City per established processes.

13. **Addendum**
14. **Civic Petitions**
15. **Question Period**
16. **Adjournment**

15 Levesque Street, Sudbury

Presented To:	Planning Committee
Meeting Date:	February 26, 2024
Type:	Public Hearing
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-6/23-19

Report Summary

This report provides a recommendation regarding an application for rezoning to “R3(S)” Medium Density Residential Special, to permit the development of three street townhouse dwelling units.

This report is presented by Wendy Kaufman, Senior Planner.

Resolution

THAT the City of Greater Sudbury approves the application by Barne Building and Construction Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification from “R1-5”, Low Density Residential One, to “R3(S)” Medium Density Residential Special, on lands described as PIN 73575-0152, Parcel 34438, Part 5, Plan SR 1772, Except Part 1, Plan 53R7534, Lot 9, Concession 3, Township of Neelon, as outlined in the report entitled “15 Levesque Street, Sudbury”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on February 26, 2024 subject to the following conditions:

1. That the amending zoning by-law include the following site-specific provision:
 - a) That a minimum lot depth of 25 m be permitted.

Relationship to the Strategic Plan, Health Impact Assessment and Community Energy & Emissions Plan (CEEP)

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding. The application contributes to the 2019-2027 City of Greater Sudbury Strategic Plan goals related to housing by adding to the range and mix of housing available in this area. The application aligns with the Community Energy and Emissions Plan by supporting the strategy of creating compact, complete communities.

Financial Implications

If approved, staff estimates approximately \$12,300 in taxation revenue, based on the assumption of 3 townhouse dwelling units based on an estimated assessed value of \$275,000 at the 2023 property tax rates. If there is additional taxation revenue, it will only occur in the supplemental tax year. Any taxation revenue generated from new development is part of the supplemental taxation in its first year. Therefore, the City does not receive additional taxation revenue in future years from new development, as the tax levy amount to be collected as determined from the budget process, is spread out over all properties within the City. The amount of development charges will be based on final review of the property by the Building Services department, as well as eligibility of reductions through Bill 23.

Report Overview:

An application for rezoning has been submitted to permit the development of three street townhouse dwelling units. The subject land is designated as Living Area 1 in the Official Plan and zoned "R1-5", Low Density Residential One.

Staff recommends approval of the application as described in the Resolution section on the basis that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury, has regard for matters of provincial interest and represents good planning.

Staff Report

Proposal:

The application proposes to amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury to permit the development of three street townhouse dwelling units.

The applicant's concept plan illustrates the three proposed street townhouse units and driveways. Each unit has an attached garage for parking. The application also includes floor plans, conceptual building elevations, and a sewer and water capacity assessment.

Existing Zoning: "R1-5", Low Density Residential One

The R1-5 Zone permits a single detached dwelling, a home daycare, group home (type 1), and a bed and breakfast establishment.

Requested Zoning: R3(S), Medium Density Residential Special

The R3 zone permits all the uses in the R1-5 zone, as well as a duplex dwelling, semi-detached dwelling, multiple dwelling, row dwelling, and street townhouse.

Site specific relief is required for a reduced lot depth of 25 metres whereas the By-law requires a minimum lot depth of 30 metres.

Location and Site Description:

The subject property is described as PIN 73575-0152, Parcel 34438, Part 5, Plan SR 1772 Except Part 1, Plan 53R7534, Lot 9, Concession 3, Township of Neelon (15 Levesque Street, Sudbury). The subject lands are located on the west side of Levesque Street approximately 36 m north of Bancroft Drive. The lands to be rezoned have an area of approximately 1008 square metres with approximately 33 m of frontage on Levesque Street. The single detached dwelling located on the property is to be demolished. Levesque Street is a local road and is serviced with municipal water and sanitary sewer. The closest transit stop is located on Levesque Street in front of the subject lands (GOVA Route 10) and the next closest is located at the north east corner of the Bancroft Drive and Levesque intersection (GOVA Routes 10 and 103) approximately 90 m to the southeast.

Surrounding Land Uses:

The area surrounding the site includes low density residential uses.

North: low density residential uses zoned "R1-5", Low Density Residential One.

South: low density residential uses zoned "R1-5", Low Density Residential One and Bancroft Drive

East: low density residential uses zoned "R1-5", Low Density Residential One

West: vacant lands zoned "R3" Medium Density Residential and a building zoned "I(34)" Institutional Special, permitting institutional uses and a business office use.

The existing zoning & location map, indicates the location of the subject lands to be rezoned and the zoning in the immediate area.

Site photos show the uses in this area.

Public Consultation:

The statutory notice of the application was provided by newspaper along with a courtesy mail-out to surrounding property owners and tenants within 122 m of the property on November 27, 2023. The statutory notice of the public hearing was provided by newspaper on February 3, 2024, and courtesy mail-out on February 1, 2024. The owner erected a sign on the property indicating that the property is the subject of a rezoning application directing inquiries to a dedicated website. The owner indicated that depending on the inquiries generated the owner would arrange a public meeting with the ward councillor. At the time of writing this report, no phone calls and no written submissions with respect to this application have been received by the Planning Services Division.

Policy & Regulatory Framework:

The property is subject to the following policy and regulatory framework:

- [2020 Provincial Policy Statement](#)
- [2011 Growth Plan for Northern Ontario](#)
- [Official Plan for the City of Greater Sudbury, 2006](#)
- [Zoning By-law 2010-100Z](#)

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

Provincial Policy Statement:

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters are consistent with the Provincial Policy Statement (PPS).

Several sections of the PPS are relevant to the application.

Policy 1.1.3.1 identifies that settlement areas are to be the focus of growth and their vitality and regeneration is to be promoted, and policy 1.1.3.2 requires densities which efficiently use land, resources and infrastructure and avoid the need for their unjustified and/or uneconomical expansion. Development in this manner is intended to minimize impacts to air quality and climate change and promote energy efficiency, while supporting the use of active transportation and public transit.

Policy 1.1.3.4 states that appropriate development standards should be promoted which facilitate intensification and compact form, and policy 1.4.3(f) directs the establishment of development standards for residential intensification which minimize the cost of housing and facility compact form while maintaining appropriate levels of public health and safety.

Section 1.4.1 requires municipalities to provide an appropriate range and mix of housing types and densities to meet the needs of current and future residents. Forms of housing which meet social, health and well-being needs are to be encouraged.

Growth Plan for Northern Ontario:

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters conform with the Growth Plan for Northern Ontario. Staff is satisfied that the application conforms to the Growth Plan.

Official Plan for the City of Greater Sudbury:

The subject property is designated as Living Area 1 in the City of Greater Sudbury Official Plan.

Section 2.3 of the Official Plan regarding reinforcement of the urban structure states that growth must continue to be directed to capitalize on existing investments, make the most efficient use of existing infrastructure and public service facilities, protect our rural and agricultural assets and preserve our natural features and areas. Reinforcing the urban structure also creates a more energy efficient land use pattern and supports climate change mitigation. Section 2.3.2 directs that settlement area land use patterns will be based on densities and land uses that make the most efficient use of land, resources, infrastructure and public service facilities, minimize negative impacts on air quality and climate change, promote energy efficiency and support public transit, active transportation and the efficient movement of goods.

Section 2.3.3 encourages all forms of intensification and establishes a 20% residential intensification target. Intensification applications are to be evaluated with respect to criteria including site suitability, compatibility with neighbourhood character and proposed mitigation measures, availability of infrastructure and public service facilities, and traffic impacts.

Policies 3.2(3) and 3.2.1(5) state that sites should be of a suitable size to provide adequate landscaping and amenity features, and that new residential development must be compatible with the existing physical character of established neighbourhoods, with consideration given to the size and configuration of lots, predominant built form, building setbacks, building heights and other provisions applied to nearby properties under the Zoning By-law.

Policies 3.2.1(6) establishes the following criteria to be considered when rezoning lands in the Living Area 1 designation:

- a) the site is suitable in terms of size and shape to accommodate the proposed density and building form;
- b) the proposed development is compatible with the surrounding neighbourhood in terms of scale, massing, height, siting, setbacks, and the location of parking and amenity areas;
- c) adequate on-site parking, lighting, landscaping and amenity areas are provided; and,
- d) the impact of traffic on local streets is minimal.

Section 17 identifies a key housing goal is to maintain a balanced mix of ownership and rental housing, and to encourage a greater mix of housing types and tenure, including encouraging the production of smaller (one and two bedroom) units to accommodate the growing number of smaller households. The Official Plan is intended to provide direction as to how housing needs and issues can be addressed in concert with the CGS Housing and Homelessness Plan.

Zoning By-law 2010-100Z:

The development standards for the requested zone require a maximum height of 11 m. The minimum required front yard is 6.0 m, rear yard is 7.5 m and interior side yard is 1.8 m (two-storey). The maximum lot coverage is 40%. The general provisions of the zoning by-law require a minimum of 30% of the lot area to be maintained as landscaped open space. Parking provisions for the proposed street townhouse dwelling units require 1 space per unit, for a total of 3 spaces. Required parking is not permitted in the required 6 m front yard. A planting strip is required to be provided along the northerly and southerly lot lines adjacent to the "R1-5", Low Density Residential One zone. Accessory structures less than 2.5 m in height are required to be located no closer than 0.6 m from the rear or side lot line.

Site Plan Control:

A Site Plan Control Application is not required for the proposed development.

Department/Agency Review:

The application has been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate zoning by-law standards. Comments have been addressed to the satisfaction of reviewing department and agencies.

The lands are within a Source Water Protection Area, specifically the Ramsey Lake Intake Protection Zone 3 with a Vulnerability Score of 9. The Risk Management Official for the Greater Sudbury Source Protection Plan has advised that no activities are proposed that are considered to be significant drinking water threats.

No concerns were raised by Transit or Infrastructure Capital Planning Services.

Development Engineering has reviewed the above noted application. We have no objection to this change from R1-5, Low Density Residential One to "R3(S)", Medium Density Residential Special. Please be advised that at the building permit stage, a lot grading plan for this development will be required.

Building Services advises that a building permit and permit documents are to be submitted to the satisfaction of the Chief Building Official for the proposed construction.

Planning Analysis:

Planning staff circulated the development application to internal departments and external agencies. The PPS (2020), the Growth Plan (2011), and Greater Sudbury Official Plan, and other relevant policies and supporting guidelines were reviewed in their entirety. The following section provides a planning analysis of the application in respect of the applicable policies, including issues raised through agency circulation.

The application proposes the development of three street townhouse dwelling units. The existing single detached dwelling is to be demolished. Site specific relief is required for the minimum required lot depth. Staff recommends that this application is consistent with and conforms to the PPS and Official Plan direction to direct development to fully serviced settlement areas, and to enable densities that make the most efficient use of land, resources, infrastructure and public service facilities, minimize negative impacts on air quality and climate change, promote energy efficiency and support public transit, active transportation and the efficient movement of goods. The Official Plan encourages all forms of intensification and approval of this application will help to achieve the City's 20% intensification target.

Both the PPS and the Official Plan encourage municipalities to provide a range and mix of housing types and densities. The Official Plan identifies a key housing goal is to maintain a balanced mix of ownership and rental housing, and to encourage a greater mix of housing types and tenure. The proposal represents an opportunity to provide additional rental units, and staff recommends that this proposal is consistent with and conforms to these policies. Further, this proposal supports the City's Municipal Housing Pledge to achieve the target of 3800 new homes constructed by 2031. The City's [Housing Supply and Demand Analysis](#) (N. Barry Lyon Consultants Ltd., 2023) identified the most significant housing gaps are observed in the rental market. There is an immediate need for 470 additional rental units to achieve a vacancy rate of 5%, and an average of 66 additional rental units per year for the next 30 years to meet anticipated demand. The City's [Populations Projections Report](#) (Hemson, 2023) forecasts that over the next 30 years, over 10% of all housing unit growth will be in the form of row housing. This is a significant shift; in the last 15 years row housing growth accounted for less than 5% of all new units.

The Official Plan requires consideration of infrastructure, services, and amenities that are available to future residents. There are full municipal services with adequate capacity available in the Levesque Street road allowance. Levesque Street has a public transit route located on it (GOVA Route #1, Minnow Lake), with a stop in front of the subject lands. A second GOVA Route #103 Coniston, is in proximity with a transit stop

approximately 90 m from the property. With transit routes linking to the downtown Transit Hub and to the New Sudbury Transit Hub, access is available to employment opportunities, commercial areas, and community services in the Downtown and New Sudbury. The Dorset Tot Lot located approximately 400 m to the south-west and the East End Playground approximately 390 m to the north, provide open space areas within walking distance to the property. Traffic is not expected to be impacted by this proposal. Staff recommends the subject property is an appropriate location for the proposed street townhouse dwellings.

The proposed three units would result in a net density of approximately 29 units per hectare, which is below the threshold for low density development (<36 units per ha). The rezoning will enable the proposed street townhouse dwelling built form, which is not permitted in the R1-5 zone, and represents small-scale intensification. The Official Plan requires consideration of the compatibility of the proposal with the surrounding residential neighbourhood. The maximum height permitted in the requested R3 zone is the same as the current R1-5 zone, being 11 m. The elevation plans show the street townhouse units as being two storeys. Given the mix of uses in the area and the existing physical character, staff is of the opinion that the existing building's scale, massing, height, siting and setbacks of the are similar to and compatible with the surrounding neighbourhood. Staff have not recommended restricting building height nor built form through the site-specific zoning, which will enable future flexibility in the development of the site.

The PPS states that development standards to promote intensification are to be encouraged. The Official Plan establishes criteria for intensification and for rezoning lands within the Living Area 1 designation, including site suitability. In terms of the suitability of the site to accommodate the additional density and built form, the applicant's concept plan demonstrates compliance with the majority of the development standards applicable to street townhouse dwellings. The proposed lots meet the minimum lot area and dimensions required by the zoning by-law with the exception of minimum lot depth of 30 m. The proposed lots have depths of 25.8 m, 27.6 m and 29.4 m. The applicant's site plan shows rear yard amenity areas for each yard that exceed the minimum 7.5 m rear yard required by the By-law. The minimum front and interior side yards required by the By-law can also be accommodated by the applicant's plan. The required 1 parking space per unit can be accommodated in each of the dwelling units garages. Planting strips abutting the R1-5 zoned lots to the north and south with a minimum width of 3 metres (which can be reduced to 1.8 m where an opaque fence is provided), can be accommodated by the proposed layout on the site plan. Staff recommends the site is suitable and can accommodate the three dwelling units as proposed and also recommends the exception for a 25 m lot depth.

Conclusion:

The Planning Division undertook a circulation of the application to ensure that all technical and planning matters have been satisfactorily addressed.

The following are the principles of the proposed site specific zoning by-law:

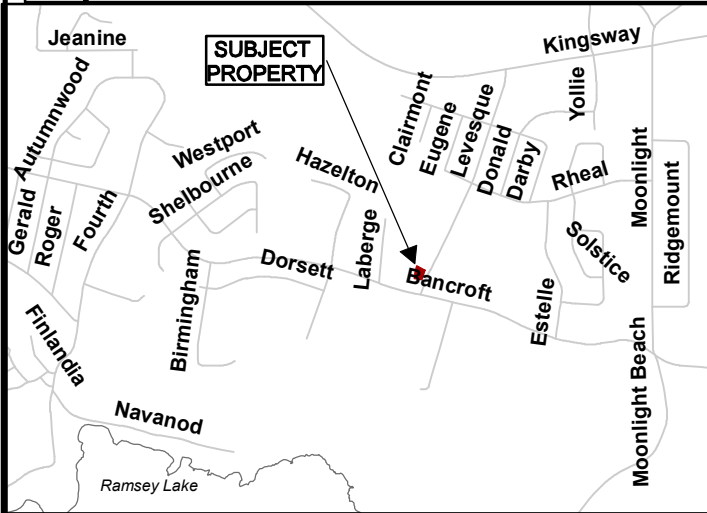
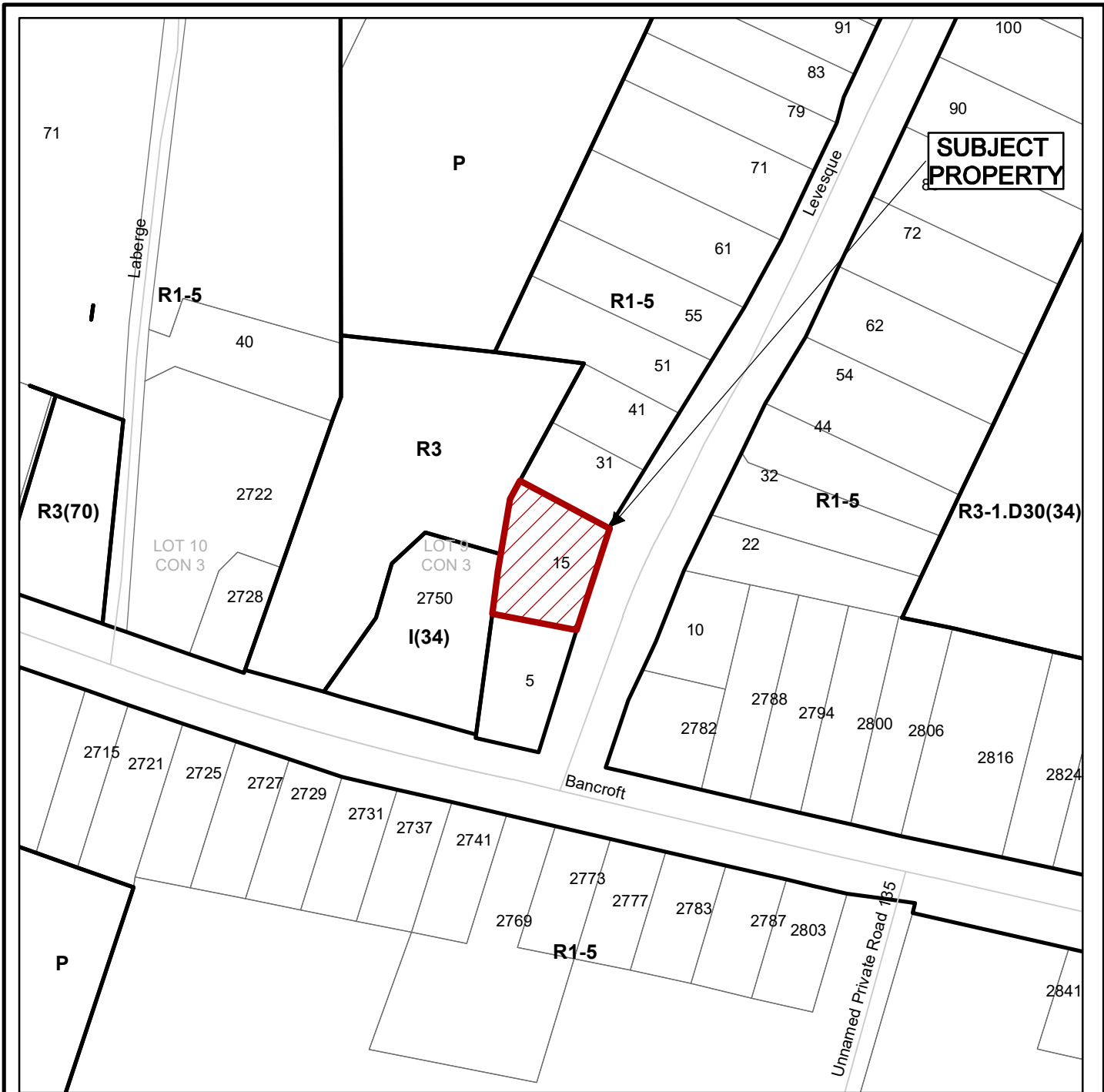
- To rezone the lands from R1-5 to R3(S) to permit the development of three street townhouse units.


The development of the subject lands achieves a number of policy directives related to intensification and the provision of a range and mix of housing types. Staff has considered, amongst other matters, a full range of factors through a detailed review when forming the recommendation of approval for this application. Staff is satisfied that the application is consistent with the PPS and conforms to the Growth Plan and the Official Plan. Staff is of the opinion that the proposed zoning by-law amendment is appropriate based on the following:

- The proposed street townhouse dwellings will contribute to the range and mix of housing available in the area.
- The site is suitable for the proposed density and building form.

- The proposal has been evaluated in the context of the surrounding and future land uses and is considered appropriate.
- Adequate parking, landscaping and amenity areas can be provided.
- The impact on local streets will be minimal.
- The sewer and water services are adequate for the site.

Staff recommends approval of the application as described in the Resolution section on the basis that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury, has regard for matters of provincial interest and represents good planning.



N


Growth and Infrastructure Department

Subject Property being PIN 73575-0152,
Parcel 34438, Part 5, Plan SR-1772,
Concession 3, Lot 9, Township of Neelon,
15 Levesque Street, Sudbury,
City of Greater Sudbury

