

Koskiniemi Subdivision, Azilda

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| Presented To: | Planning Committee |
| Meeting Date: | August 16, 2021 |
| Type: | Routine Management Reports |
| Prepared by: | Wendy Kaufman Planning Services |
| Recommended by: | General Manager of Growth and Infrastructure |
| File Number: | 780-5/11005 |

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 #780-5/11005) in the community of Azilda for a period of three years until May 31, 2024.

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 73347-0708, Parts 1 & 2, 53R-17360, Lot 7, Concession 2, Township of Rayside, File 780-5/11005, as outlined in the report entitled "Koskiniemi Subdivision, Azilda", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on August 16, 2021, as follows:

1. In Conditions #2, 3, and 5 by replacing 'Municipality' or 'City of Greater Sudbury' with 'City'.
2. In Conditions #7 and 21, by replacing 'Director of Planning' or 'Director of Planning Services of the City of Greater Sudbury' with 'Director of Planning Services'.
3. By deleting Condition #8 and replacing it with the following:
"8. That this draft approval shall lapse on May 31, 2024."
4. By adding the following to the end of Condition #10:
"A soils caution agreement, if required, shall be registered on title, to the satisfaction of the Chief Building Official and City Solicitor."
5. By replacing Condition #11 with the following:
"11. Montee Principale shall be constructed to an urban standard from St. Agnes to the north limit of the subdivision to the satisfaction of the General Manger of Growth and Infrastructure."
6. In Conditions #12, 15, 17, 18, 19, 20, 24, 26 and 28 by replacing owner/applicant with 'owner'.

7. By replacing Condition #13 with the following:

“13. A stormwater management report and associated plans must be submitted by the Owner’s Consulting Engineer for approval by the City and the Nickel District Conservation Authority.

The report must address the following requirements:

- 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;
- 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;
- “Enhanced” level must be used for the design of stormwater quality controls as defined by the Ministry of the Environment, Conservation and Parks;
- Stormwater management must follow the recommendations of the Whitewater Lake Subwatershed Study;
- The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any stormwater management plan;
- 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;
- 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 subdivision and the owner shall dedicate the lands for stormwater management works as a condition of this development.”

8. By replacing Condition #22 with the following:

“22. That the owner construct the sidewalk on the west side of Montee Principale along the frontage of the subject lands from Lot 1 to Lot 25.

9. By deleting Condition #28 and replacing it with the following:

“28. The owners/applicants shall, to the satisfaction of the Director of Planning Services, demonstrate that all requirements set out by the Ministry of the Environment, Conservation and Parks under the Endangered Species Act have been satisfied prior to the signing of the final plan and prior to any site alteration or development taking place on the subject lands.”

10. By adding the following note to the conditions of draft approval:

“1. Please be advised that the Nickel District Conservation Authority regulates the hazards associated with natural features and uses the attached mapping as a tool to identify those hazards for the public. Although the Nickel District Conservation Authority makes every effort to ensure accurate mapping, regulated natural hazards may exist on-site that have not yet been identified. Should a regulated natural hazard be discovered as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury directly at 705.674.5249. Regulated natural hazards include floodplains, watercourses, shorelines, wetlands, valley slopes.”

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 the application for extension to the draft plan of subdivision is approved, staff estimates approximately \$125,000 in taxation revenue in the supplemental tax year only, based on the assumption of 25 single-detached dwelling units at an estimated assessed value of \$400,000 per dwelling unit at the 2021 property tax rates.

This 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.

In addition, this development would result in total development charges of approximately \$473,000 based on the assumption of 25 single-detached dwelling units based on the rates in effect as of this report.

Also, this development falls within the Ste. Agnes and Montee Principale project area and would be subject to Section 391 Charges relating to this growth related infrastructure in the mid-2000's. The Section 391 Charge totals approximately \$12,375 based on current rates.

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 (i.e. roads, water/wastewater linear pipes, etc).

During 2016, Council has approved a cost sharing agreement between the City and the landowner to cost share in the upsizing of approximately 250 m length of Montee Principale to an urban collector road standard and storm draining for Phase 1 of the draft plan of subdivision. The City's 50% cost share is estimated at \$381,944.04 and will be included in a future capital budget for Council approval when the landowner is ready to proceed with these upgrades.

Report Overview

The owner has requested an extension to the draft plan of subdivision approval for the subject lands (File #780-5/11005) in the community of Azilda for a period of three years until May 31, 2024. 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:

Liliane Koskiniemi

Location:

PIN 73347-0708, Parts 1 & 2, 53R-17360, Lot 7, Concession 2, Township of Rayside

Application:

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on May 29, 2012 and subsequently extended in 2015 and 2018. The plan includes 25 lots for single-detached dwellings.

Proposal:

The owner is requesting that the draft approval for the above noted lands be extended for a period of three years until May 31, 2024.

Background:

The City received a request from Liliane Koskiniemi on April 30, 2021 to extend draft approval on a plan of subdivision for a period of three years on those lands described as PIN 73347-0708, Parts 1 & 2, 53R-17360, Lot 7, Concession 2, Township of Rayside. Staff has circulated the request to relevant agencies and departments and is now bringing forward this report to extend the draft approval to May 31, 2024.

The plan of subdivision was draft approved in May 2012. Conditional approval was extended in 2015 and 2018, and an administrative extension was recently provided to enable the review of the extension request. The most recent set of draft plan conditions are attached to this report, which include that the plan lapses on September 30, 2021.

The lands within the plan of subdivision are designated Living Area 1 in the Official Plan and are zoned R1-5, Low Density Residential One.

Owners are advised to contact the Planning Services Division a minimum of four months prior to the lapsing date in order to facilitate the processing time associated with draft plan of subdivision approval extension requests. Applicants must reapply for subdivision approval if a draft plan approval has lapsed as there is no other avenue for relief.

Departmental & Agency Circulation:

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

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.

Development Engineering has advised that the owner was successful in obtaining approval to enter into a Cost Sharing Agreement with the City for reconstruction of Montee Principale in February 2016. Construction drawings were last submitted in July of 2014.

The owner has advised that the project has been on hold since the passing of her husband, and that there has been recent interest from others in purchasing the property for future development.

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

Draft Approval Conditions

Condition #10 should be deleted entirely and replaced with a sentence referring to May 31, 2024, as the revised date on which the subject draft plan of subdivision approval shall lapse.

Building Services has requested an update to require the geotechnical engineer to address on-site and excess soils management in accordance with the applicable provincial regulation.

Conservation Sudbury has requested the owner prepare a stormwater management brief to the satisfaction of the NDCA, which demonstrates that the post-development discharge matches the pre-development discharge for the greater of either the 100-year or Timmins storm, and by requesting a note related to their regulatory role with respect to a wetland on the easterly portion of the property.

Infrastructure and Capital Planning Services, Drainage Section, has advised that the Draft Whitewater Lake Subwatershed Study and Stormwater Master Plan no longer recommends that the City construct the downstream stormwater management facility referenced in the subdivision conditions. They have requested an updates requiring the owner to design and construct on-site stormwater management works and to dedicate the lands for stormwater management