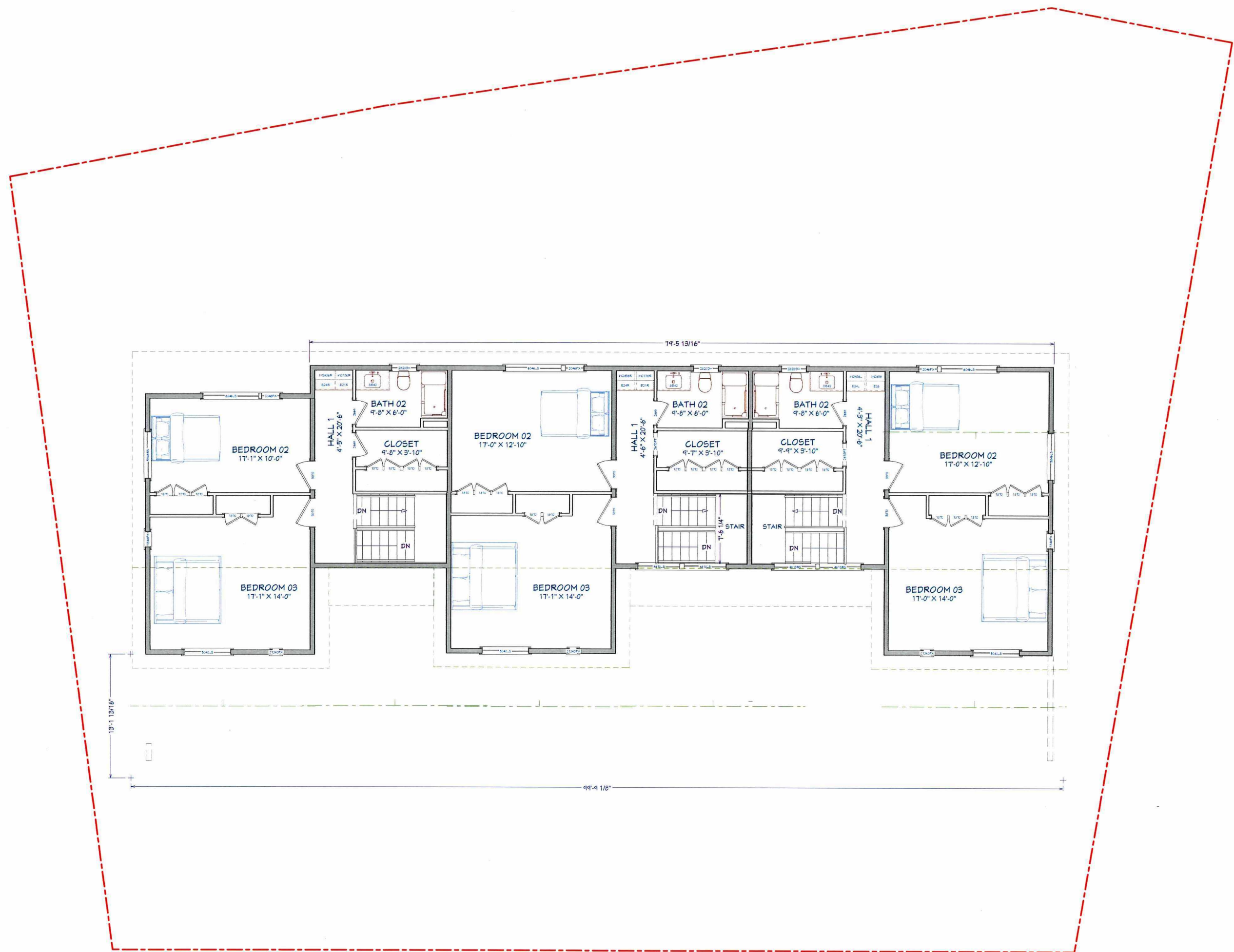
NTS
Sketch 1

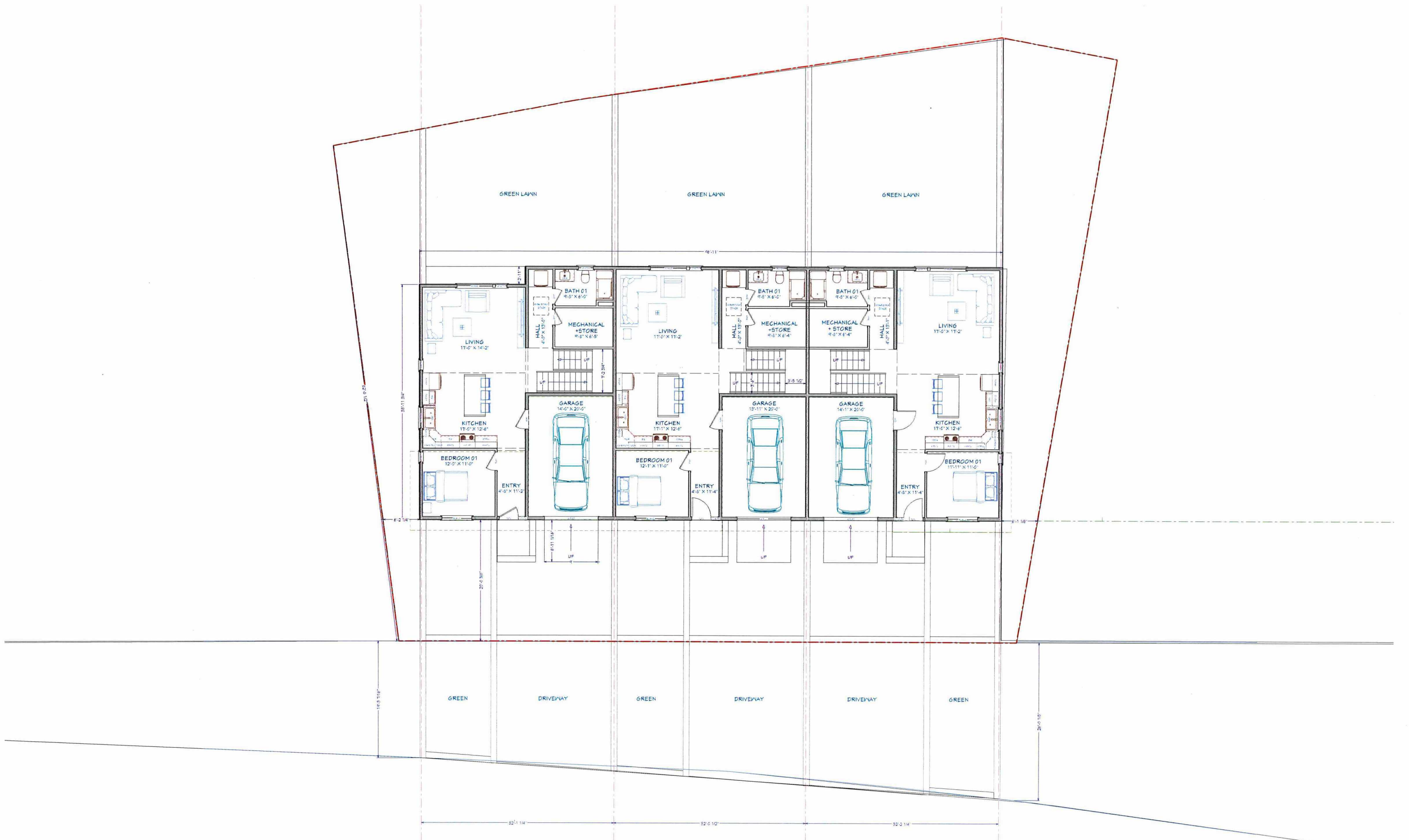
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Date: 2023 11 23

zone R3	unit	Lot1	Lot2	Lot 3	Combined lot	unit
minimum lot area	150 m2	333.83	278.66	395.66	1008.15	m2
minimum lot frontage	6 m	10.92	9.82	10.71	31.45	m
minimum lot depth	30 m	25.85	27.63	29.46	25.85	m
minimum required front yard	6 m	6	6	6	6	m
minimum required rear yard	7.5 m	7.85	8.72	10.14	7.85	m
minimum required interior side yard	1.8 m	1.81	0	1.81	1.81	m
minimum required corner side yard	4.5 m	n/a	n/a	n/a	n/a	
Buidling coverage		123.03	126.77	127.9	377.7	sqm
maximum lot coverage	50 %	36.85	45.49	32.33	37.46	%
minimum Landscaped Open Space	10 %	63.15	54.51	67.67	62.54	%
maximum height	11 m	10	10	10	10	m
parking	1 per unit	1	1	1	3	
residential unit	1	1	1	1	3	
planting strip	3 m				1.81	m









MAIN FLOOR PLAN
SCALE 1:200

LEVESQUE STREET





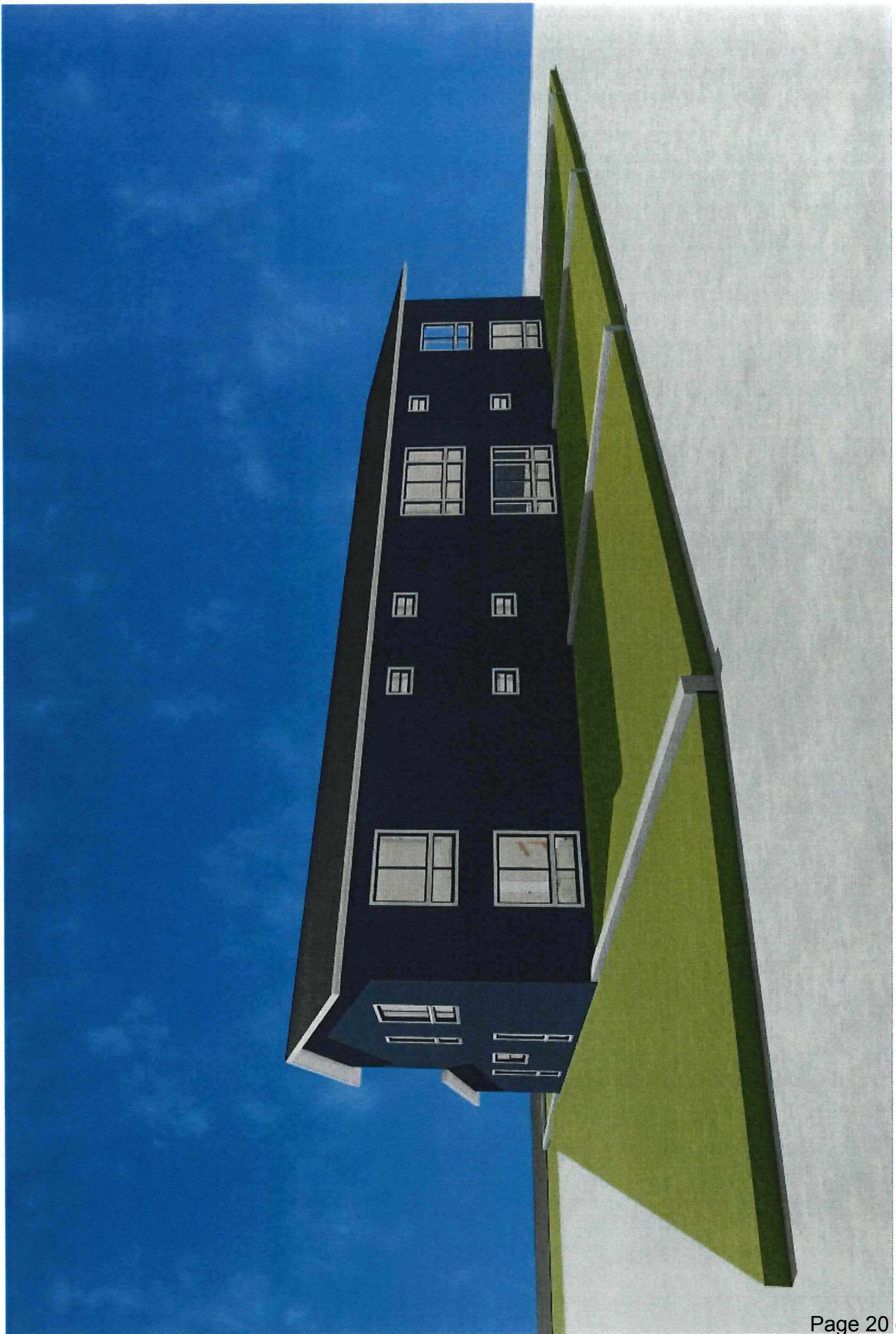






Photo 1. Subject lands, 15 Levesque Street, facing west. Photo taken November 24, 2023. CGS File 751-6/23-19.



Photo 2. Subject lands, 15 Levesque Street, showing accessory structures in the rear yard and the institutional building to the west, facing southwest. Photo taken November 24, 2023. CGS File 751-6/23-19.



Photo 3. Low density residential use to the north of the subject lands, facing west. Photo taken November 24, 2023. CGS File 751-6/23-19.



Photo 4. Low density residential use to the east of the subject lands, facing east. Photo taken November 24, 2023. CGS File 751-6/23-19.

3891 Hydro Road, Hanmer

Presented To:	Planning Committee
Meeting Date:	February 26, 2024
Type:	Public Hearing
Prepared by:	Eric Taylor Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	701-7/23-01

Report Summary

This report provides a recommendation regarding an application for Official Plan Amendment in order to create two (2) additional lots in the Rural designation where three (3) lots have already been created from the parent parcel since the adoption date of the Official Plan.

This report is presented by Eric Taylor, Senior Planner.

Resolution

THAT the City of Greater Sudbury denies the application by Nicole Doyon to amend the City of Greater Sudbury Official Plan in order to provide site-specific exceptions to the rural lot creation policies of Section 5.2.2 on lands described as PIN 73508-1381, Lot 11, Concession 1, Township of Capreol as outlined in the report entitled “3891 Hydro Road, Hanmer”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on February 26, 2024.

Relationship to the Strategic Plan, Health Impact Assessment and Community Energy & Emissions Plan (CEEP)

The application to amend the Official Plan is an operational matter under the Planning Act to which the City is responding.

The application is not consistent with the Community Energy & Emissions Plan (CEEP). The proposal to create unserviced estate lots located outside of the urban area undermines a key objective of the Plan to create compact, complete communities.

Financial Implications

There are no financial implications for this report, as staff recommends that the application be denied.

Report Overview:

An application for Official Plan Amendment (OPA) has been submitted for a rural parcel containing a dwelling and accessory structures located on the west side of Hydro Road near to the community of Hanmer. The lands are not serviced by water or sanitary sewers.

The owners are proposing the severance of two (2) additional lots in the Rural designation, where three (3) lots have already been severed from the parent parcel since the date of the adoption of the Official Plan (June 14, 2006). Site-specific exceptions to the lot creation policies of the Section 5.2.2 are required.

Planning Services cannot support the Official Plan amendment, as there is no demonstrated need to increase the supply of non-waterfront rural lots beyond what is achievable under current policies.

Staff Report

Proposal:

A site-specific application for an Official Plan amendment has been received as follows:

To amend the city of Greater Sudbury Official Plan in order to provide site-specific exceptions to the lot creation policies of Section 5.2.2. The draft OPA and Schedule A are attached.

The application has been submitted in order to permit the severance of two (2) additional lots in the Rural designation, where three (3) lots have already been severed from the parent parcel since the adoption date of the Official Plan. The amendment would therefore result in a total of five (5) lots severed from the parent parcel where a maximum of three (3) lots are permitted based on the effective date of June 14, 2006.

The proposed lots would need to be developed on wells and septic systems.

As required under Section 5.2.2 of the Official Plan, the owner provided a Planning Justification Report in support of the proposal (John Jackson – June 2023).

Existing Land Use Designation:

“Rural”

Requested Land Use Designation:

The owners are not seeking to redesignate the subject lands. Site-specific exceptions to the above noted policies are requested in order to create two (2) additional lots in the Rural designation, where three (3) lots have already been severed from the parent parcel since the date of the adoption of the Official Plan.

The owners would also require a consent referral to allow the lot creation to proceed by way of consent, as historically there have been at least 3 severances from the parent parcel.

Location and Site Description:

The subject property is described as PIN 73508-1381, Lot 11, Concession 1, Township of Capreol, 3891 Hydro Road, Sudbury. The subject lands are located on the west side of Hydro Road approximately 180 m south of Guenette Road. The lands to be rezoned have an area of approximately 6.2 ha square metres with approximately 293 m of frontage on Hydro Road. The lands are not serviced with municipal water and sanitary sewer. A dwelling and accessory structures are located on the property to be retained. A 100 m² (1080 sq. ft.) steel framed structure bolted to cement blocks with a tarp covering is located on the most northerly lot to be severed. The structure has been built without the benefit of a building permit having been applied for or issued by the City.

Surrounding Land Uses:

Rural residential uses are located to the north, south and east. The CN Railway Line abuts the property to the west.

North: rural residential lots

East: rural residential lots

South: rural residential lots

West: CN Railway Line, rural lands beyond

The existing zoning & location map, indicates the location of the subject lands to be rezoned and the zoning in the immediate area.

Site photos show the uses in this area.

Related Applications:

There have been three (3) previous consents from the original parent parcel. The consent file number and resulting Reference Plan and Part, current address for each are below:

B123/2009 Parts 1 & 2, Plan 53R19183 (3695 Hydro Road)
B124/2009 Parts 17 & 22 Plan 53R-19499 (vacant)
B125/2009 Part 19 & 20 Plan 53R-19499 (3895 Hydro Road)

Public Consultation:

The statutory notice of the application was provided by newspaper September 23, 2023, along with a courtesy mail-out to surrounding property owners and tenants within 240 m of the property on September 13, 2023. The statutory notice of the public hearing was provided by newspaper on February 3, 2024, and courtesy mail-out on February 1, 2024.

The owner was advised of the City's policy recommending that applicants consult with their neighbours, Ward Councillor and key stakeholders to inform area residents on the application prior to the public hearing. The application form included that the owner would be relying upon the notices provided by the City and the public meeting as the methods of consulting with the public. At the time of writing this report, no phone calls and no written submissions with respect to this application have been received by the Planning Services Division.

Policy & Regulatory Framework:

The property is subject to the following policy and regulatory framework:

- [2020 Provincial Policy Statement](#)
- [2011 Growth Plan for Northern Ontario](#)
- [Official Plan for the City of Greater Sudbury, 2006](#)
- [Zoning By-law 2010-100Z](#)

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

Provincial Policy Statement:

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters are consistent with the Provincial Policy Statement (PPS).

The subject lands are defined as rural lands under the PPS, meaning lands which are located outside settlement areas and prime agricultural areas. Growth and development may be directed to rural lands in accordance with Policy 1.1.5 as follows:

- 1.1.5.1 When directing development on rural lands, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.
- 1.1.5.2 On rural lands locate in municipalities, permitted uses are:
 - a) The management or use of resources;
 - b) Resource-based recreational uses(including recreational dwellings);
 - c) Residential development, including lot creation, that is locally appropriate;
 - d) Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;
 - e) Home occupations and home industries;
 - f) Cemeteries; and,
 - g) Other rural land uses.
- 1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.
- 1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.
- 1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.
- 1.1.5.6 Opportunities should be retained to locate new or expanded land uses that require separation from other uses.
- 1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.
- 1.1.5.8 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.

As indicated above in Section 1.1.5.1, the relevant policies of Sections 1, 2 and 3 of the PPS shall also be applied. Most notably, Sections 1.1.1 and 1.1.3 address the importance of concentrating development within settlement areas and promoting efficient land use patterns for the long-term sustainability of the municipality, including intensification within fully serviced urban boundaries.

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

- 1.1.1 Healthy, liveable and safe communities are sustained by:
 - a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
 - b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
 - c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
 - d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;

- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;
- h) promoting development and land use patterns that conserve biodiversity; and
- i) preparing for the regional and local impacts of a changing climate.

1.1.3 Settlement Areas

The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the impacts of a changing climate;
- e) support active transportation;
- f) are transit-supportive, where transit is planned, exists or may be developed; and
- g) are freight-supportive.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

1.1.3.5 Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.

- 1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.
- 1.1.3.7 Planning authorities should establish and implement phasing policies to ensure:
- a) that specified targets for intensification and redevelopment are achieved prior to, or concurrent with, new development within designated growth areas; and
 - b) the orderly progression of development within designated growth areas and the timely provision of the infrastructure and public service facilities required to meet current and projected needs.

Growth Plan for Northern Ontario:

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters conform with the Growth Plan for Northern Ontario (GPNO).

The applicable land use policies are outlined under Chapter 4 of the GPNO, which places a general emphasis on residential intensification in urban areas including existing downtown areas, intensification corridors, brownfield sites and strategic core areas.

Under Section 4.3.3, economic and service hubs shall maintain updated official plans and develop other supporting documents which include strategies for:

- developing a diverse mix of land uses, an appropriate range of housing types, and high quality public spaces; and providing easy access to stores, services and recreational opportunities, and
- encouraging a significant portion of future residential and employment to locate in existing downtown areas, intensification corridors, brownfield sites, and strategic core areas.

Intensification corridors are defined as areas along major roads, arterials or transit corridors that have the potential to provide a focus for higher density mixed-use development. Under the City's Official Plan, strategic core areas are identified as the Downtown, the Town Centres, the Regional Centres and the major public institutions listed in Section 4.4.

Official Plan for the City of Greater Sudbury:

The City's lot creation policies for the Rural designation are contained in Section 5.2.2 of the Official Plan which includes in part the following.

1. New lot creation for rural residential development is not permitted on those lands restricted by:
 - a. the Mining/Mineral Reserve;
 - b. the Aggregate Reserve;
 - c. the Flood Plain; or
 - d. significant natural features and areas.
2. The City will monitor the supply and demand of rural lots with a goal of avoiding an oversupply of rural lots. The policy of this plan will be reviewed and revised if it has been demonstrated that the existing policies have not had the effect of aligning the supply of rural lots not on a waterbody or watercourse with projected need. For new rural lots not on a waterbody or watercourse, the following lot creation policies apply:

- a. The severed parcel and the parcel remaining must have a minimum size of 2 hectares (5 acres) and a minimum public road frontage of 90 metres (295 feet).
 - b. Regardless of the size and frontage of the parent parcel, no more than three (3) new lots may be created from a single parent rural parcel *based on the date of the adoption of this Plan in existence as of June 14, 2006.
3. Where an official plan amendment is requested for lot creation in excess of the permitted three severed lots plus a retained, a planning report shall be submitted which demonstrates conformity with the Official Plan and consistency with the Provincial Policy Statement, and which demonstrates that:
- a. That the application will not exacerbate the existing supply of available vacant rural lots.
 - b. That there is a need for the proposed new lot(s) in order to accommodate projected rural unit growth over the life of the plan.
 - c. Additional studies required by the Official Plan to address any negative cumulative impacts (e.g., servicing) may also be required.

For any official plan amendment to permit additional rural lots not on a waterbody or watercourse, the severed and retained parcels must meet the minimum lot size referred to in Policy 2.

B. Subdivision of land

Under Section 19.4.1 concerning the subdivision of land, it is the policy of the Official Plan to:

- a. require that all proposals which have the effect of creating more than three new lots be processed as applications for a Plan of Subdivision, unless in The City's opinion a Plan of Subdivision is not necessary for the proper development of the area; and,
- b. require that proposals which would create less than four new lots to be considered as Applications for Consent to be dealt with by the Consent Official.

Zoning By-law 2010-100Z:

Zoning relief is not required for the proposed rural lots, which will retain "RU", Rural zoning and comply with the minimum zone standards.

Site Plan Control:

Site plan control is not applied to rural residential uses.

Department/Agency Review:

Development Engineering advised that the lands are not serviced with municipal water or sanitary sewer.

Roads, Transportation and Innovation, Active Transportation, Roads Operations and Drainage all advised that they had no concerns.

Conservation Sudbury advised that the property contains man-made features such as ponds and canals and that development must be directed outside of these features and a permit may be required from Conservation Sudbury.

Building Services has advised that there appears to be several man-made ponds on the property and that there are no records of a site alteration permit where one would be required.

For information purposes, Strategic and Environmental Planning has advised that the owners are solely responsible for ensuring that vegetation removal, site alteration, and development undertaken does not result in a contravention of the provincial Endangered Species Act and the federal Migratory Birds Convention Act. In addition, the southernmost portion of the parcel to be severed and part of the northernmost parcel to be retained are wetlands. These wetlands and the area within 30 metres of the wetlands are considered Category 2 Blanding's Turtle habitat, a species protected by the Endangered Species Act.

Planning Analysis:

As outlined in this report there have been three previous consent applications submitted to the City in 2009 from the parent parcel since the adoption of the Official Plan in 2006.

With respect to the Official Plan, it is noted that the subject lands are not located with the mining/mineral reserve or aggregate reserve areas. Conservation Sudbury has indicated that permits may be required from them in the future. Strategic and Environmental Planning has noted that the wetland areas on the northerly retained lot and the most southerly lot to be severed are considered Category 2 Blandings Turtle habitat and the owners are responsible for ensuring that site alteration does not contravene the Endangered Species Act.

The Planning Justification Report (PJR) submitted by the proponents responds to the policy of not exacerbating the supply of vacant rural lots by stating that, "this policy was struck long before the current demand for new homes and new lots" and that "the demand seems to far exceed the current supply." The PJR also goes on to say that, "this understanding is based upon real estate trends, listing and the general population growth. Planning Services Staff notes that the PJR does not include any analysis of the current supply or demand for vacant lots or real estate data to support their understanding. The northerly lot to be severed contains a trailer and a 100 m² (1080 sq. ft.) building which has been constructed recently without the benefit of a building permit on the most northerly lot to be severed. In the event that Committee were to support the application, a condition should be imposed requiring that all buildings and structures including trailers be removed from the lands to be severed prior to the passing of the by-law adopting the Official Plan Amendment.

2020 Provincial Policy Statement

In the opinion of Staff, the proposal is not consistent with the Provincial Policy Statement:

- The development is not consistent with the settlement area policies of Section 1.1.3 whereby settlement areas shall be the focus of growth and development.

2011 Growth Plan for Northern Ontario

Although the Growth Plan encourages diversification of the housing supply and identifies areas intended to be the focus of intensification, it is less specific on matters related to development on rural lands and settlement areas. However, the proposal does not provide easy access to stores services and recreational opportunities given the lack of active transportation in the immediate area.

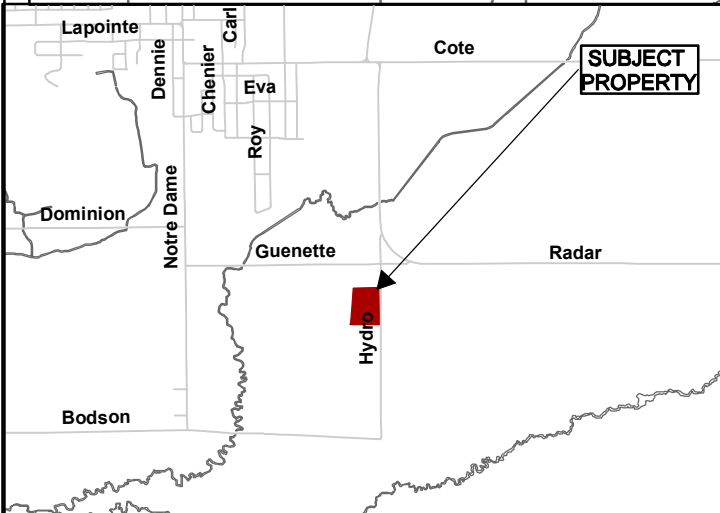
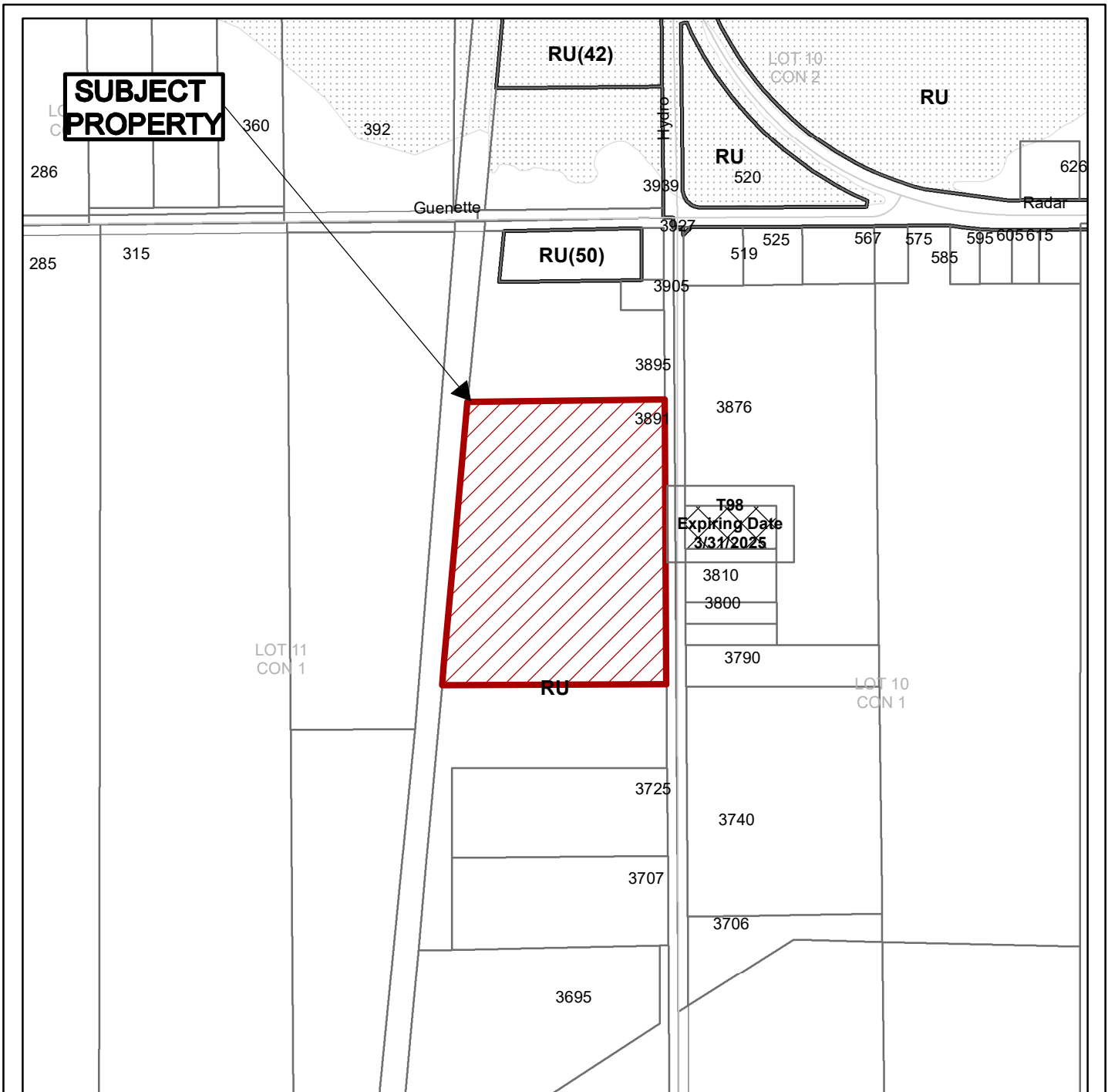
City of Greater Sudbury Official Plan

- Planning Staff is satisfied that there is an adequate supply of potential lots under current Official Plan policies to satisfy demand for non-waterfront rural properties. A report to Planning Committee on November 2, 2013 indicated a 29 year supply of rural lots under the existing Official Plan policies. A report to Planning Committee on April 8, 2018 respecting Rural Consents, outlined that over the period from 2008 to 2016, an average of 48 rural lots were created per year through consent with only an average of 21 lots or 37 percent proceeding to build a dwelling unit on them. The 2018 Rural Consent report noted that the City's supply was more than adequate to meet the anticipated demand under the severance framework in the Official Plan.

- The creation of addition rural estate lots on private services beyond that permitted by the current policies of the Official Plan, does not align with the policy objectives of creating complete, compact communities.

Conclusion:

Planning Services cannot support the proposed Official Plan Amendment and recommends that the application be denied.



**Growth and Infrastructure
Department**



Subject Property being PIN 73508-1381,
Lot 11, Concession 1, Township of Capreol,
3891 Hydro Road, Hanmer,
City of Greater Sudbury

NTS
Sketch 1

701-7/23-01
Date: 2023 08 31

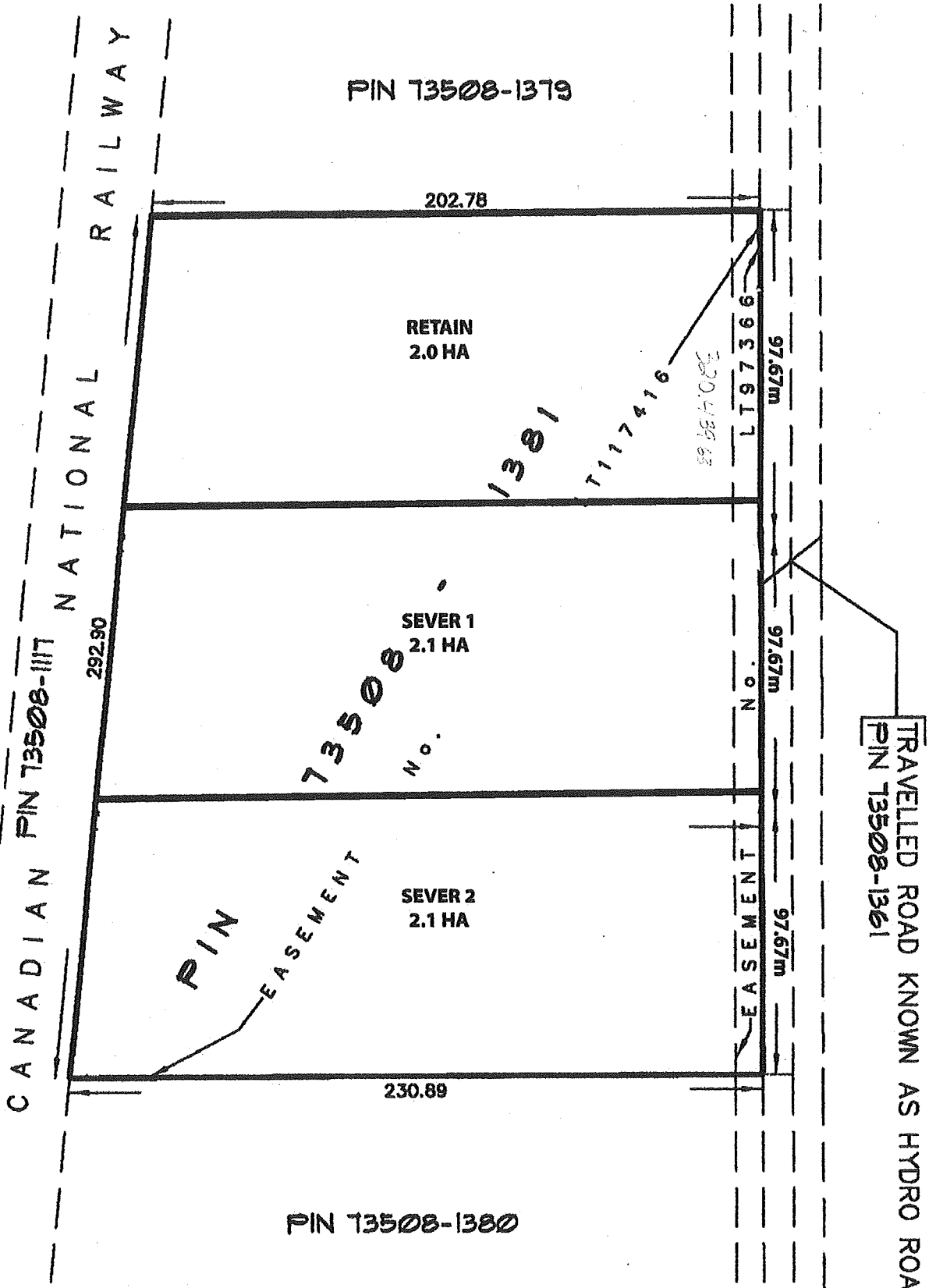
PART OF LOT 11

CONCESSION 1

GEOGRAPHIC TOWNSHIP OF CAPREOL

CITY OF GREATER SUDBURY

DISTRICT OF SUDBURY





Radar Road

Guenette Drive

Lands to be Retained

Lots to be Severed



Hydro Road



Photo 1: 3891 Hydro Road, Hanmer

View of dwelling on lands to be retained from Hydro Road

File 701-7/23-01 Photography: December 6, 2023



Photo 2: 3891 Hydro Road, Hanmer

View of northerly lot to be severed with existing accessory structure & trailer, from Hydro Road

File 701-7/23-01 Photography: December 6, 2023



Photo 3: 3891 Hydro Road, Hanmer

View of southerly lot to be severed from Hydro Road

File 701-7/23-01 Photography: December 6, 2023



Photo 4: 3891 Hydro Road, Hanmer

View of 3820 Hydro Road, across the street from the northerly lot to be severed from Hydro Road

File 701-7/23-01 Photography: December 6, 2023

AMENDMENT NUMBER 126

TO THE CITY OF GREATER SUDBURY OFFICIAL PLAN

Components of the Amendment: Part A, the Preamble, does not constitute part of this Amendment.

Part B, the Amendment, which consists of the following map entitled Schedule "A", constitutes Amendment 126 to the City of Greater Sudbury Official Plan.

PART A – THE PREAMBLE

Purpose of the Amendment: The proposed amendment is intended to provide for a site-specific exception under Section 5.2.2 of the City's Official Plan in order to facilitate the creation of one new rural lot within the Rural land use designation having frontage on Hydro Road.

Location: PIN 73508-1381, Lot 11, Concession 1, Township of Capreol

Basis: The application for Official Plan Amendment (File # 701-7/23-1) has been submitted for consideration by the City's Planning Committee and Council in order to provide for an exception from the rural lot creation policies within the Rural land use designation by facilitating the creation of two new rural lots whereas three rural lots have previously been created from the single parent parcel of land since June 14, 2006.

PART B – THE AMENDMENT

1) By adding to Part 21, Site Specific Policies the following:

21.XX Notwithstanding anything to the contrary on those lands described as PIN 73508-1381, Lot 11, Concession 1, Township of Capreol, City of Greater Sudbury, the creation of two additional rural lots shall be permitted with both new lots having frontage on Hydro Road; and,

2) Schedule 2c Site Specific Policies of the Official Plan for the City of Greater Sudbury is hereby amended by adding a site-specific policy 21.XX on PIN 73508-1381, Lot 11, Concession 1, Township of Capreol, City of Greater Sudbury as shown on Schedule "A" attached to this amendment.

PLANNING REPORT IN SUPPORT OF A SITE-SPECIFIC OFFICIAL PLAN AMENDMENT**PART OF LOT 11, CONCESSION 1****GEOGRAPHIC TOWNSHIP OF CAPREOL****3891 HYDRO ROAD, HANMER****OWNER: Nicole Doyon****June 20, 2023****BACKGROUND/PURPOSE**

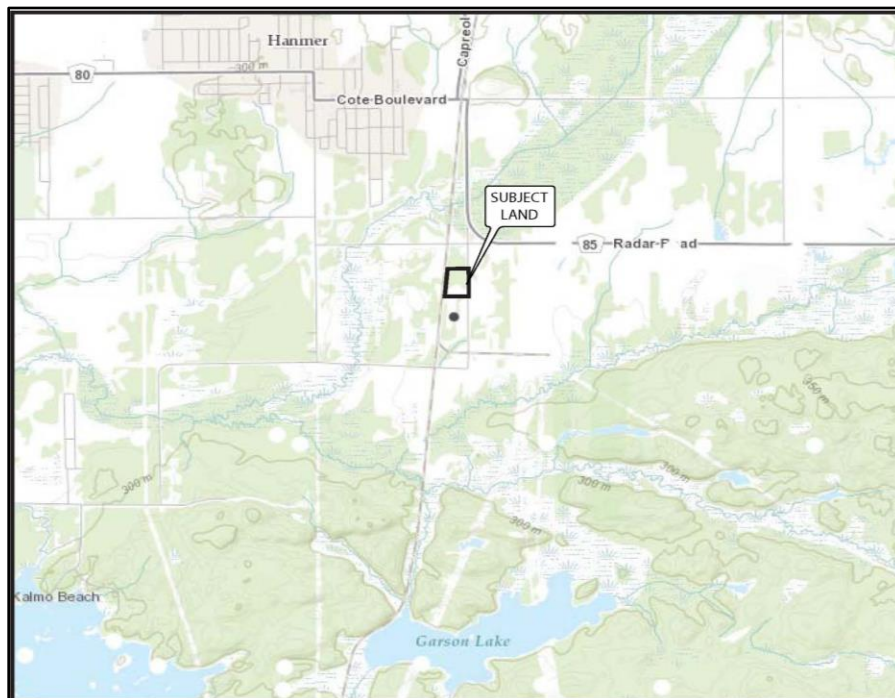
John Jackson Planner Inc. has been requested by D.S. Dorland O.L.S. (agent) to provide planning justification for a consent to create two new rural lots in the City of Greater Sudbury.

Almost two years previously (September 22, 2021), a preconsultation meeting with City of Sudbury planning staff prepared a summary of items that needed to be completed. (see Appendix).

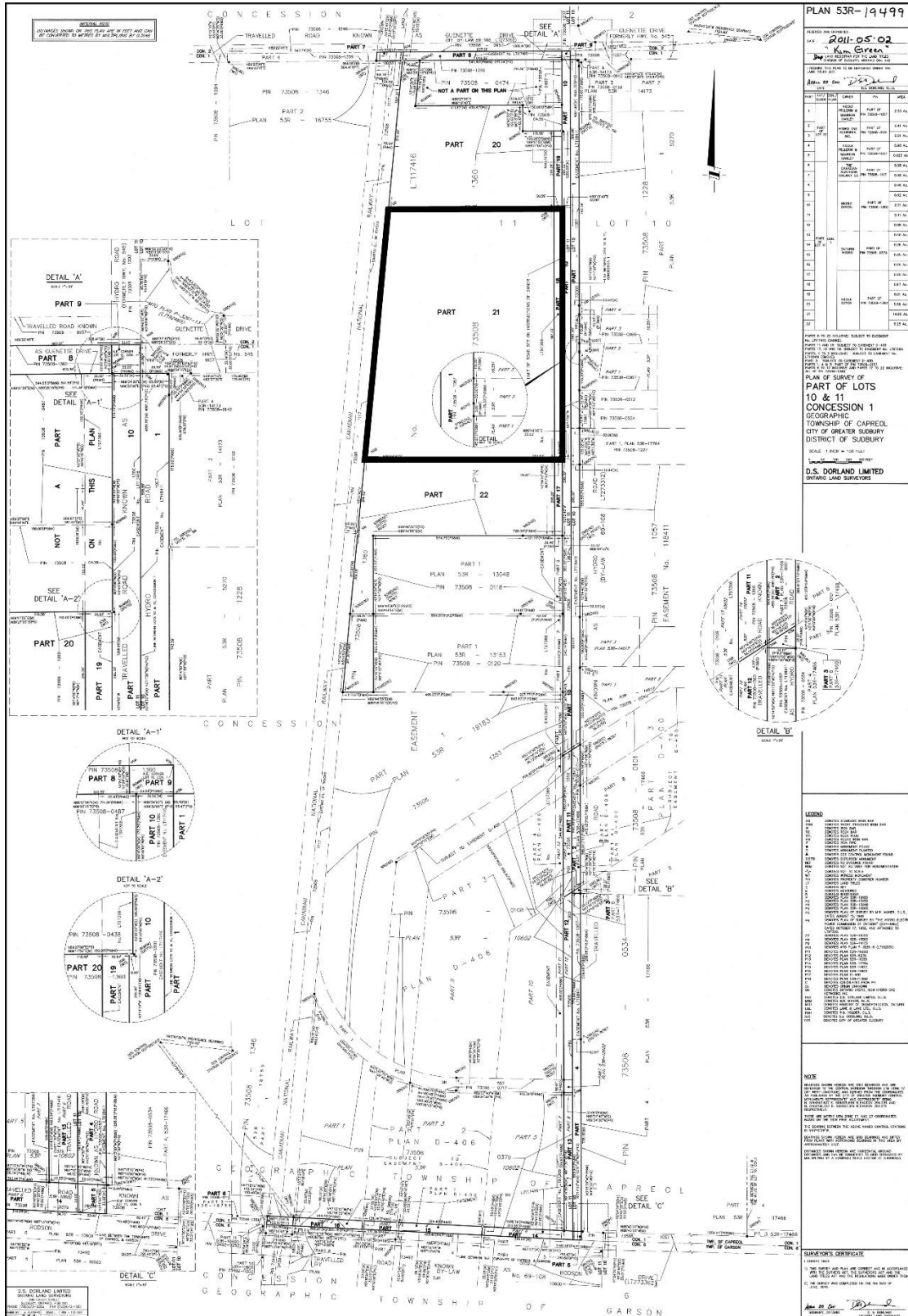
The preconsultation understanding established the need for a site-specific official plan amendment because of a conflict with the city's Rural policies.

PROPERTY DESCRIPTION

The subject lands are located at 3891 Hydro Road on the outskirts of the village of Hanmer.



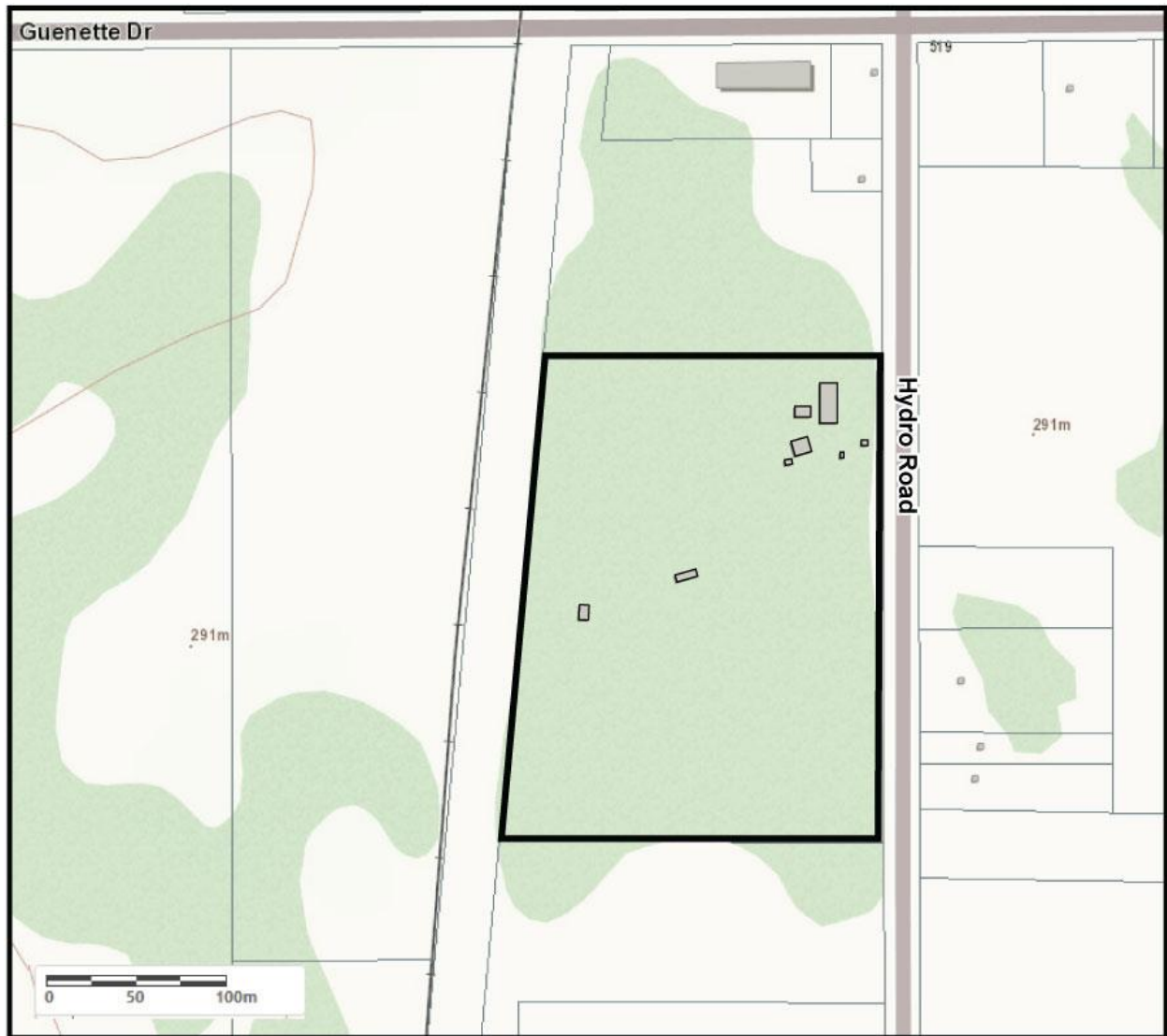
The lands are described in Survey Plan 53R-19499 as Parts 18 and 21 subject to a hydro easement along the road.



The P.I.N. of the property is 73508-1381 (L.T.).

The lands have 6.335 hectares with 293 metres of frontage on Hydro Road.

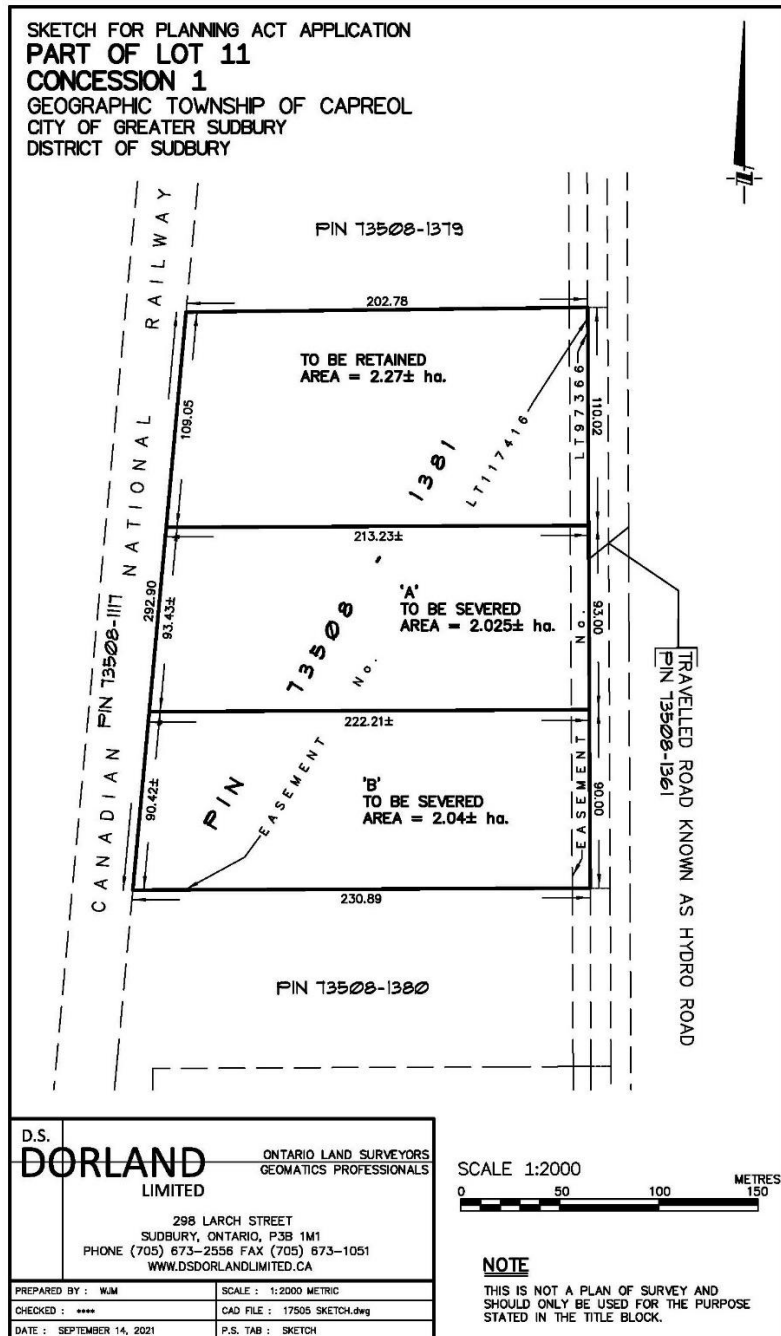
The property is used for a dwelling, a number of outbuildings and man made ponds and canals on the west side adjacent to the rail line. The lands have had an extensive amount of site alterations and where there have been no disturbances, the lands are heavily forested.





PROPOSED CONSENT

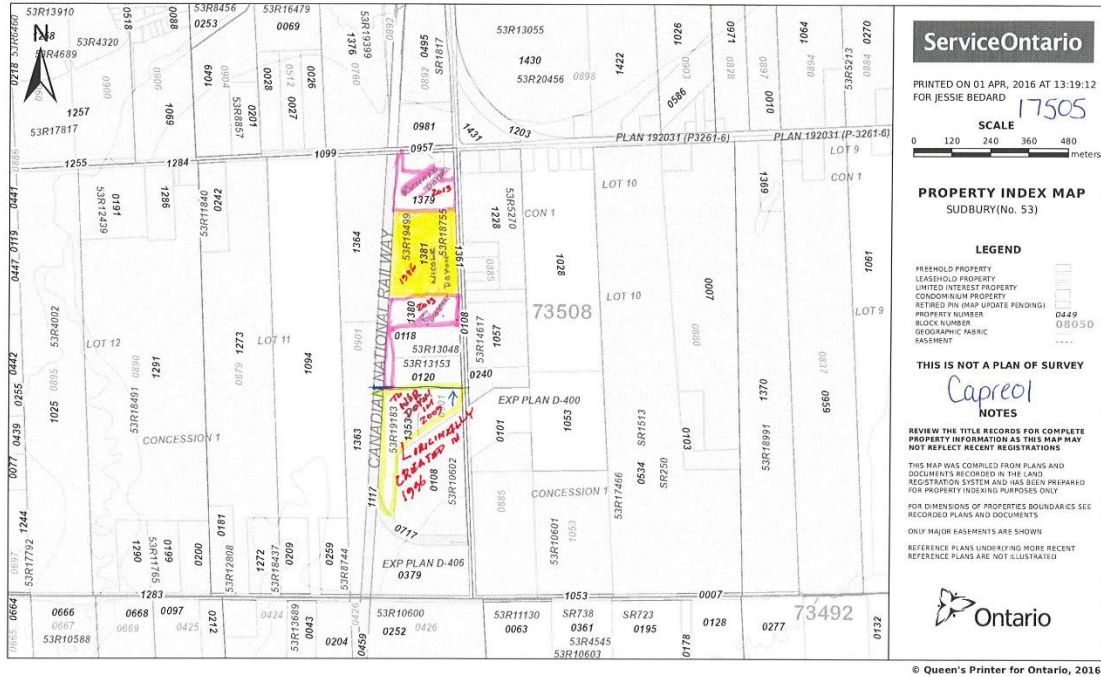
Ms. Doyon is proposing to create two new lots from the existing parcel.



The proposed lots will have the following frontages and areas.

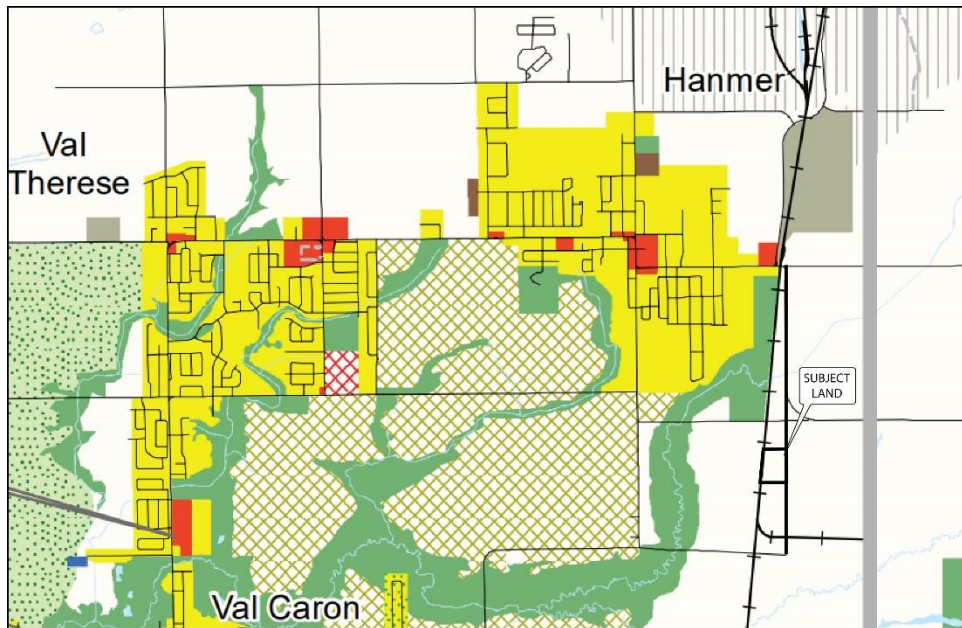
	Lot Area (Ha)	Lot Frontage (M)
Retain	2.27	110
Sever 1	2.025	93
Sever 2	2.04	90

The history of the previous consent certainly on the subject property are illustrated on the P.I.N. mapping below.



OFFICIAL PLAN

The subject lands are designated Rural in Sudbury's official plan.



In general terms, the proposed consent easily complies with local policy, provincial policy and Planning Act provisions. The only policy violation is the number of consents that have been previously approved on the parent parcel of the subject parcel. It is the

opinion of the writer, that all other principles and objectives for the Rural area are achieved.

“5.0 Rural Areas

The intent of this designation is to accommodate a variety of land uses that are appropriate for a rural location, especially those that provide rural economic benefits that are balanced with protection of the natural environment and the agricultural resource base. Intensive development of these lands is not desired, as more suitable locations within Communities have been identified for urban growth. Rural Areas are shown on Schedules 1a, 1b and 1c, Land Use Map.”

The proposed lot creation will maintain the current character of the rural area serving as a part of a rural hamlet outside the village of Hanmer.

“5.1 OBJECTIVES

It is the objective of the Rural Area policies to:

- a. provide an efficient and orderly pattern of land use in Rural Areas, reducing land use conflicts and requiring minimal municipal services;***
- b. ensure that all development is adequately serviced and does not negatively impact the environment;***
- c. encourage a strong rural economy with a range of rural uses and activities;***
- d. recognize the importance of agriculture, silviculture and other rural land uses to the economy; and,***
- e. preserve the cultural and historical attributes of rural areas.***
- f. promote opportunities to support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.***

The proposed consents are in conformity with the Rural Objectives listed above.

- The pattern of existing development is maintained;
- The lots are large enough to accommodate private services;
- There is a strong demand for new rural lots;
- Construction of new rural homes will have a positive impact on the economy;
- There will be no adverse impacts on the rural character; and
- The historical lots in the neighbourhood have been an asset to the community.

“5.2 RURAL AREA DESIGNATION

Rural Areas contain a variety of land uses, such as farms, woodlots and forests, small industry, and clusters of rural residential development. These areas also provide for outdoor recreation opportunities such as snowmobiling, skiing, hiking, canoeing, and other activities in natural areas.

Policies

1. The following uses are permitted within the Rural Areas designation:

- a. residential uses;***
- b. agricultural uses, agriculture-related uses and on-farm diversified uses;***
- c. conservation, open space and natural resource management activities;***
- d. mineral exploration;***
- e. rural industrial/commercial uses;***
- f. resort and shoreline commercial uses;***
- g. public uses including hydroelectric generation and associated facilities;
and***
- h. community hubs.***

New residential uses are permitted in this designation.

“5.2.1 Rural Residential

Residential uses in Rural Areas typically take the form of rural strip development along municipal roads, as well as permanent and seasonal waterfront residences located along the shorelines of non-urban waterbodies and watercourses. Although some linear residential development along municipal roads is partially serviced by municipal water, most households are not connected to municipal services.

Policies

- 1. Rural residential development compatible with the character of surrounding existing uses is permitted, provided no additional public services, including the extension of existing or creation of new partial services would be required.***
- 2. One single detached dwelling is permitted on any existing lot, provided that it fronts onto a public road that is maintained year-round. The lot must also have the capability to provide an individual on-site sewage disposal system and water supply with both quantity and quality suitable for domestic uses.***

The proposed consents are in accord with these policies.

5.2.2 Rural and Waterfront Lot Creation

Policies on lot creation in Rural Areas are required to mitigate the pressures inherent to unserviced development and the environmental impact of private septic systems.

Consistent with the objective to concentrate development within fully serviced Communities, limits on the location, size and number of lot severances in Rural Areas are established.

Policies

1. New lot creation for rural residential development is not permitted on those lands restricted by:

- a. the Mining/Mineral Reserve;**
- b. the Aggregate Reserve;**
- c. the Flood Plain; or**
- d. significant natural features and areas.**

2. The City will monitor the supply and demand of rural lots with a goal of avoiding an oversupply of rural lots. The policy of this plan will be reviewed and revised if it has been demonstrated that the existing policies have not had the effect of aligning the supply of rural lots not on a waterbody or watercourse with projected need. For new rural lots not on a waterbody or watercourse, the following lot creation policies apply:*(2019 MMAH Mod #2a)

- a. The severed parcel and the parcel remaining must have a minimum size of 2 hectares (5 acres) and a minimum public road frontage of 90 metres (295 feet).**
- b. Regardless of the size and frontage of the parent parcel, no more than three (3) new lots may be created from a single parent rural parcel in existence as of June 14, 2006*. (2019 MMAH Mod #2b)**

3. *Where an official plan amendment is requested for lot creation in excess of the permitted three severed lots plus a retained, a planning report shall be submitted which demonstrates conformity with the Official Plan and consistency with the Provincial Policy Statement, and which demonstrates that:

- a. That the application will not exacerbate the existing supply of available vacant rural lots.**
- b. That there is a need for the proposed new lot(s) in order to accommodate projected rural unit growth over the life of the plan.**
- c. Additional studies required by the Official Plan to address any negative cumulative impacts (e.g., servicing) may also be required.**

For any official plan amendment to permit additional rural lots not on a waterbody or watercourse, the severed and retained parcels must meet the minimum lot size referred to in Policy 2.* (2019 MMAH Mod #2c)

As indicated in the discussion above, the proposed lots will satisfy the Rural Lot Creation policies aside from the limits of three lots from the parent parcel. (5.2.2.(2) (6)).

In terms of “exacerbating” the supply of rural lots, this policy was struck long before the current demand for new homes and new lots. The demand seems to far exceed the current supply.

This understanding is based upon real estate trends, listings and the general population growth.

As indicated in the policy, some variations are expected so long as a planning report is able to be filed with sufficient bases to support a site-specific amendment.

GROWTH PLAN FOR NORTHERN ONTARIO

The Growth Plan for Northern Ontario has been prepared under the Places to Grow Act, 2005.

The northern part of Ontario has been under steady decline for a number of decades and the basis for the Growth Plan is to reverse this decline.

The purposes of the Growth Plan are set out a broad set of principles in an attempt to reverse the trend.

- a. To enable decisions about growth in ways that sustain a robust economy, build strong communities and promote a healthy environment and a culture of conservation;
- b. To promote a rationale and balanced approach to decisions about growth that builds on community priorities, strengths and opportunities and makes efficient use of infrastructure;
- c. To enable planning for growth in a manner that reflects a broad geographical perspective....; and
- d. To ensure that a long term vision and long term goals guide decision making about growth and provide for the coordination of growth policies among all levels of government.

There are six themes that form the foundation for the Growth Plan. Some of these include:

- Economy
- People
- Communities
- Infrastructure
- Environment

Fundamentally, the Growth Plan for Northern Ontario is to support growth so long as there is no detrimental impacts on the environment or on community efficiencies.

The Growth Plan is primarily focused to build a strong economy in a variety of ways.

Creating new rural residential property opportunities on private services on existing public roads where no further burden is anticipated on municipal services will have a small, but positive contribution to the economy. There will be construction opportunities, added housing stock and enhanced tax base.

The Growth Plan directs that new development be sustainable and is achieved through sound environmental practises.

Based on a preliminary vetting of the circumstances and conditions of the proposed consent, there would not appear to be any adverse impacts on any natural heritage features.

Generally, the proposed consents that will occur on Hydro Road can be described as in-fill in a hamlet area next to the village of Hanmer. The proposed consents conform to the Growth Plan of Northern Ontario.

PROVINCIAL POLICY STATEMENT (P.P.S.)

Municipal approval authorities are required to make decisions that are consistent with Provincial Policy Statements (P.P.S.). The P.P.S. provide a series of policies that are prescribed to ensure that land use planning decisions are in accord with matters of provincial interest.

The P.P.S. are to be considered in their entirety and only those policies that are considered relevant are to be applied to any given situation.

The subject lands are considered as Rural Areas, Section 1.1.4.

1.1.4 Rural Areas in Municipalities

Rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.

Ontario's rural areas have diverse population levels, natural resources, geographies and physical characteristics, and economies. Across rural Ontario, local circumstances vary by region. For example, northern Ontario's natural environment and vast geography offer different opportunities than the predominately agricultural areas of southern regions of the Province.

1.1.4.1 Healthy, integrated and viable rural areas should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;***
- c) accommodating an appropriate range and mix of housing in rural settlement areas;***

d) encouraging the conservation and redevelopment of existing rural housing stock on rural lands;

e) using rural infrastructure and public service facilities efficiently;

f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;

1.1.4.2 In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.

1.1.4.3 When directing development in rural settlement areas in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.

1.1.4.4 Growth and development may be directed to rural lands in accordance with policy 1.1.5, including where a municipality does not have a settlement area.

The proposed consent will result in new development that is consistent with these general Rural Area Policies.

The new lots will build upon the existing rural character, make efficient use of existing roads and utilities, add housing opportunities and add to the local economy. The new lots will complement existing rural uses.

The proposed new rural lots are consistent with servicing, housing and economic prosperity policies.

There are no known natural heritage features on the subject lands (section 2.0 of the P.P.S.).

There are no significant wetlands. There are a number of man made ponds on the subject lands however, these disturbances are not believed to impact the proposed transaction.

The extent of the site alterations that have occurred historically would not contribute to any natural heritage features or associated concerns.

Any potential threatened or endangered species concerns would be dealt with at the time of construction.

ZONING BY-LAW

The subject lands are zoned Rural (RU).



The proposed lots will all meet the minimum standards of 90 metres frontage and 2.0 hectares.

There are no Minimum Distance Separation concerns.

The development of future homes are likely to focus on the Hydro Road side of the lots negating any concerns over noise and vibration from the rail line.

SECTION 51 (24) OF THE PLANNING ACT

When considering a consent, the approval authority shall have regard to the following criteria.

a) Matters of Provincial Interest.

The consent must have regard to any relevant matters of provincial interest pursuant to Section 2. These include:

- Protection of natural features;
- Conservation of natural resources;
- Conservation of archeological resources;
- Water conservation;
- Efficient use of services;
- Waste management;
- Safety and health considerations;
- Protection of the economy;
- Housing;
- Employment;
- Growth.

The proposed consent has no conflict with any matters of provincial interest.

b) Whether the consent is premature or in the public interest.

Prematurity is based upon the absence of needed municipal services. No extension of any municipal services are required. Public interest relates to the need for new rural lots. There is a strong demand for new lots throughout the city.

c) Does the consent conform to the official plan and adjacent plans of subdivision?

The previous discussion has indicated conformity with the official plan apart from the limit of 3 lots from a parent parcel. In the opinion of the writer, this policy criteria is not particularly important especially when the availability of a variance to this criteria is permitted subject to a planning report.

It is also recognized that this consent will create new lots similar to nearby lots and has an infilling nature.

d) Suitability of the land

There are no constraints to the development of the proposed lots. The lots are large in area and are typical for the area with private wells and septics.

e) Adequacy of Roadways

Hydro Road is a public street and with 90 metres of frontage for the lots, there are no traffic issues on good site lines.

f) Dimension and Shape of the Lots

The lots each have a typical regular rectangle shape. There are no lot configuration issues.

g) Restrictions

The lots will be regulated by the requirements of the zoning By-Law. None of these restrictions will be problematic.

h) Conservation and Flood Control

There are no conservation issues.

i) Adequacy of Municipal services

There will be no needed additional municipal services.

The proposed consent will comply with the criteria set out in section 51(24) of the Planning Act.

PRECONSULTATION SUMMARY

Planning Report	Enclosed
Public Consultation	Council, planning committee members and neighbours consulted
Concept Plan	Enclosed
Survey	Draft included
Conservation Consultation	To be done. Permit may be required
Building Services	To follow. Private services
Drainage	No concerns
Environmental Impacts	No concerns
Fire Department	No concerns
Traffic	No concerns

The proposed consent has been reviewed by all relevant departments and agencies. The only outstanding matter is the planning report as prescribed by the official plan.

PLANNING ANALYSIS

1. The proposed consent for the creation of two new rural lots at 3891 Hydro Road by Nicole Doyon is in conformity with the Sudbury official plan.
2. The Sudbury official plan contemplates new rural lots beyond the limit of three provided a planning justification report is prepared.
3. The proposed consent creates new lots that meet the performance standards set out in the official plan.
4. The proposed consent is in conformity with the Growth Plan for Northern Ontario.
5. The proposed consent is consistent with the Provincial Policy Statement.
6. The proposed lots will conform to the Rural Zoning requirements.
7. The proposed consent meets the criteria set out in Section 51 (24) of the Planning Act.
8. There is a strong demand for all types of lots in Sudbury including new rural lots.
9. There are no constraints to the development of the three lots on the subject lands.
10. The preconsultation for the application demonstrated that there are no fatal issues with the application.
11. There are a number of instances where the city has approved new rural lots beyond the 3 lot limit prescribed in the official plan.
12. The subject transaction reflects infilling similar to other lots in the vicinity.
13. The applicant has canvassed neighbours and representatives from the planning committee and council that have indicated support for the application.

RECOMMENDATION

That the council of the City of Sudbury deem the site specific official plan amendment complete and process it to the next available planning committee meeting.

Respectfully submitted,



John Jackson, M.C.I.P., R.P.P.
JJ;jc

Pre- Consultation Understanding

Planning Services

200 Brady Street, Tom Davies Square
Sudbury, ON P3A 5P3
T: (705) 674-4455 Ext. 4295
F: (705) 673-2200

January 10, 2019

PRE-CONSULTATION UNDERSTANDING

PRE-CONSULT FILE: PC2021-077					
OWNER: Nicole Doyon (Agent: D.S. Dorland Ltd.)					
SPART MEETING: September 22, 2021					
PROPERTY DESCRIPTION/ADDRESS: 3891 Hydro Road, Hanmer					
REPORTS AND PLANS	OPA	ZBL	SITE PLAN	SUB	CONDO
REPORTS					
Application Form	X				
Arborist Report					
Archaeological Assessment					
Draft Official Plan Amendment					
Draft Zoning By-law Amendment					
Environmental Impact Study (Full-Site)					
Environmental Impact Study (Scoped)					
Functional Servicing Study					
Geotechnical/Soils Report					
Heritage Impact Assessment					
Hydrogeologic Study					
Mine Hazard Study					
Noise Study					
Parking Study					
Phase I Environmental Site Assessment					
Planning Justification Report	X				
Public Consultation Strategy	X				
Risk Management Plan					
Servicing Options Report					
Source Protection Plan Section 59 Application					
Stormwater Management Report					
Sun/Shadow Study (>6 storeys)					
Traffic Impact Study					
Transportation Demand Management Plan					
Vibration Study					
Wind Study (>6 storeys)					
PLANS					
Comprehensive Development Plan					
Concept Plan	X				
Construction Erosion and Sediment Control Plan					
Draft Plan of Condominium					
Draft Plan of Subdivision					
Elevation Plans					
Floor Plans					
Grading Plan					
Landscape Plan					
Legal Survey Plan (RECOMMENDED)	X				
Off-Site Servicing Plan					
Photometric Exterior Lighting Plan					
Site Plan					
Servicing Plan					
Other Reports/ Plans(s) – Specify					
1.					
Agencies to be Contacted by Applicant	OPA	ZBL	SITE PLAN	SUB	CONDO
Canada Post					
Canadian National Railway					
Canadian Pacific Railway					
Greater Sudbury Utilities					
Hydro One					
Ministry of Municipal Affairs					
Ministry of Natural Resources and Forestry					
Ministry of the Environment, Conservation & Parks					
Ministry of Transportation Ontario					
Nickel District Conservation Authority (Conservation Sudbury)	X				
Sudbury District Health Unit (SDHU)					
Sudbury East Planning Board					
Others – Specify					
1. Building Services (CGS)	X				

PRE-CONSULTATION UNDERSTANDING

Planning Services Notes

Building Services:

1. There are several ponds situated on the lands that appear to be man-made. These man-made ponds also appear to have been created without the benefit of a site alteration permit. The owner is advised that a site alteration permit is required and the owner is encouraged to contact Building Services to discuss this requirement in more detail ahead of applying for an Official Plan Amendment; and,
2. Should you have any questions, please contact Victoria Lachapelle, Plans Examiner, by email at victoria.lachapelle@greatersudbury.ca.

Conservation Sudbury:

1. The subject lands are trapezoidal in shape and is bound by Hydro Road to the east and a railroad corridor to the west. There is an existing single-detached dwelling with associated accessory structures situated on the lands. There are ponds on-site that appear to be man-made. Despite their origin, they are considered regulated features as per Ontario Regulation 156/06;
2. The owner is advised that development within an area regulated by Ontario Regulation 156/06 may require a permit pursuant to Section 28 of the Conservation Authorities Act. "Development" is defined by the Conservation Authorities Act and includes, but is not limited to, the alteration of a watercourse, grading, placement or removal of fill (even if it originated from the same site), site preparation for construction, and the erection of a building or structure. Scientific studies and/or technical reports may be required to support the permit application, the cost of which will be borne by the owner. Any permit issued may include conditions of development and permits are not guaranteed. Please contact our office at ndca@conservationsudbury.ca or using the contact information below in order to determine the need for a permit; and,
3. Should you have any questions, please contact Bailey Chabot, Watershed Planner, by email at bailey.chabot@conservationsudbury.ca.

Development Approvals Section:

1. The subject lands are designated Rural in the City's Official Plan and zoned "RU", Rural in the City's Zoning By-law;
2. For reference purposes, both the City's Official Plan and Zoning By-law are available online at the following web-links: <https://www.greatersudbury.ca/city-hall/reports-studies-policies-and-plans/official-plan/official-plan/op-pdf-documents/official-plan/> and <https://www.greatersudbury.ca/do-business/zoning/>;
3. For the owner's information, the City's Official Plan Amendment Application Form is available at the following web-link: <https://www.greatersudbury.ca/do-business/planning-and-development/start-a-planning-application/official-plan-amendment/>;
4. The amendment to the City's Official Plan is required in order to obtain a site-specific exception from applicable rural lot creation policies (ie. Section 5.2.2(2)) thereby facilitating the creation of two additional rural lots having frontage on Hydro Road whereas three rural lots have already been created from the single parent parcel of land that existed as of June 14, 2006;
5. As part of a complete Official Plan Amendment application, the owner is required to submit a Planning Justification Report as required under Section 5.2.2(3) of the City's Official Plan. The required Planning Justification Report is to be prepared and provided by a Registered Professional Planner or otherwise related and suitably qualified professional. The Planning Justification Report must address and describe how the development proposal conforms to, complies with and/or is consistent with the Growth Plan for Northern Ontario, the Provincial Policy Statement 2020, and the City's Official Plan;

6. In particular, staff would advise that the Planning Justification Report must at a minimum explore and provide a land use planning rationale which demonstrates the following:
 - a) That the application will not exacerbate the existing supply of available vacant rural lots; and,
 - b) That there is a need for the proposed new lots in order to accommodate projected rural unit growth over the life of the City's Official Plan.
7. As part of complete application for Official Plan Amendment, the submission of a Concept Plan is required and must depict all required information as indicated in Question #19 b) of the City's Official Plan Amendment Application Form;
8. If available, please also include a Legal Survey Plan (or Draft Reference Plan) which provides an accurate legal description of the lands; and,
9. Should you have any questions, please contact Glen Ferguson, Senior Planner, by email at glen.ferguson@greatersudbury.ca.

Development Engineering:

1. The subject lands are not serviced with municipal water and sanitary sewer infrastructure; and,
2. Should you have any questions, please contact Robert Webb, Supervisor of Development Engineering, by email at robert.webb@greatersudbury.ca.

Drainage Section:

1. No concerns at this time; and,
2. Should you have any questions, please contact Tom Gmyrek, Hydraulic Modeler/Analyst, by email at tom.gmyrek@greatersudbury.ca or Paul Javor, Drainage Engineer, by email at paul.javor@greatersudbury.ca.

Environmental Planning Initiatives:

1. The owner is advised that the development proposal is not anticipated to pose an elevated risk to species or their habitat that protected by under the Endangered Species Act, however, the owner is solely responsible for ensuring that the development does contravene the Endangered Species Act; and,
2. Should you have any questions, please contact Stephen Monet, Manager of Environmental Planning Initiatives, by email at stephen.monet@greatersudbury.ca.

Fire Services:

1. No concerns at this time; and,
2. Should you have any questions, please contact Doug White, Senior Fire Prevention Officer, by email at doug.white@greatersudbury.ca.

Roads, Transportation & Innovation:

1. No concerns at this time; and,
2. Should you have any general questions on the above, please contact Ryan Purdy, Traffic & Transportation Engineering Analyst, by email at ryan.purdy@greatersudbury.ca.

Name: Glen Ferguson

Date: October 7, 2021

PRE- CONSULTATION UNDERSTANDING

1. Official Plan Designation: Rural

Conformity with Official Plan designation YES NO

If "No" what is the nature of the amendment needed?

To provide for a site-specific exception from applicable rural lot creation policies under Section 5.2.2(2) in order to facilitate the creation of two additional rural lots beyond the three rural lots that have already been created from the single parent parcel of land that existed on June 14, 2006.

2. Existing Zoning: "RU", Rural

Compliance with the City's Zoning By-law? YES NO

If "No" what is the proposed zoning or amendment required?

N/A

3. Related File No.(s): B0123/2009, B0124/2009 & B0125/2009

4. Additional Information: N/A

Acknowledgement by Owner/Agent

The owner acknowledges that this form in no way confirms support or non-support by the City of the presented proposal, is based on the agreed processing and submission requirements discussed.

By signing below, I acknowledge that, subject to any appeals, the drawings, report(s) and other information requirements indicated on the above chart, must be submitted along with a completed application form, any information or materials prescribed by statute, the required application fees and this executed Pre-consultation Application Form to be considered complete. All comments and direction offered by City staff and outside agencies is preliminary and based solely on the information available at the time of the meeting, and is only applicable for up to one year from the date of the Pre-consultation meeting. Once an application has been submitted, deemed complete and circulated for comments additional information or consultation meetings may be required during the processing of the application. In addition, I have read, understood, and agreed to all of the notes listed on this form.

<u>D. DORLAND</u>	<u></u>	<u>Oct. 14, 2021</u>
Owner/Agent (Print)	Owner/Agent (Signature)	Date
<u>Glen Ferguson</u>	<u></u>	<u>October 7, 2021</u>
CGS Planning Services Staff (Print)	CGS Planning Services Staff (Signature)	Date

GLOSSARY

Application Form

A development planning application form in accordance with the Ontario Planning Act and includes applications for official plan amendment, zoning by-law amendment, draft plan of subdivision, draft plan of condominium and site plan approval.

Arborist Report

A report by a certified arborist identifying the species, size of a tree(s) and evaluating their health and condition, and setting out the nature of the work to be undertaken on the tree(s), tree replacement, replanting information and the arborist's recommendation for treatment of the tree(s), i.e., recommend removal and replacement, recommend preservation, etc.

Archaeological Assessment

An assessment in accordance with Provincial and municipal requirements in or near areas of archeological potential.

Comprehensive Development Plan

A plan that illustrates the subject lands in context with abutting properties and the land uses in the surrounding area.

Concept Plan

A plan drawn to scale showing the proposed development including all existing natural and human elements, including existing buildings and proposed buildings, driveways, parking areas, walkways, landscaped areas, amenities, property limits, natural features including streams, forested areas, wetlands along with descriptions.

Construction Erosion and Sediment Control Plan

A plan that details the measures to control sediment and erosion. Refer to the City's Site Plan Control Guide for further information at: <https://www.greatersudbury.ca/do-business/planning-and-development/application-forms/pdf-documents/site-plan-control-guide/>

Draft Official Plan Amendment

A draft official plan amendment includes all text, maps and appendices required by the City.

Draft Plan of Condominium

The information required on plans to be in accordance with the Planning Act and its regulations. The information required to be shown on the draft plan are:

- a) proposed exclusive use areas of the common element, such as outdoor yards and parking;
- b) driveways and pedestrian access to the proposed private units

Draft Plan of Subdivision

The information required on plans is to be in accordance with the Planning Act and its regulations. The information required to be shown on the draft plan are:

- a) the boundaries of the land to be subdivided as certified by an Ontario Land Surveyor
- b) the locations, widths and names of the proposed highways within the proposed subdivision and of the existing highways on which the proposed subdivision abuts
- c) on a small key plan, at a scale not less than one centimeter to 100 metres, all of the land adjacent to the proposed subdivision that is owned by the applicant or in which the applicant has an interest, every subdivision adjacent to the proposed subdivision, and the relationship of the boundaries of the land to be subdivided to the boundaries of the township lot or other original grant of which such land forms the whole or part
- d) the purpose for which the lots or blocks are to be used
- e) the existing uses of all adjoining lands
- f) the approximate dimensions and layouts of the proposed lots
- g) natural and artificial features such as buildings or other structures or installations, railways, highways, watercourses, drainage ditches, swamps, and wooded areas within or adjacent to the land proposed to be subdivided
- h) the availability and nature of domestic water supplies
- i) the nature and porosity of the soil
- j) existing contours or elevations as may be required to determine the grade of the highways and the drainage of the land
- k) the municipal services available or to be available to the land proposed to be subdivided
- l) the nature and extent of any restrictive covenants or easements affecting the land proposed to be subdivided

Noise Study

A noise study determines the impact on adjacent developments resulting from the proposed development or determines the impact on the development site from an existing noise source and recommends mitigation measures. Noise Studies are to be completed in accordance with the most recent guidelines issued by the Ministry of the Environment and Climate Change.

Off-Site Servicing Plan - A plan showing, road improvements, and/or sewer and water main upgrades required within the municipal right of way. Refer to The City's Site Plan Control Guide for further information at: <https://www.greatersudbury.ca/do-business/planning-and-development/application-forms/pdf-documents/site-plan-control-guide/>

Parking Study

A study prepared when a development proposal does not meet the minimum parking standard requirements in the City's zoning by-law. The study shall be prepared by a qualified professional and provide a basis in support of the reduced parking standard.

Phase I Environmental Site Assessment

The first phase of the systematic identification and evaluation of the potential impacts of proposed developments relative to the physical, chemical and biological components of the environment. A Phase II or III Environmental Report may be required depending upon the recommendations of the Phase I Report.

Photometric Exterior Lighting Plan

A plan which shows the location of each current and/or proposed outdoor lighting fixture with the projected hours of use measured in lux and the area of the lighting dispersed by each lighting fixture. Refer to the City's Site Plan Control Guide for further information at: <https://www.greatersudbury.ca/do-business/planning-and-development/application-forms/pdf-documents/site-plan-control-guide/>

Planning Justification Report

A report prepared and provided by a Registered Professional Planner or other related qualified professional. A planning justification report must address the development proposal's compliance with Provincial documents (Provincial Policy Statement, Growth Plan for Northern Ontario) and City of Greater Sudbury planning documents.

Risk Management Plan

A report that outlines the risk management actions to be undertaken by the owner, required to address the identified significant drinking water threats for the property. The applicant should contact the City's Source Water Protection Risk Management Office to assist with this report. Refer to the City's Source Water Protection Plan for further information at: <https://www.greatersudbury.ca/live/water-and-wastewater-services/source-water-protection/risk-management-plans/>

Public Consultation Strategy

A statement setting out the applicant's plans for consulting with the public on official plan amendment, rezoning, or plan of subdivision applications.

Servicing Options Report

A report which evaluates options for water and sanitary services applicable to the proposed development and includes a review of existing water service infrastructure; estimation of water demands, (domestic and fire flow); confirmation of the capacity of existing infrastructure to supply the required flows; review of options for sewage servicing; estimation of daily sewage flows; estimation of area requirements for the sewage system; and recommendation with respect to preferred water and sewer servicing and preliminary infrastructure sizing.

Site Plan

A site plan shall be prepared in accordance with the City of Greater Sudbury's Site Plan Guidelines. Refer to the City's Site Plan Control Guide for further information at: <https://www.greatersudbury.ca/do-business/planning-and-development/application-forms/pdf-documents/site-plan-control-guide/>

Servicing Plan

A plan that details the water and sanitary servicing, hydro, lighting and other infrastructure, to facilitate the development of a specific site. Refer to the City's Site Plan Control Guide for further information at: <https://www.greatersudbury.ca/do-business/planning-and-development/application-forms/pdf-documents/site-plan-control-guide/>

Source Protection Plan Section 59 Application

A completed application form for Section 59 Notice, Restricted Land Use Review, for applicants proceeding with a building permit or application under the *Planning Act*, in a "Vulnerable Area" as identified in the Greater Sudbury Source Protection Plan. Copies of the application form are available on the City's web site at: <http://www.greatersudbury.ca/living/sewer-and-water/source-water-protection/>.

Stormwater Management Report

A report that presents the data, methods, procedures and predicted results associated with the design of drainage works and erosion protection measures related to a development. The report shall be prepared by a qualified engineer and provide details on the techniques used to control storm runoff to allowable runoff rates, the method and volume of stormwater storage and the techniques used to address water quality requirements.

Sun/Shadow Study (6 Storeys or Greater)

A study showing the effects of a development on sunlight reaching surrounding properties, buildings and adjacent public realm areas by calculating the shadow that will be cast by the development at different times of day in different seasons. Sun/Shadow Studies maybe required for official plan amendments, zoning by-law amendments and site plan applications for developments usually 20 metres or 6 storeys and greater in height.

Sun/Shadow tests should be done for March 21 and September 21 between the hours of 9 AM and 6 PM. The Sun/Shadow diagram should identify permanently shaded areas between the start of December to the end of February.

Traffic Impact Study

A study which assesses the traffic impacts of a proposed development on the surrounding road system and identifies any improvements to the road system or mitigating measures to accommodate the development.

Transportation Demand Management Report

A report which establishes strategies to reduce travel demand from single occupancy private vehicles or to redistribute this demand in space or in time on the surrounding road system.

Vibration Study

A vibration study determines the impact on adjacent developments resulting from the proposed development or determines the impact on the development site from an existing vibration source and recommends mitigation measures.

Wind Study (6 Storeys or Greater)

A pedestrian wind model analysis is required for all six storey or taller buildings. For official plan and zoning by-law amendment applications a preliminary "Wind Impact Statement" by a qualified, registered Professional Engineer to professional standards is required. For site plan applications a detailed wind tunnel impact study shall be prepared by a qualified, registered professional engineer, and shall be based on a scale model simulation analysis, prepared to professional standards.

Draft Zoning By-law Amendment

A draft zoning by-law amendment includes all text, maps and appendices required by the City.

Elevation Plans

Architectural drawings presenting the external design of all proposed structures within the development, including buildings, retaining walls, fences, loading and garbage collection doors. Refer to the City's Site Plan Control Guide for further information at: <https://www.greatersudbury.ca/do-business/planning-and-development/application-forms/pdf-documents/site-plan-control-guide/>

Environmental Impact Study (Full-Site)

A study prepared by a qualified professional that contains a description of the proposal, the natural environment and an assessment of the environmental impacts of the proposal and a description of mitigating measures and recommendations. A full-site EIS requires a greater level of detail than that included in a scoped-site EIS that is appropriate to the scale of the proposed development and potential environmental impacts.

Environmental Impact Study (Scoped)

A study prepared by the development proponent or an environmental professional which addresses the requirements of an EIS in an abbreviated report or checklist and is usually applied to minor developments, single lot consents, or where negative impacts are known to be minor. The exact requirements of the scoped-site EIS will be established through consultation with municipal staff.

Functional Servicing Study

A report which addresses and ensures that the proposed development may be serviced in accordance with the City of Greater Sudbury Design Standards and Criteria. The report should include the proposed servicing scheme (Water supply and distribution, sanitary and storm drainage), the proposed grading for the site and road/access and right-of-way widths, etc.

Geotechnical/Soils Report

A report that analyses soil composition to determine its structural stability and its ability to accommodate development.

Grading Plan

A plan that details the grading required to facilitate the development of a specific site. Refer to the City's Site Plan Control Guide for further information at: <https://www.greatersudbury.ca/do-business/planning-and-development/application-forms/pdf-documents/site-plan-control-guide/>

Heritage Impact Assessment

A report prepared by a qualified consultant for development on lands located within a designated Heritage Conservation District or where development is proposed on or adjacent to a property or building designated under the *Ontario Heritage Act*. The report shall demonstrate that any development is in conformance with the Heritage Conservation District Plan where one exists, or demonstrates that the proposed development maintains the heritage aspects for which the property was designated and is compatible with the building and its heritage attributes. Compatibility may include building materials, colour, height, scale and design.

Hydrogeologic Study

A study reviewing and summarizing information for the site and surrounding areas including soil and groundwater information from available mapping, well records, monitoring wells and site specific geotechnical studies. The study shall identify the existing groundwater quality and local hydrogeological setting including the site-specific aquifer vulnerability index (ISI) and the rate and direction of groundwater flow, water quality and water budget. The report shall also identify and classify the nature of any predicted adverse impacts and measures that will be taken. Risk management/reduction measures are to be described, including engineering controls, management (emergency response plans) and monitoring programs, if applicable.

Landscape Plan

A plan including details on the location, type and number of planting materials to be located on a development site. The City of Greater Sudbury Site Plan Control Guide provides additional details on the requirements for a landscape plan. Refer to the City's Site Plan Control Guide for further information at: <https://www.greatersudbury.ca/do-business/planning-and-development/application-forms/pdf-documents/site-plan-control-guide/>

Legal Survey Plan

A plan prepared by a licenced member of Ontario Land Surveyors Association that includes the location and nature of any easement affecting the subject lands.

Mine Hazard Study

A study addressing a development proposal on, abutting or adjacent to lands affected by mine hazards

or abandoned pits and quarries. The study shall identify potential safety hazards, demonstrate that the site can be rehabilitated to mitigate the known or suspected hazard, establish procedures for site rehabilitation and mitigation of the safety hazard or provides evidence that the potential hazards do not exist.

250 Billiard’s Way, Sudbury

Presented To:	Planning Committee
Meeting Date:	February 26, 2024
Type:	Public Hearing
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-6/23-18

Report Summary

This report provides a recommendation regarding an application to amend the “H40” – Holding Zone to permit an additional 19 units prior to construction of a public road connection to Maurice Street or Tuscany Trail, to enable the development of 20 row dwelling units.

This report is presented by Wendy Kaufman, Senior Planner.

- Letter(s) of concern from concerned citizen(s).

Resolution

THAT the City of Greater Sudbury approves the application by Dalron Construction Limited to amend Zoning By-law 2010-100Z by amending the “H40” – Holding Zone to permit an additional 19 units prior to construction of a public road connection to Maurice Street or Tuscany Trail, on lands described as PIN 73478-1214, 53R-20418, Parts 8, 9 & 11-13, Lot 4, Concession 5, Township of Broder, as outlined in the report entitled “250 Billiard’s Way, Sudbury”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on February 26, 2024.

Relationship to the Strategic Plan, Health Impact Assessment and Community Energy & Emissions Plan (CEEP)

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding. The application contributes to the 2019-2027 City of Greater Sudbury Strategic Plan goals related to housing by adding to the range and mix of housing available in this area. The application aligns with the Community Energy and Emissions Plan by supporting the strategy of creating compact, complete communities.

Financial Implications

If approved, staff estimates approximately \$78,000 in taxation revenue, based on the assumption of additional 19 row dwelling units based on an estimated assessed value of \$275,000 at the 2023 property tax rates.

If there is additional taxation revenue, it will only occur in the supplemental tax year. Any taxation revenue generated from new development is part of the supplemental taxation in its first year.

Therefore, the City does not receive additional taxation revenue in future years from new development, as the tax levy amount to be collected as determined from the budget process, is spread out over all properties within the City.

The amount of development charges will be based on final review of the property by the Building Services department, as well as eligibility of reductions through Bill 23.

Report Overview:

An application for zoning by-law amendment has been submitted to enable the development of 20 row dwelling units. The subject land is designated as Living Area 1 in the Official Plan and zoned “H40R3-1(23)”, Medium Density Residential Special – Holding, “H40R3-1”, Medium Density Residential – Holding, and “P”, Park.

Staff recommends approval of the application as described in the Resolution section on the basis that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury, has regard for matters of provincial interest and represents good planning.

Staff Report

Proposal:

The application proposes to amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury to permit an additional 19 units prior to construction of a public road connection to Maurice Street or Tuscany Trail, to enable the development of 20 row dwelling units.

The application would enable 20 row dwelling units to be added to the existing Billiard's Green development known municipally as 250 Billiard's Way, for a total of 64 row dwelling units. A total of 74 units would be permitted in the entire area affected by the H40 Holding Zone where 55 are currently permitted, since there are 10 existing privately-owned semi-detached dwellings located in this area.

The applicant's concept plan illustrates the existing Billiard's Green development, and the 20 additional row dwelling units labelled 45-64. A large stormwater retention pond is shown to the east, and a wetland is labelled to the south with a 12 m offset shown. The application also included a copy of survey plan 53R-20418.

The subject lands are also subject to a conditionally-approved plan of subdivision (CGS File 780-6/12002). A portion of these land, being the lands shown for additional development as well as the existing stormwater management, are proposed to be added to the existing Billiard's Green development through a consent for lot addition. The applicant has not, at this time, provided a revised development concept for the remaining lands within the conditionally-approved plan of subdivision.

The lands zoned "P" are currently part of the subject lands, and are intended to be transferred to the City for park purposes.

Existing Zoning: "H40R3-1(23), Medium Density Residential Special – Holding, "H40R3-1", Medium Density Residential – Holding, and "P", Park

The R3-1(23) zone permits duplex, single detached, and semi-detached dwellings, along with accessory uses and uses permitted in all zones under Section 4.40 of the Zoning By-law. The R3-1 zone additionally permits a full range of medium density residential and accessory uses including multiple and row dwellings.

The "H40" Holding Zone applies to Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 Plan 53R-20418, Lot 4, Concession 5, Township of Border, and lands zoned H40R2-2, H40R3-1, and H40R3-1(23).

Requested Zoning: A zoning by-law amendment is requested to amend the "H40" – Holding Zone to permit an additional 19 units prior to construction of a public road connection to Maurice Street or Tuscany Trail.

Location and Site Description:

The subject property is described as PIN 73478-1214, 53R-20418, Parts 8, 9 & 11-13, Lot 4, Concession 5, Township of Broder, which comprise the undeveloped lands in this area and are approximately 4.8 ha in size. The subject lands are located south of the existing Billiard's Green development known municipally as 250 Billiard's Way south of Algonquin Road and north of Highway 17. The lands are currently vacant with the exception of the stormwater management pond. The lands are to be accessed and serviced through the existing Billiard's Green development. The closest transit stop is located on Algonquin Road approximately 470 m to the north. The lands subject to the H40 Holding Zone to be rezoned have an area of approximately 7.9 ha in size.

Surrounding Land Uses:

The area surrounding the site includes residential and institutional uses.

North: medium density residential use known as the Billiard's Green development

South: vacant lands, Highway 17

East: running track or vacant lands zoned 'I', Institutional and associated with either St. Benedict Catholic Secondary School or Holy Cross Catholic Elementary School

West: vacant lands zoned for low density residential use

The existing zoning & location map, indicates the location of the subject lands to be rezoned and the zoning in the immediate area.

Site photos show the uses in this area.

Public Consultation:

The statutory notice of the application was provided by newspaper along with a courtesy mail-out to surrounding property owners and tenants within 122 m of the property on December 19, 2023. The statutory notice of the public hearing was provided by newspaper on February 3, 2024, and courtesy mail-out on February 1, 2024. The applicant was advised of the City's policy recommending that applicants consult with their neighbours, ward councillor and key stakeholders to inform area residents on the application prior to the public hearing. At the time of writing this report, staff had received one question from the public pertaining to the location of access for the new units.

Policy & Regulatory Framework:

The property is subject to the following policy and regulatory framework:

- [2020 Provincial Policy Statement](#)
- [2011 Growth Plan for Northern Ontario](#)
- [Official Plan for the City of Greater Sudbury, 2006](#)
- [Zoning By-law 2010-100Z](#)

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

Provincial Policy Statement:

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters are consistent with the Provincial Policy Statement (PPS).

Several sections of the PPS are relevant to the application.

Policy 1.1.3.1 identifies that settlement areas are to be the focus of growth and their vitality and regeneration is to be promoted, and policy 1.1.3.2 requires densities which efficiently use land, resources and infrastructure and avoid the need for their unjustified and/or uneconomical expansion. Development in this manner is intended to minimize impacts to air quality and climate change and promote energy efficiency, while supporting the use of active transportation and public transit.

Section 1.4.1 requires municipalities to provide an appropriate range and mix of housing types and densities to meet the needs of current and future residents. Forms of housing which meet social, health and well-being needs are to be encouraged.

Growth Plan for Northern Ontario:

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters conform with the Growth Plan for Northern Ontario. Staff is satisfied that the application conforms to the Growth Plan.

Official Plan for the City of Greater Sudbury:

The subject property is designated as Living Area 1 in the City of Greater Sudbury Official Plan.

Section 2.3 of the Official Plan regarding reinforcement of the urban structure states that growth must continue to be directed to capitalize on existing investments, make the most efficient use of existing infrastructure and public service facilities, protect our rural and agricultural assets and preserve our natural features and areas. Reinforcing the urban structure also creates a more energy efficient land use pattern and supports climate change mitigation. Section 2.3.2 directs that settlement area land use patterns will be based on densities and land uses that make the most efficient use of land, resources, infrastructure and public service facilities, minimize negative impacts on air quality and climate change, promote energy efficiency and support public transit, active transportation and the efficient movement of goods.

Section 17 identifies a key housing goal is to maintain a balanced mix of ownership and rental housing, and to encourage a greater mix of housing types and tenure, including encouraging the production of smaller (one and two bedroom) units to accommodate the growing number of smaller households. The Official Plan is intended to provide direction as to how housing needs and issues can be addressed in concert with the CGS Housing and Homelessness Plan.

Zoning By-law 2010-100Z:

A zoning by-law amendment is requested to amend the “H40” – Holding Zone to permit an additional 19 units prior to construction of a public road connection to Maurice Street or Tuscany Trail. No changes to the underlying zones are being requested.

The development standards for the R3-1 zone require a maximum height of 11 m for a row dwelling. The minimum required front yard is 6.0 m, rear yard is 7.5 m and interior side yard is 1.8 m (two-storey) for a row dwelling. A minimum privacy yard depth of 7.5 m shall be provided abutting the full length of at least one exterior wall of each row dwelling unit. The maximum lot coverage is 40%. The general provisions of the zoning by-law require a minimum of 30% of the lot area to be maintained as landscaped open space. Parking provisions for the proposed row dwelling units require 1.5 spaces per unit.

Site Plan Control:

A Site Plan Control Application has been submitted for the proposed development.

Previous Application

The subject lands were part of previous Rezoning & Plan of Subdivision Applications [751-6/12-04 & 780-6/12002](#), were approved to enable the development of a total of 154 residential units consisting of 32 semi-detached dwellings and 122 row dwellings. At that time, staff recommended that a maximum of 55 dwelling units be permitted prior to a secondary access being constructed. Based on this condition, roads did not request a Traffic Impact Study.

Department/Agency Review:

The application has been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate zoning by-law standards. Comments have been addressed to the satisfaction of reviewing department and agencies.

Transit Services advises they have no comments on this application.

Building Services has no concerns with this application, and advises the applicant that they reserve further comment until the time of Site Plan Agreement, Building Permit Application and Plans Examination when additional detailed information is available.

Conservation Sudbury has no objection to the above listed rezoning. The subject parcel is located adjacent to identified wetlands associated with the Algonquin watershed. Conservation Sudbury is providing comments with regards to the development through the Site Plan Control Agreement process.

Strategic & Environmental Planning Initiatives advises that this application involves development that does not pose an elevated risk to species protected by the Endangered Species Act or to their habitat. The proposed development is anticipated to either have only minor negative effects on the overall natural environment or to have potential negative effects that are adequately mitigated as indicated on the relevant site plans and sketches. As such, specific environmental studies are not required beyond those that may have been requested previously. The owners are solely responsible for ensuring that vegetation removal, site alteration, and development undertaken on the subject lands do not result in a contravention of the provincial Endangered Species Act and the federal Migratory Birds Convention Act.

Infrastructure Capital Planning Services has no concerns with the proposed amendment to the holding zone to allow the additional units to be built prior to the construction of the future road connection.

Development Engineering has no concerns with the proposal provided the development proceeds through the Site Plan Control Agreement process, and advises that sewer and water capacity have been confirmed.

Planning Analysis:

Planning staff circulated the development application to internal departments and external agencies. The PPS (2020), the Growth Plan (2011), and Greater Sudbury Official Plan, and other relevant policies and supporting guidelines were reviewed in their entirety. The following section provides a planning analysis of the application in respect of the applicable policies, including issues raised through agency circulation.

The application would enable 20 row dwelling units to be added to the existing Billiard's Green development known municipally as 250 Billiard's Way, for a total of 64 row dwelling units. A total of 74 units would be permitted in the entire area affected by the H40 Holding Zone where 55 are currently permitted, since there are 10 existing privately-owned semi-detached dwellings located in this area. No changes to the underlying zones are being requested.

Staff acknowledges that the principle for development of these lands has previously been established through approval of site-specific rezoning application (CGS File 751-6/12-04). At that time, staff recommended that a maximum of 55 dwelling units be permitted prior to a secondary access being constructed to the west. Based on this condition, roads did not request a Traffic Impact Study. The roads to the west where the connection would have been provided (to Maurice Street or Tuscany Trail) remain undeveloped. Infrastructure Capital Planning Services has indicated they have no concerns with the proposed amendment to the holding zone to allow the additional units to be built prior to the construction of the future road connection. Staff recommend that the road connection is not required prior to the construction of the proposed additional units.

Development of additional row dwellings in this area continues to be consistent with and conform to the PPS and Official Plan policies that are established to direct development to fully serviced settlement areas, and to enable densities that make the most efficient use of land, resources, infrastructure and public service facilities, minimize negative impacts on air quality and climate change, promote energy efficiency and support public transit, active transportation and the efficient movement of goods. The Official Plan encourages all forms of intensification and approval of this application will help to achieve the City's 20% intensification target.

Additional row dwellings in this area also continues to align with PPS and the Official Plan policies that encourage municipalities to provide a range and mix of housing types and densities. The proposal represents an opportunity to provide additional rental units, and staff recommends that this proposal is consistent with and conforms to these policies. Further, this proposal supports the City's Municipal Housing Pledge to achieve the target of 3800 new homes constructed by 2031. The City's [Housing Supply and Demand Analysis](#) (N. Barry Lyon Consultants Ltd., 2023) identified the most significant housing gaps are observed in the rental market. There is an immediate need for 470 additional rental units to achieve a vacancy rate of 5%, and an average of 66 additional rental units per year for the next 30 years to meet anticipated demand. The City's [Populations Projections Report](#) (Hemson, 2023) forecasts that over the next 30 years, over 10% of all housing unit growth will be in the form of row housing. This is a significant shift; in the last 15 years row housing growth accounted for less than 5% of all new units.

Staff is not concerned with the availability of infrastructure, services, and amenities in this area, and staff continues to recommend the subject property is an appropriate location for the proposed development.

Further to comments from Development Engineering regarding the need for a site plan control agreement, an application for site plan control is required prior to development of the lands, and the review of the applicant's third submission is currently underway. The site plan cannot be approved until the related consent for lot addition is approved to consolidate the subject lands with the abutting lands known as Billiard's Green at 250 Billiards Way. Matters related to site design, such as stormwater management and site servicing, will be addressed through this process.

Conclusion:

The Planning Division undertook a circulation of the application to ensure that all technical and planning matters have been satisfactorily addressed.

The following are the principles of the proposed site specific zoning by-law:

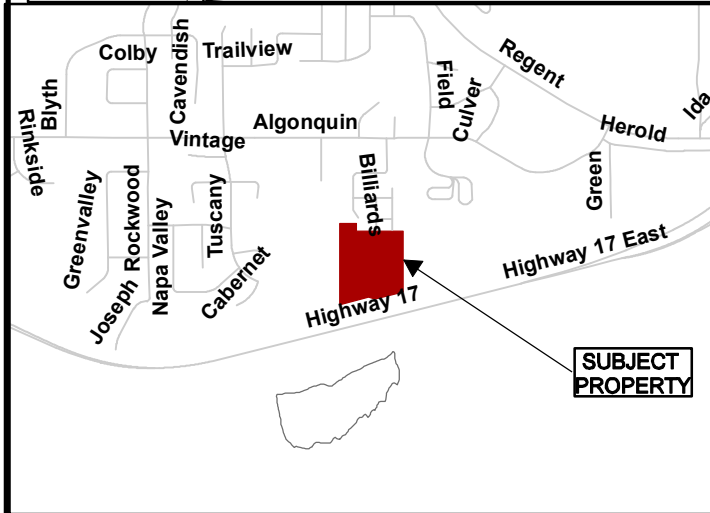
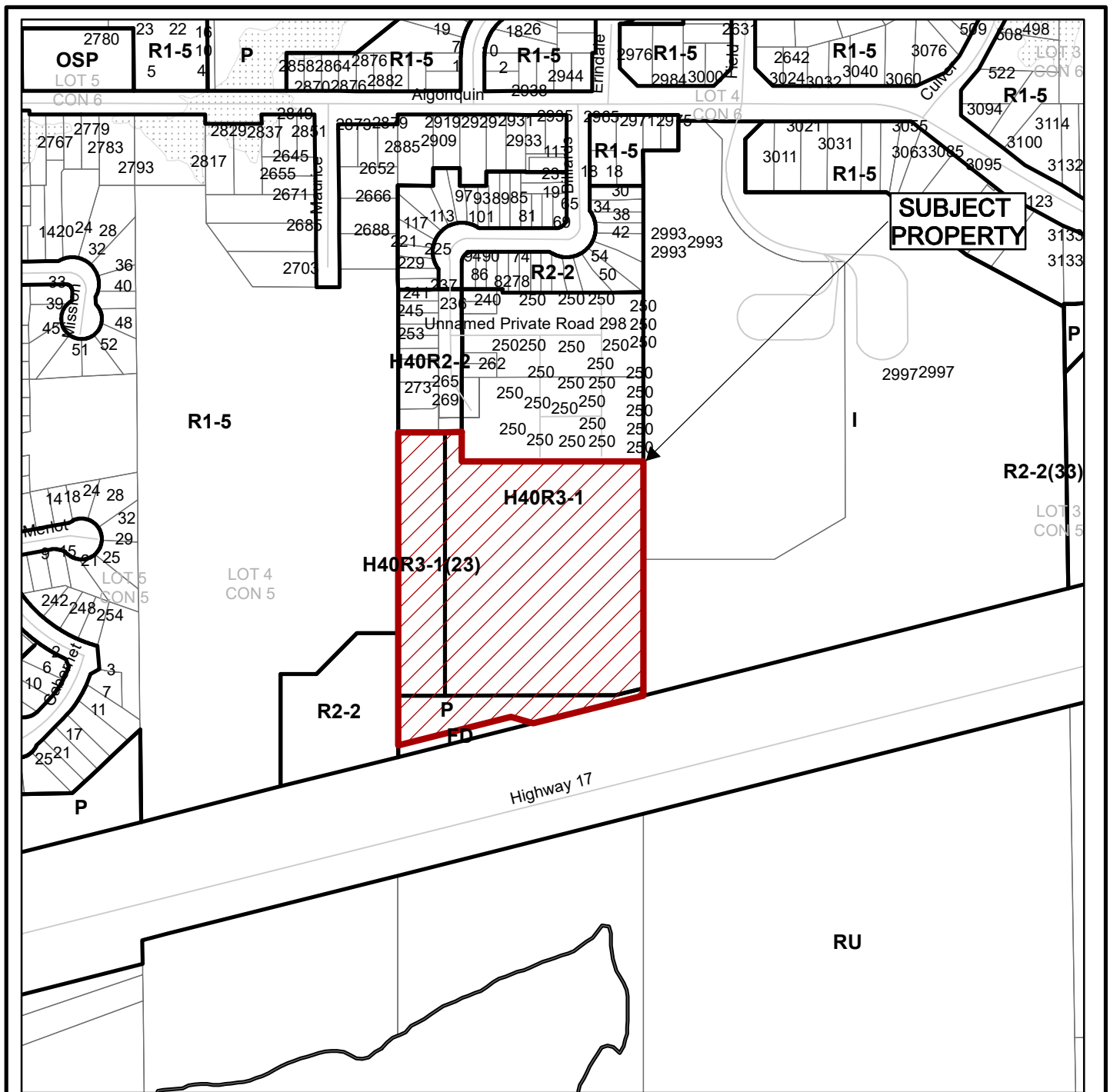
- To amend the "H40" – Holding Zone to permit an additional 19 units prior to construction of a public road connection to Maurice Street or Tuscany Trail


The development of the subject lands achieves a number of policy directives related to intensification and the provision of a range and mix of housing types. Staff has considered, amongst other matters, a full range of factors through a detailed review when forming the recommendation of approval for this application.

Staff is satisfied that the application is consistent with the PPS and conforms to the Growth Plan and the Official Plan. Staff is of the opinion that the proposed zoning by-law amendment is appropriate based on the following:

- The proposed street townhouse dwellings will contribute to the range and mix of housing available in the area.
- The site is suitable for the proposed development.
- Adequate parking, landscaping and amenity areas can be provided.
- The impact on local streets will be minimal.
- The sewer and water services are adequate for the site.

Staff recommends approval of the application as described in the Resolution section on the basis that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury, has regard for matters of provincial interest and represents good planning.

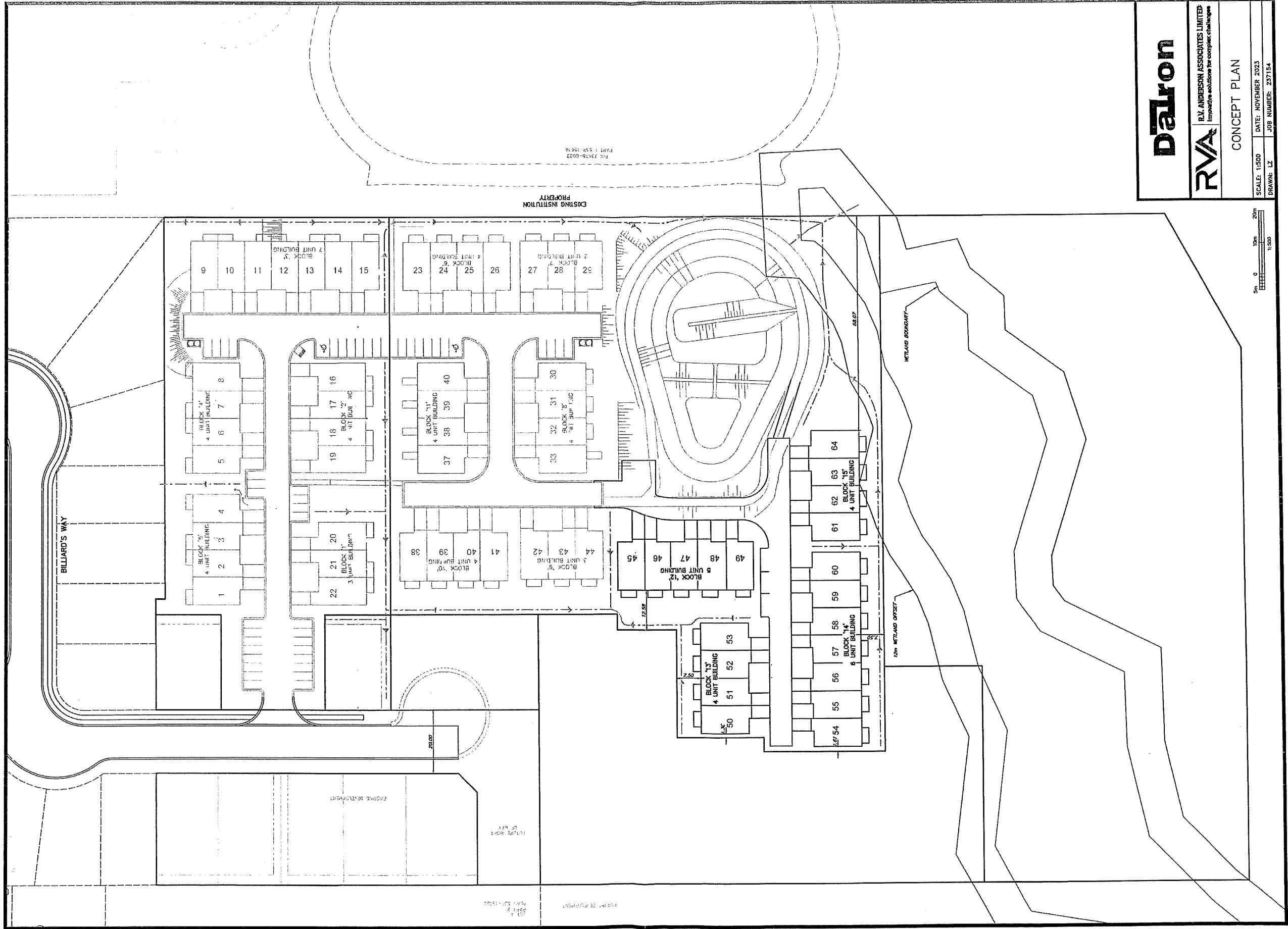




Growth and Infrastructure Department

Subject Property being PIN 73478-1214,
 53R-20418, Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12,
 Lot 4, Concession 5, 250 Billiard's Way, Sudbury,
 City of Greater Sudbury

NTS 751-6/23-18
 Sketch 1 Date: 2023 11 20



EXISTING INSTITUTION

BILLIARD'S WAY

WETLAND BOUNDARY

12m WETLAND OFFSET

Dalton

RVA R.V. ANDERSON ASSOCIATES LIMITED
 Innovative solutions for complex challenges

CONCEPT PLAN

SCALE: 1:500 DATE: NOVEMBER 2023
 DRAWN: LZ JOB NUMBER: 237154

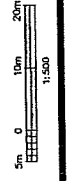




Photo 1. Subject lands, south of 250 Billiard's Way, facing south, with the stormwater pond on the left and Highway 17 in the distance. Photo taken January 22 , 2024. CGS File 751-6/23-18.



Photo 2. Subject lands, south of 250 Billiard's Way, facing south, showing unit #45 and #44 in the foreground (labelled as #44 and #43 on the concept plan). Photo taken January 22 , 2024. CGS File 751-6/23-18.



Photo 3. Subject lands, south of 250 Billiard's Way, facing south, showing unit #36 in the foreground (labelled as #33 on the concept plan). Photo taken January 22 , 2024. CGS File 751-6/23-18.



Photo 2. Subject lands, south of 250 Billiard's Way, facing southeast, showing the rear of unit #45 and #44 in the foreground (labelled as #44 and 43 on the concept plan). Photo taken January 22 , 2024. CGS File 751-6/23-18.

Brittany Olivier

RECEIVED

From: [REDACTED]
Sent: Monday, December 25, 2023 11:14 AM
To: Alex Singbush
Subject: Files:# 751-6/23-18

JAN 03 2024

PLANNING SERVICES

You don't often get email from [REDACTED] [Learn why this is important](#)

Good morning

I would like to know where the access to these additional dwelling units will be provided "prior to construction of a public road connection to Maurice Street or Tuscany Trail".
Will it be by an extension of Billiards Way past the residences numbered 273 and 269 ?

Thank you.

Robert South

250 Billiards Way Unit 10
Sudbury ON
Canada P3E 0E9
[REDACTED]

Silver Hills Subdivision, Sudbury Extension of Draft Plan Approval

Presented To:	Planning Committee
Meeting Date:	February 26, 2024
Type:	Routine Management Reports
Prepared by:	Bailey Chabot Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	780-6/11004

Report Summary

This report provides a recommendation regarding an application for an extension to the draft plan of subdivision approval for the subject lands (File #780-6/11004) for a period of three years until March 27, 2027.

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 PIN 73580-0576, Lot 1, Concession 4, Township of McKim, as outlined in the report entitled “Silver Hills Subdivision, Sudbury Extension of Draft Plan Approval”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on February 26, 2024 as follows:

1. Amending Condition 9 to:
 - “That this draft approval shall lapse on March 27, 2027”.
2. Deleting Condition 22 and replacing it with:
 - “A stormwater 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 underground storm sewer system within future Silver Hills Drive right-of-way, 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;

- 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) A hierarchical approach to stormwater management must be followed as described by the Ministry of the Environment, Conservation and Parks and as amended by City of Greater Sudbury most recent Stormwater Management Guide and Engineering Design Standards;
- e) "Enhanced" level must be used for the design of stormwater quality controls as defined by the Ministry of the Environment, Conservation and Parks;
- f) Stormwater management must further follow the recommendations of the Ramsey Lake Subwatershed Study;
- g) The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any stormwater management plan;
- h) 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;
- i) Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties; and,

Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted. The owner shall be responsible for the design and construction of any required stormwater 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 stormwater management works as a condition of this development."

Relationship to the Strategic Plan, Health Impact Assessment and Community Energy & Emissions Plan (CEEP)

The application to extend this draft plan of subdivision approval is an operational matter under the Planning Act to which the City is responding. The application contributes to the 2019-2027 City of Greater Sudbury Strategic Plan goals related to housing by adding to the housing available in this area. The application aligns with the Community Energy and Emissions Plan (CEEP) by supporting the strategy of compact, complete communities.

Financial Implications

If approved, staff are unable to estimate taxation revenue as type of dwelling units and/or type of developments are not available at this time.

Any additional taxation revenue will only occur in the supplemental tax year. Any taxation revenue generated from new development is part of the supplemental taxation in its first year. Therefore, the City does not receive additional taxation revenue in future years from new development, as the tax levy amount to be collected as determined from the budget process, is spread out over all properties within the City.

The amount of development charges will be based on final review of the property by the Building Services department, as well as eligibility of reductions through Bill 23.

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).

Report Overview:

The owner has requested an extension to the draft plan of subdivision approval for the subject lands (File 780-6/11-004) in the community of Sudbury for a period of three years until March 27, 2027. 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.

Staff Report

Applicant:

1232252 ONTARIO INC

Location:

PIN 73580-0576, Lot 1, Concession 4, Township of McKim

Application:

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on June 25, 2012. The draft approval was most recently extended by Council on March 27, 2021, and is set to expire again on March 27, 2024.

Proposal:

The owner is requesting that the draft approval for the above noted lands be extended for a period of three years March 27, 2027.

Background:

The City received a request from ARGDevco, the parent company of 1232252 ONTARIO INC on November 5, 2023 to extend draft approval on a plan of subdivision for a period of three years on those lands described as PIN 73580-0576, Lot 1, Concession 4, Township of McKim.

The plan of subdivision was draft approved initially on June 25, 2012. None of the lots had been registered at the time of writing this report. The most recent set of draft plan conditions are attached to this report, which are scheduled to expire on March 27, 2024.

The lands are to be accessed via the extension of Silver Hills Drive to Barry Street. The lands within the plan of subdivision are designated Mixed Use Commercial (the northeastern portion) and Living Area 1 (balance of the lands) in the Official Plan. The lands are currently zoned:

- 'R1-5', Low Density Residential One;
- 'R2-2', Low Density Residential Two;
- 'R3-1.D59', Medium Density Residential (maximum density of 59 units per hectare); and,
- 'C2(117)', General Commercial with Special Provisions.

With the expiration date approaching, the landowner has made a request to extend the conditions of draft plan approval an additional three years. Following the owner's request, staff has circulated the request to relevant agencies and departments and is now bringing forward this report to extend the draft approval to March 27, 2027.

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.

Departmental & Agency Circulation:

Building Services, Conservation Sudbury, Development Engineering, Strategic & Environmental Planning Initiatives, Transportation and Innovation Support, and Transit Services have each advised that they have no concerns from their respective areas of interest.

Infrastructure Capital Planning Services (Drainage Section) have requested updates to the conditions as described below.

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 landowner has advised that the extension is needed to facilitate the finalization of cost sharing agreements associated with the proposed development. The additional three years is intended to allow the developer to complete the required cost-sharing agreements, construct a portion of Silver Hills Drive, and register a phase of development.

Staff is satisfied that the owner is making reasonable efforts towards developing the subdivision.

Draft Approval Conditions

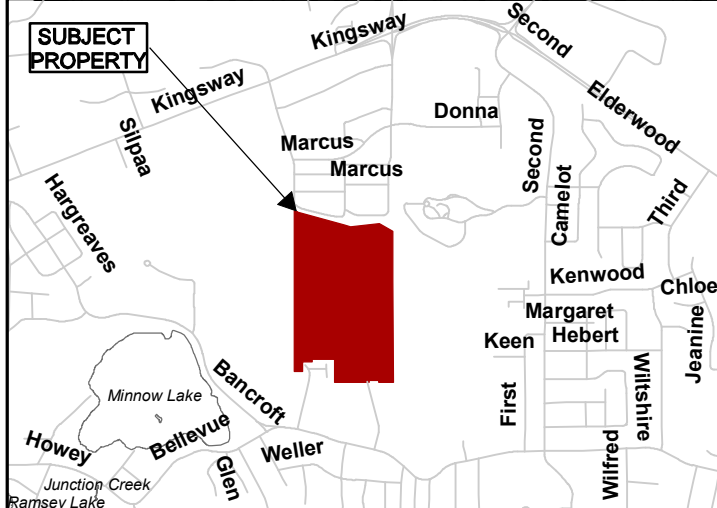
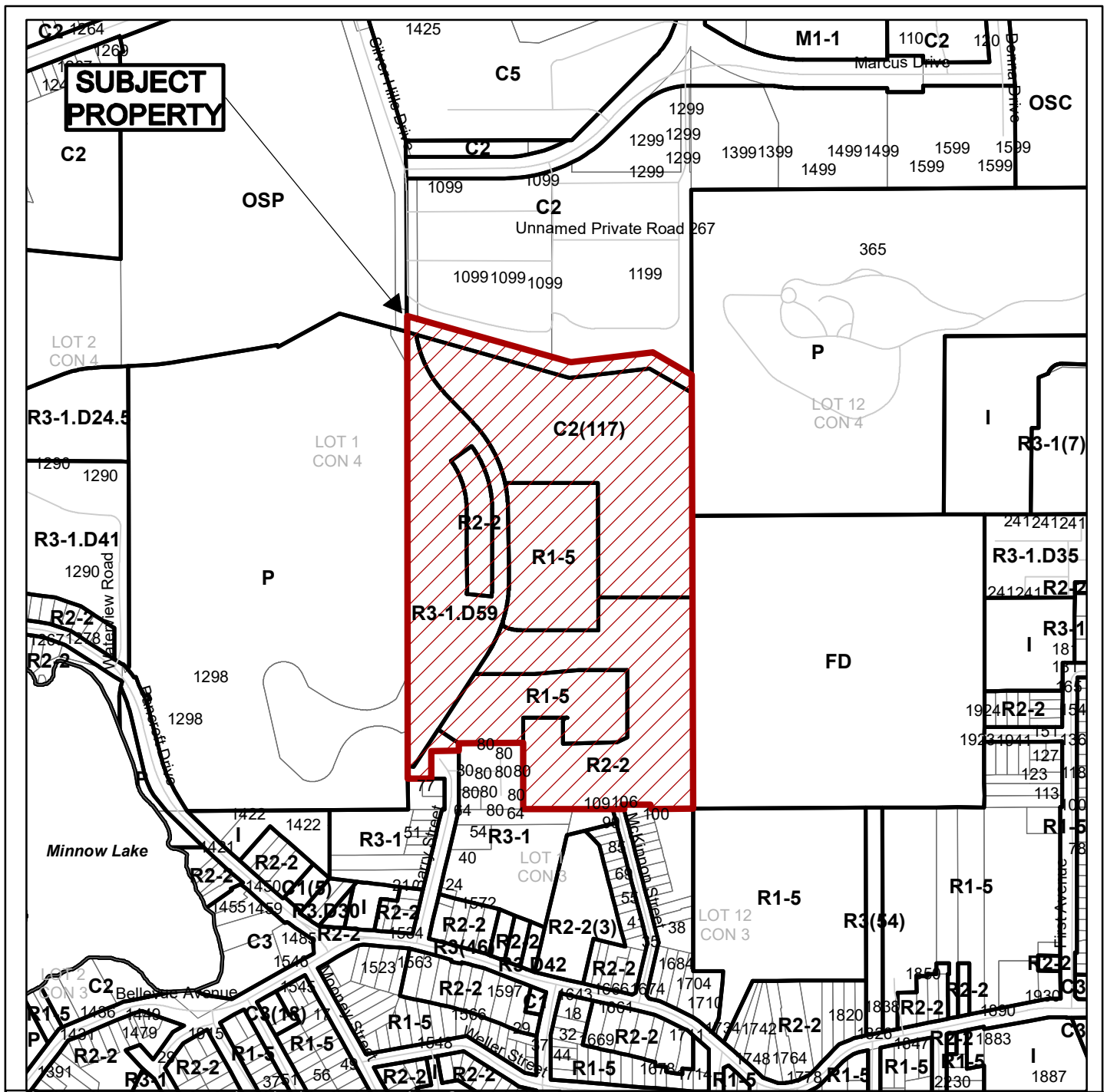
Condition 9 should be amended to reflect the new lapse date of March 27, 2027.

Infrastructure and Capital Planning Services, Drainage Section has requested that Condition 22 be deleted and replace, with the recommended condition of approval to reference updated stormwater management practices and standards.


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. 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 subject lands for a period of three years until March 27, 2027, be approved as outlined in the Resolution section of this report.



**Growth and Infrastructure
Department**

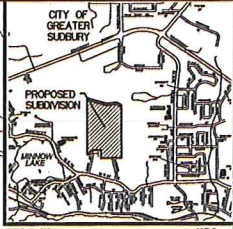
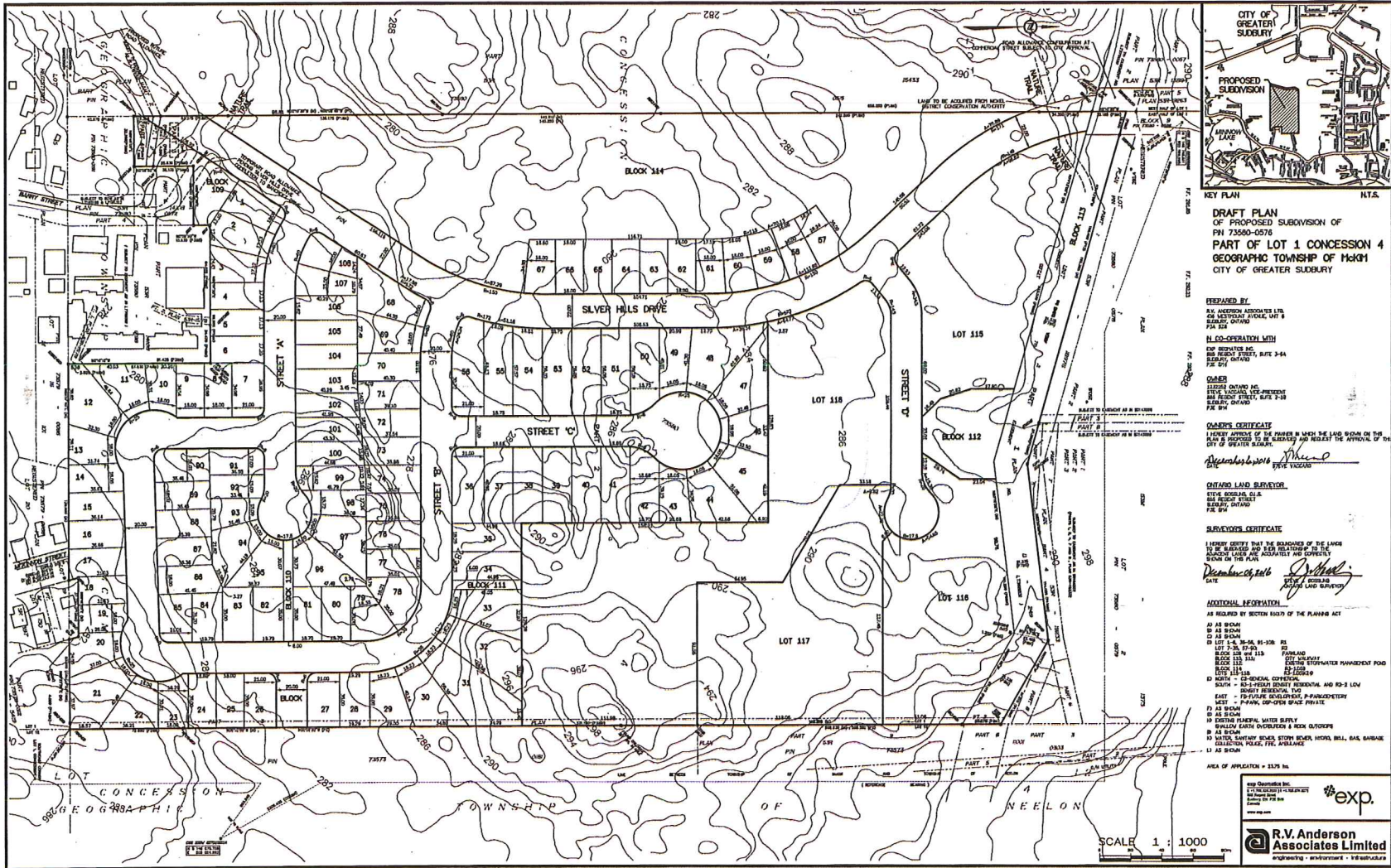
N


Subject Property being PIN 73580-0576,
 Lot 1, Concession 4,
 Township of McKim, Sudbury,
 City of Greater Sudbury

NTS
 Sketch 1

780-6/11004
 Date: 2021 02 16

PROPOSED AMENDED DRAFT
APPROVED PLAN OF SUBDIVISION



DRAFT PLAN
OF PROPOSED SUBDIVISION OF
P/N 73580-0576
PART OF LOT 1 CONCESSION 4
GEOGRAPHIC TOWNSHIP OF McHM
CITY OF GREATER SUDBURY

PREPARED BY
R.V. ANDERSON ASSOCIATES LTD.
1800 FERRIS STREET, SUITE 344
SUDBURY, ONTARIO
P3A 5E4
IN CO-OPERATION WITH
DWP REGULATORY INC.
1800 FERRIS STREET, SUITE 344
SUDBURY, ONTARIO
P3A 5E4

OWNER'S CERTIFICATE
I HEREBY CERTIFY THAT THE PLAN IS IN ACCORD WITH THE LAND SHOWN ON THE
DRAFT AS PREPARED BY ME AND I AGREE TO BE BOUND BY THE APPROVAL OF THE
CITY ENGINEER.
December 16, 2016
DATE

ONTARIO LAND SURVEYOR
STEPH BODIN, O.L.S.
1800 FERRIS STREET
SUDBURY, ONTARIO
P3A 5E4

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LOTS
TO BE RELEASED AND THE RELATIONSHIP TO THE
BLOCK LINES ARE ACCURATE AND CORRECTLY
SHOWN ON THE PLAN.
December 16, 2016
DATE

ADDITIONAL INFORMATION
AS REQUIRED BY SECTION 63(7) OF THE PLANNING ACT
A) AS SHOWN
B) AS SHOWN
C) AS SHOWN
D) LOT 1 & 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

AREA OF APPLICATION = 23.75 ha

exp.

R.V. Anderson Associates Limited
ENGINEERING ARCHITECTURE INTERIOR DESIGN

SCALE 1 : 1000

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 73580-0576, Lot 1, Concession 4, Township of McKim, as shown on a plan of subdivision prepared by R.V. Anderson Associates Ltd. and dated December 6, 2016 and redlined as follows:
 - a. That the location of Block 111 be finalized in a location and configuration to the satisfaction of the Directors of Leisure and Planning Services;
 - b. That Lot 118 be revised to include a separate park block in a location and configuration that is to the satisfaction of Directors of Leisure and Planning Services; and,
 - c. That Block 113 be revised to include the portion of the walking trail which is currently shown on Lot 115 to the satisfaction of the Directors of Leisure and Planning Services; and,
 - d. That Block 114 be revised to include a separate block for storm water management purposes and for the portion of the walking trail which is currently shown at the south end of Block 114 to the satisfaction of the Directors of Leisure and Planning Services.
 - e. That the plan be revised to include a pedestrian walkway block to be transferred to the City, extending from "Street C" to Lot 118 in a location and configuration to the satisfaction of the Director of Planning Services.
2. 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.
3. 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.
4. That the subdivision agreement be registered by the Municipality against the land to which it applies, prior to any encumbrances.

5. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
6. That the owner/developer 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.
7. That the subdivision agreement contain provisions whereby the owner/developer agrees that all the requirements of the subdivision agreement including installation of required services be completed within 3 years after registration.
8. 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.
9. That this draft approval shall lapse on March 27, 2024.
10. 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.
11. That the applicant finalize the Traffic Impact Study and agree to undertake any improvements on upgrading to the road network identified in the study to the satisfaction of the General Manager of Growth and Infrastructure.
12. That Silver Hills Drive be constructed to a collector standard with an asphalt surface width of 11 metres and sidewalks along both sides.
13. That 3.0 metres of Silver Hills Drive right-of-way will be set aside for appropriate paved bicycling infrastructure.
14. That the owner prepare a functional design for a modern roundabout at the intersection of Bancroft Drive and Bellevue Avenue/Silver Hills Drive, and agrees to participate in the cost of its construction and the construction of Silver Hills Drive from the limits of the subdivision plan south of Bancroft Drive/Bellevue Avenue in accordance with the City's cost sharing policy.

The functional design shall consider the existing cycling infrastructure present on Bancroft Drive and Bellevue Avenue, and the planning cycling infrastructure on Silver Hills Drive, and safe ingress/egress and travel for cyclists through the roundabout. If a roundabout is not feasible, then a conventional signalized intersection with appropriate turn lanes will be required to the satisfaction of the General Manager of Growth and Infrastructure.

15. That a maximum of 30 single or semi-detached dwelling units or 40 multiple dwellings be permitted to use Barry Street as a temporary road connection.
16. A phasing plan shall be submitted to the City which shall address but not be limited to the phasing of servicing and road connections to the existing road network to the satisfaction of the General Manager of Growth and Infrastructure.
17. That Silver Hills Drive be constructed with traffic calming measures in accordance with the City's traffic calming policy to the satisfaction of the General Manager of Growth and Infrastructure.
18. The owner agrees to provide a 23 metre-wide right-of-way for Silver Hills Drive.
19. 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 within the proposed development. Also, the report should include design information and recommend construction procedures for any proposed 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. 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. 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, show that basements of new homes will not require extensive foundation drainage pumping. 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 shall be registered on title, if required, to the satisfaction of the Chief Building Official and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement.

20. All streets will be constructed to an urban standard, including the required curbs, gutters and sidewalks.
21. 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. A lot grading agreement shall be registered on title, if required, 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 the agreement.
22. 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 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 Development Approvals Section prior to commencing the stormwater management report.
23. 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.
24. The owner shall develop a sediment and erosion control plan for the subdivision construction period to the satisfaction of the Director of Planning Services and the Nickel District Conservation Authority.
25. Any streetlights required for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.

26. 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.
27. 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, Canada Post, Vianet and Eastlink (where applicable). This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.
28. 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.
29. 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.
30. During the subdivision approval process, based on anticipated quantities of removal of rock through blasting, the following conditions will be imposed:
 - a. The developer will be required to provide a geotechnical report on 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 (5) years experience related to blasting.
 - b. The 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 the 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 specific project.

- c. The geotechnical report will provide recommendations and specifications on the following activity as a minimum but not limited to:
 - Pre-blast survey of surface structures and infrastructure within affected area
 - Trial blast activities
 - Procedures during blasting
 - Procedures for addressing blasting damage complaints
 - Blast notification mechanism to adjoining residences
 - Structural stability of exposed rock faces.
 - d. The above 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.
 - e. Should the developer's schedule require to commence blasting and rock removal prior to the subdivision 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.
31. Deleted.
32. Deleted.
33. Deleted.
34. Deleted.
35. a. The owner/applicant shall at their expense inform all prospective purchasers, through a clause in all agreements of purchase and sale, as to those lots identified for a potential Community Mailbox and shall indicate the proposed Community Mailbox locations.
- b. The owner/applicant shall provide curb depressions at the Community Mailbox locations. These are to be 2 metres in width and no higher than 25 millimeters.
- c. The Lock Box Assembly is to be supplied and installed at the owner/applicants expense. The centralized mail facility is to be installed at Canada Post standards.
36. Deleted.

37. Deleted.
38. That the owner/developer agrees to develop and construct improvements to Blueberry Hill Park to the satisfaction of the Nickel District Conservation Authority and the Director of Leisure Services. The works to be completed include but are not limited to the provision of fixed seating at the existing lookout, repair of existing trail with wood chips and additional plantings of site-appropriate, native plant species, and the development of 3 metre-wide crushed stone bicycle/pedestrian paths where required from the new collector road to the Carmichael Arena.
39. That the owner/developer agrees to convey two lots on the south side of Street A to the City and develop said lands for parks purposes in accordance with Section 51.1 of the Planning Act.
40. That the owner/developer transfer Block 113 and a portion of Blocks 112 and 114 for the trail to the City for parks purposes in accordance with Section 51.1 of the Planning Act.
41. That the owner/developer agrees to develop a 3 metre-wide crushed stone bicycle/pedestrian paths from the new collector road on Block 113.
42. That the owner/developer transfer Block 109 to the City as a park block.
43. That the owner/developer agrees to identify and transfer a block of land for park purposes as shown in the final approved Leisure Development Concept in part of Block 112 to the satisfaction of the Director of Leisure Services.
44. That the street(s) shall be named to the satisfaction of the Municipality.
45. 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.

46. 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.
47. 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.
48. The owner shall submit a stormwater management report to the satisfaction of Conservation Sudbury (Nickel District Conservation Authority).

Failed Tax Sale Properties - Vesting

Presented To: Planning Committee

Meeting Date: February 26, 2024

Type: Routine Management Reports

Prepared by: Malinda Lische-Horner
Real Estate

Recommended by: General Manager of
Corporate Services

File Number: N/A

Report Summary

This report provides a recommendation to vest two vacant properties.

Resolution

THAT the City of Greater Sudbury authorizes the vesting of a vacant property at 410 Municipal Road 10, Whitefish, legally described as PIN 73396-0186(LT), part of Lot 2, Concession 6, part 1 on plan SR3017, Township of Louise; and vacant property on Morgan Road, Chelmsford, legally described as PIN 73343-0043(LT), part of Lot 6, Concession 1, Township of Morgan;

AND THAT a by-law be prepared authorizing the vesting, in accordance with the *Municipal Act, 2001*, as outlined in the report entitled “Failed Tax Sale Properties - Vesting”, from the General Manager of Corporate Services, presented to the Planning Committee meeting on February 26, 2024.

Relationship to the Strategic Plan, Health Impact Assessment and Community Energy & Emissions Plan (CEEP)

As part of the Strategic Plan a goal is to focus on fiscal sustainability and long-term financial planning. Failed Tax Sale properties are vested in the name of the municipality and through the circulation process may be declared surplus and sold.

Financial Implications

The total cost associated with vesting the properties is approximately \$260, which includes the title search expenses and registration cost of the Notices of Vesting.

Background

Sale of Land by Public Tender

A Sale of Land by Public Tender, also referred to as a “Tax Sale”, is governed by the *Municipal Act, 2001*,

(the “Act”) and Ontario Regulation 181/03 (the “Municipal Tax Sale Rules”). By following the process set out in the legislation, the municipality has an opportunity to recover tax arrears by selling the land which is in arrears.

The municipality registers a tax arrears certificate on title to a property which is in tax arrears for at least two years. This certificate indicates the property will be sold if the cancellation price is not paid within one year of the certificate registration date. The cancellation price comprises of all outstanding taxes, interest, penalties, and costs incurred by the municipality after the Treasurer becomes entitled to register a tax arrears certificate.

The municipality will advertise a property for sale, due to non-payment of taxes, if the cancellation price is not paid within the one-year registration date of the certificate or a tax extension agreement has not been executed by the property owner.

Right to Vest - General

Where a property remains unsold after a Tax Sale, the Act provides that a municipality has two years within which it may exercise its right to vest (i.e., take title to) the unsold property. This allows the municipality an opportunity to offer the property for sale a second time and/or investigate whether it wishes to vest title to a failed tax sale property. Where a municipality chooses not to vest a property, it does have the right to recommence the tax sale process by registering a new tax arrears certificate. Additionally, the Act provides that prior to sale or vesting, the Treasurer has a right to cancel the proceedings if it is in the municipality’s interest to do so.

After a failed tax sale, staff engage in a review of available records for indicators which may affect Council’s decision to vest a property. For instance, indicators of potential hazards, such as environmental contamination or abandoned and deteriorating buildings on the site may be relevant factors.

Tax Sale – April 4, 2022

On April 4, 2022, the City of Greater Sudbury conducted a Tax Sale under the authority of the Act. A total of thirty-three properties were advertised for sale. The outcome of the sale is noted below:

- Twelve properties were sold;
- Fourteen properties were cancelled from the tender process as they were either paid in full or cancelled by the City;
- Five properties did not receive any tenders. In the spring of 2023, four of these properties were vested with the City, leaving one property to be considered for vesting; and
- Two properties were forfeited as the tenderers did not proceed with the transfer. One of the properties was readvertised for sale in the November 1, 2022, Tax Sale and sold, leaving one property to be considered for vesting.

The remaining two properties, identified below, were reviewed by staff and are considered suitable to vest for municipal purposes.

1. TS #19-36 – 410 Municipal Road 10, Whitefish (Vacant Land)

The subject property is irregular in shape, measures approximately 2,833 square metres in size and is zoned Rural (RU). The location of the subject land is identified on the attached Schedule ‘A’.

Staff recommends that this property be vested and subsequently circulated to determine if the property could be declared surplus and sold.

2. TS #19-212 – Morgan Road, Chelmsford (Vacant Land)

The subject property is irregular in shape and measures approximately 2,599 square metres in size. The property is zoned 'EP', Environmental Protection and falls within the Vermilion River Provincially Significant Wetland. The Green Space Advisory Panel report identified the subject property (together with a vast area of wetland) as having green space potential and classified the land as Ecological Reserve. The location of the property is identified on the attached Schedule 'B'.

Staff recommends that this property be vested and retained for municipal purposes.

The deadline to vest is April 4, 2024.

Resources Cited

Municipal Act, 2001, [Municipal Act, 2001, S.O. 2001, c. 25 \(ontario.ca\)](#)

Ontario Regulation 181/03: Municipal Tax Sales Rules, [O. Reg. 181/03: MUNICIPAL TAX SALES RULES \(ontario.ca\)](#)

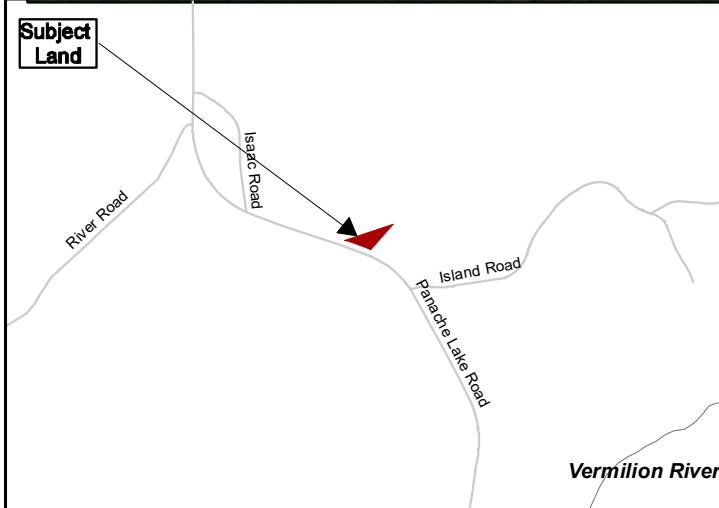
Sale of Land by Public Tender – April 4, 2022

<https://www.greatersudbury.ca/city-hall/tax-services/sale-of-land-by-public-tender/pdf-documents/results-for-sale-of-land-by-public-tender-april-4-2022/>

Final Report of the Green Space Advisory Panel, 2010, page 108, Number Location 3-64

<https://pub-greatersudbury.escribemeetings.com/filestream.ashx?documentid=25248>

SCHEDULE 'A'



**410 Regional Road 10,
Whitefish**

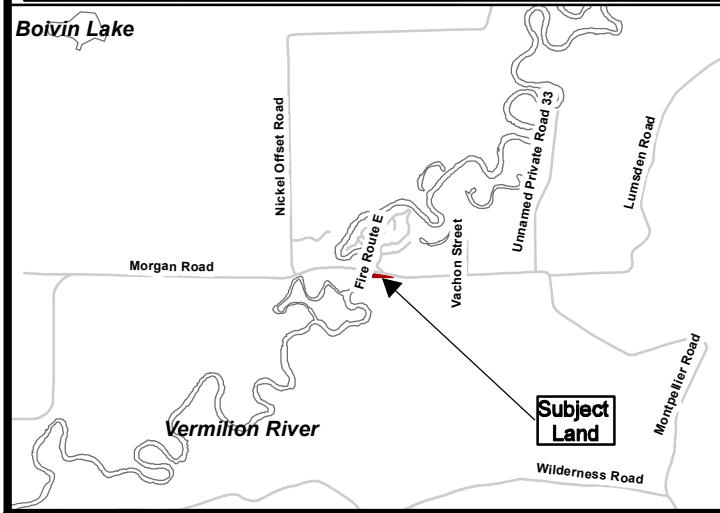
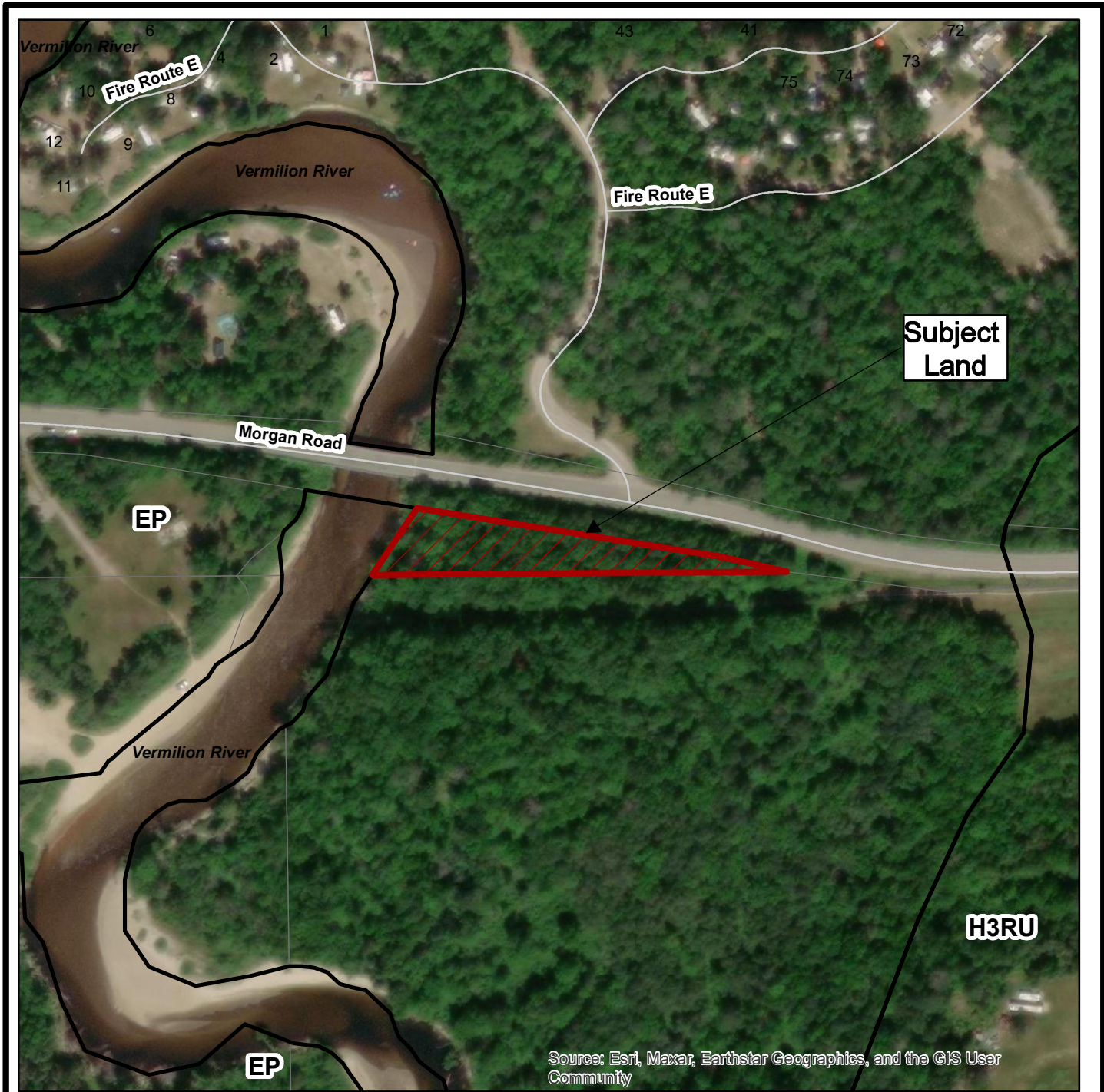


PIN 73396-0186,
Parcel 21055, RP SR3017 Part 1,
Concession 6, Lot 2, Louise Township
City of Greater Sudbury

NTS

Date: 2024-02-06

SCHEDULE 'B'



0 Morgan Road, Chelmsford



PIN 73343-0043,
Parcel 21591, Part 2, Plan SR-3275,
Concession 1, Lot 6, Township of Morgan,
City of Greater Sudbury

NTS

Date: 2024 01 25

Street Renaming – Sanitary Landfill Road to Northern Road

Presented To:	Planning Committee
Meeting Date:	February 26, 2024
Type:	Routine Management Reports
Prepared by:	Robert Webb Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	N/A

Report Summary

This report provides a recommendation regarding a request to rename Sanitary Landfill Road to Northern Road as a result of two new residences being built on rural lots severed from 500 Gravel Drive with their frontage being on Sanitary Landfill Road.

Resolution

THAT the City of Greater Sudbury approves the request to rename Sanitary Landfill Road as shown on Plan 53R-21052 to Northern Road as outlined in the report entitled “Street Renaming – Sanitary Landfill Road to Northern Road”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on February 26, 2024.

Relationship to the Strategic Plan, Health Impact Assessment and Community Energy & Emissions Plan (CEEP)

The request to change the name of Sanitary Landfill Road is an operational matter under By-law 2006-266, the City's Street Naming and Numbering Policy, to which the City is responding.

Financial Implications

There are no financial implications associated with this report.

Report Overview:

This report reviews a request by the new residents on Sanitary Landfill Road to change the name of Sanitary Landfill Road to Northern Road to better reflect the new mixed nature of the road. The new residential properties were created as severances from their parent parcel on 500 Gravel Drive, with frontage on Sanitary Landfill Road. The Planning Services Division is recommending that the application be approved as outlined and noted in the Resolution section of this report.

Staff Report

Plan 53R-21052 was registered on September 4, 2018 show two residential properties to be severed from their parent parcel, shown as Part 1 and Part 2. A widening to Sanitary Landfill Road is shown as Part 3. The City was approached by an individual representing the homeowners of the new lots on Sanitary Landfill Road enquiring about changing the name to something more suitable. After discussions with this homeowner and the City's Environmental Services Department that operates a landfill and waste diversion site on this road, it was agreed that changing the name for this road would be acceptable. Planning Services staff, with input from the representative of the homeowners and the City's Environmental Services Department, have identified that it would be appropriate to change the name of Sanitary Landfill Road to Northern Road.

The Street Naming and Numbering Policy which constitutes Schedule A to By-law 2006-266 includes as part of the street naming criteria that duplicate names with the same parent name but different designation should be avoided (i.e. Smith Street, Smith Road). In this regard, it is noted that there are no other forms of Northern Road within the City of Greater Sudbury.

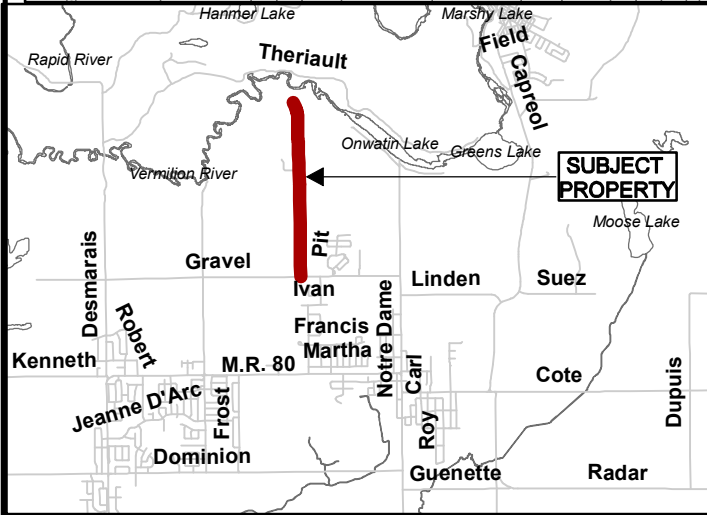
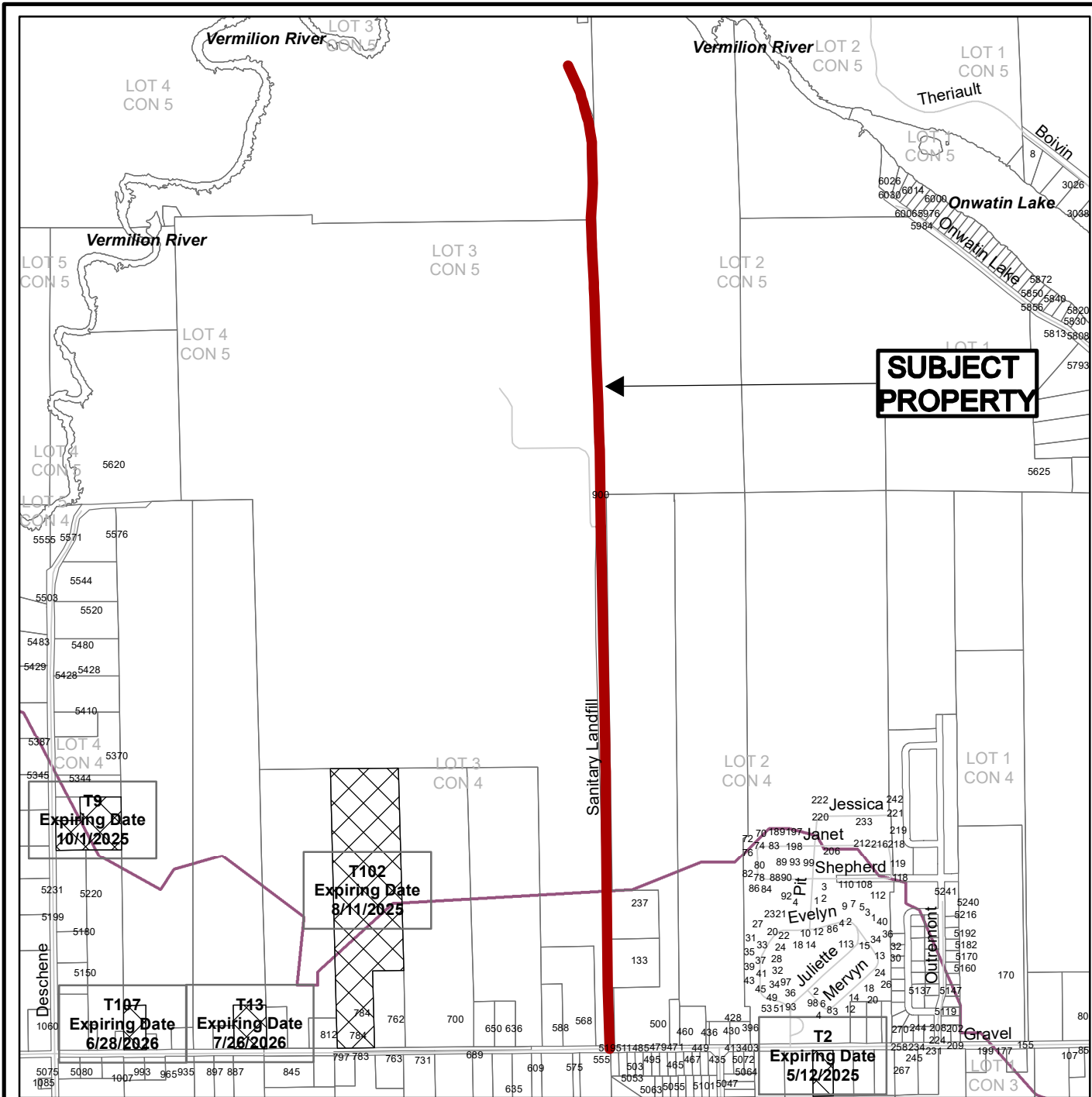
There are three addresses assigned to Sanitary Landfill Road and all three have been involved in the process of renaming this road and do not oppose this change. All parties fully understand that once a by-law is enacted to change the street name, they must change all of their applicable documents to reflect this change.

Notice was given to Emergency Services and Greater Sudbury Police Services with no negative response to the proposed change.

In conclusion it is recommended that the City pass the necessary By-law to rename Sanitary Landfill Rad to Northern Road.

Conclusion:

Staff recommends approval of the request as described in the Resolution section on the basis that it is consistent with the Street Naming and Numbering Policy, all parties agree with the proposed name, and it allows the residents the modification to the street name they were seeking.



Growth and Infrastructure Department

Subject Property being
 Lot 2, Concession 5, Township of Hanmer,
 Sanitary Landfill Road, Hanmer,
 City of Greater Sudbury

NTS
 Sketch 1

Date: 2024 01 22

RECEIVED AND DEPOSITED.
 DATE: September 12, 2018
 "Therese Labonte-Larocque"
 REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES
 DIVISION OF SUDBURY, ONTARIO (No. 53)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE
 LAND TITLES ACT.
 DATE: SEP. 04 2018 D.S. DORLAND, O.L.S.

PART	LOT	CONCESSION	PIN	AREA ±
1				2.02 ha
2				2.02 ha
3	PART OF LOT 2	4	PART OF PIN 73506-0125	6854 Sq.m.
4				2034 Sq.m.

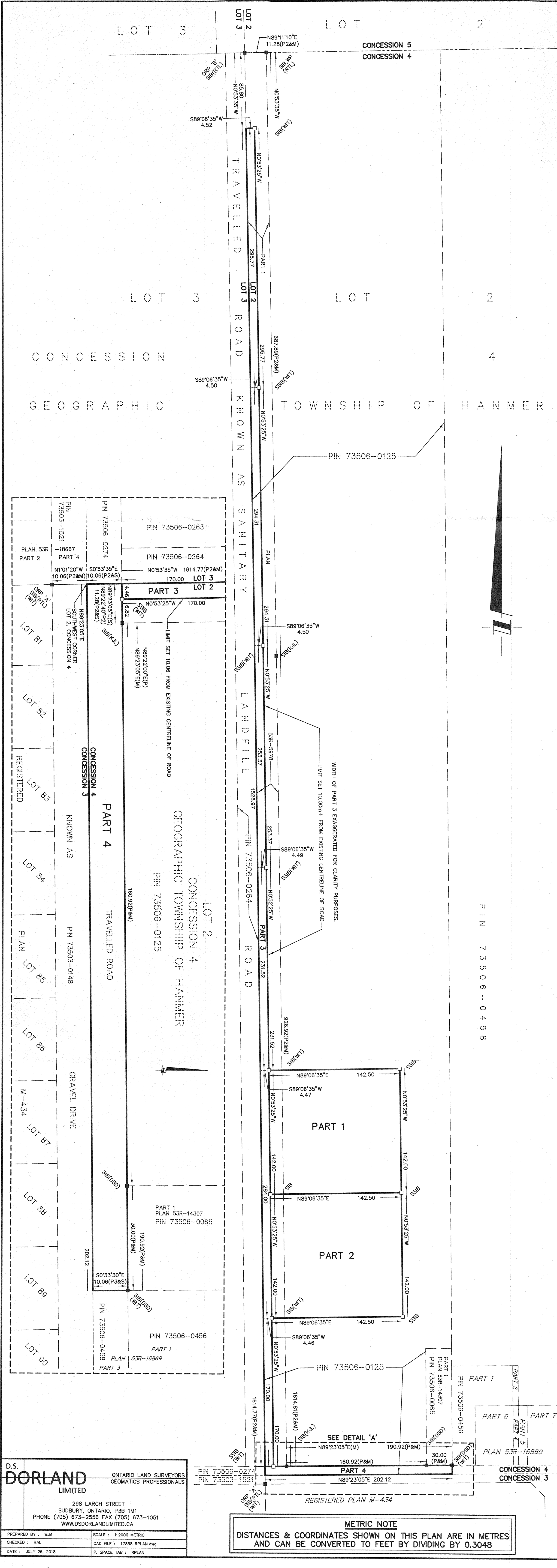
PLAN OF SURVEY OF
**PART OF LOT 2
 CONCESSION 4**
 GEOGRAPHIC
 TOWNSHIP OF HANMER
 CITY OF GREATER SUDBURY
 DISTRICT OF SUDBURY

SCALE 1:2000
 0 50 100 150 METRES

D.S. DORLAND LIMITED
 ONTARIO LAND SURVEYORS

LEGEND

△	DENOTES NOT TO SCALE
□	DENOTES MONUMENT FOUND
□	DENOTES MONUMENT PLANTED
SB	DENOTES STANDARD IRON BAR
SSIB	DENOTES SHORT STANDARD IRON BAR
IB	DENOTES IRON BAR
RB	DENOTES ROCK BAR
RPL	DENOTES ROCK PLUG
DISTD	DENOTES DISTURBED MONUMENT
WIT	DENOTES WITNESS MONUMENT
OU	DENOTES ORIGIN UNKNOWN
PIN	DENOTES PROPERTY IDENTIFICATION NUMBER
LT	DENOTES LAND TITLES
M	DENOTES MEASURED
R	DENOTES REGISTERED
S	DENOTES SET
P	DENOTES PLAN 53R-14307
P2	DENOTES PLAN 53R-5978
P3	DENOTES PLAN 53R-16869
DSD	DENOTES D.S. DORLAND LIMITED, O.L.S.
KJL	DENOTES K.J. LAUNEN, O.L.S.
RTL	DENOTES R.T. LANE, O.L.S.
WP	DENOTES WOOD POST



NOTE
 ALL BEARINGS SHOWN HEREON ARE UTM GRID DERIVED FROM REAL TIME NETWORK OBSERVATIONS, REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE), NAD 83 (CSRS) (VER. 4/2002). REAL TIME NETWORK OBSERVATIONS HAVE BEEN CONFIRMED THROUGH VARIOUS MEASUREMENTS TO CITY OF GREATER SUDBURY CONTROL MONUMENTS IN THE AREA OF THE SURVEY.
 FOR BEARING COMPARISONS, NO ROTATION WAS APPLIED TO ASTRONOMIC BEARINGS ON PLANS P, P2 AND P3.
 DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999565.

OBSERVED REFERENCE POINTS (ORP) DERIVED FROM GPS OBSERVATIONS USING THE REAL TIME COORDINATES FROM PROVIDER. (LEICA SMARTNET NORTH AMERICA)
 UTM ZONE 17, NAD 83 (CSRS) (VER. 4/2002)
 URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP 'A'	5,168,202.38	502,562.91
ORP 'B'	5,169,836.34	502,537.44

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 2) THE SURVEY WAS COMPLETED ON THE 30TH DAY OF MAY, 2018.

DATE: SEP. 04 2018 D.S. DORLAND
 SUDBURY, ONTARIO
 ONTARIO LAND SURVEYOR

D.S. DORLAND LIMITED
 ONTARIO LAND SURVEYORS
 GEOMATICS PROFESSIONALS

298 LARCH STREET
 SUDBURY, ONTARIO, P3B 1M1
 PHONE (705) 673-2556 FAX (705) 673-1051
 WWW.DSDORLANDLIMITED.CA

PREPARED BY: WJM SCALE: 1:2000 METRIC
 CHECKED: RAL CAD FILE: 17858 RPLAN.dwg
 DATE: JULY 26, 2018 P. SPACE TAB: RPLAN

METRIC NOTE
 DISTANCES & COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Strategic Core Areas Community Improvement Plan – 96 Larch Street

Presented To:	Planning Committee
Meeting Date:	February 26, 2024
Type:	Managers' Reports
Prepared by:	Ed Landry Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	N/A

Report Summary

This report provides a recommendation regarding an application received under the Strategic Core Areas Community Improvement Plan.

Resolution

THAT The City of Greater Sudbury approves the Strategic Core Areas Community Improvement Plan application for 96 Larch Street, and directs staff to prepare a by-law to authorize staff to enter into the required agreements, as outlined in the report entitled “Strategic Core Areas Community Improvement Plan – 96 Larch Street”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of February 26, 2024

Relationship to the Strategic Plan, Health Impact Assessment and Community Energy & Emissions Plan (CEEP)

The City of Greater Sudbury, through Council’s Corporate Strategic Plan (2019-2027) directs staff to prioritize Economic Capacity and Investment Readiness. Objective 2.4 aims to “Revitalize Greater Sudbury’s Downtown and Town Centres with Public Investment that Supports Private Investment.”

Providing incentives to develop and redevelop the city's built-up cores is consistent with Goal 1 of the CEEP, which seeks to help sustain compact, complete communities.

Financial Implications

The total recommended grants and loan for 96 Larch Street is \$24,538.28. The total proposed private investment is \$550,000, for a total public to private investment ratio of 1 : 21.41.

The Community Improvement Plan (CIP) fund currently has a balance of approximately \$380,000. The CIP fund is composed of a combination of annual operating dollars, CIP loan repayments, and funds from the Tax Stabilization Reserve - Committed. If this CIP application is approved, the balance of the CIP fund would be approximately \$355,000.

Background

The stated objectives of the Strategic Core Areas Community Improvement Plan (SCACIP – See Reference 1) are to:

1. Revitalize Strategic Core Areas of the City.
2. Increase the residential population of the Strategic Core Areas.
3. Create and retain employment opportunities, including new commercial and office spaces.
4. Grow the municipal assessment base.
5. Grow the municipal property tax revenue.
6. Repair and intensify the existing urban fabric with compatible projects.
7. Take advantage of existing infrastructure.
8. Enhance the quality of the public realm.
9. Increase the energy efficiency and climate readiness of the existing building stock.

96 Larch Street

The City received a SCACIP application for 96 Larch Street on November 18, 2023, revised on January 17, 2024. The proposal is to introduce a Vietnamese restaurant at 96 Larch and to install signage, lighting and some security features under the façade improvement program. The Commercial Vacancy Assistance Program funds would assist with permanent leasehold improvements such as a new hood system, fire suppression, electrical system, ceilings, doors, etc.

The request includes the following:

Incentive Program	Amount Requested
Façade Improvement Program	\$4,000
Commercial Vacancy Assistance Program	\$10,000
Building Permit Fee Rebate Program	\$5,538.38
Feasibility Study Grant Program	\$5,000
TOTAL	\$24,538.28
Total Work Estimates	\$550,000
Public : Private Ratio	1 : 21.41

Recommendation

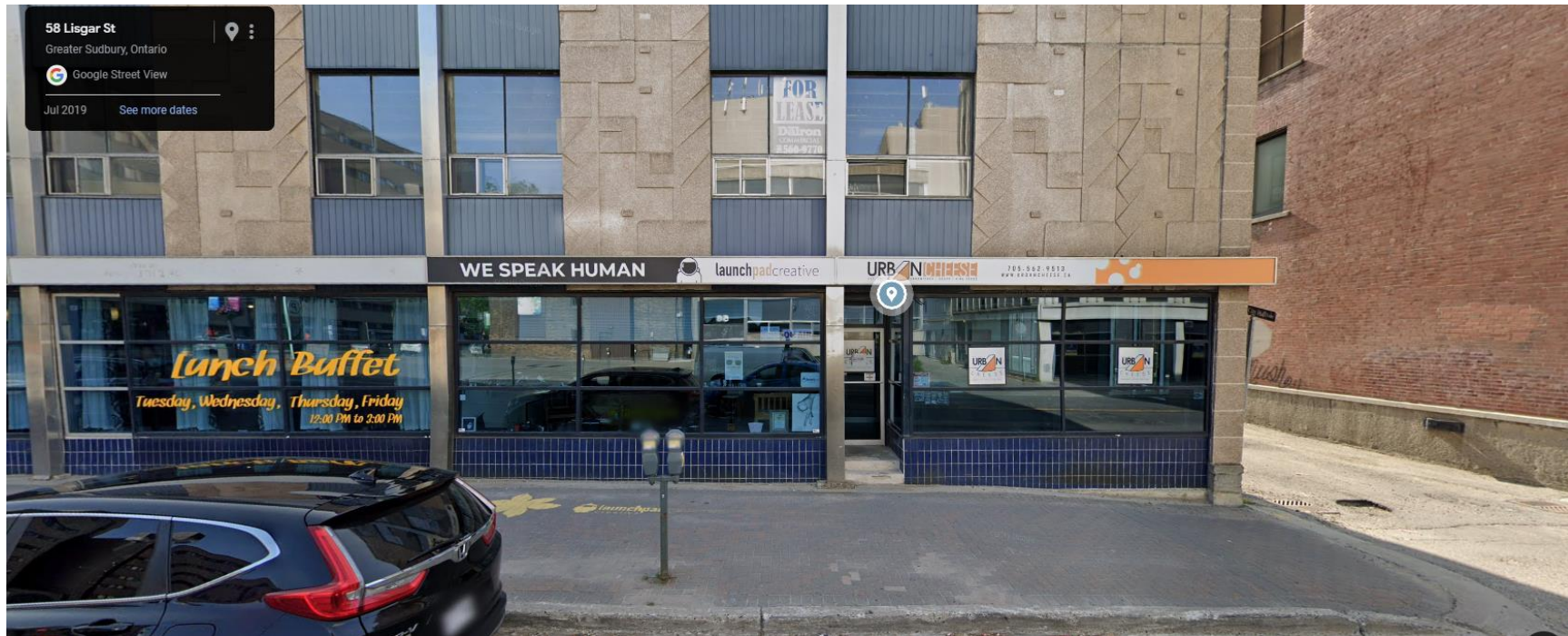
The application at 96 Larch Street meets the following objectives of the SCACIP:

- Revitalize Strategic Core Areas of the City.
- Create and retain employment opportunities, including new commercial and office spaces.

Staff recommends that the application be approved.

Resources Cited

1. Strategic Core Areas Community Improvement Plan <https://www.greatersudbury.ca/do-business/planning-and-development/community-improvement-plansandincentive-programs/financial-incentive-programs/strategic-core-areas-community-improvementplan/pdfs/scacip-plan/>



ATTACHMENT A – Looking Westward at proposed location of new restaurant at 96 LARCH STREET, SUDBURY (Source: Google)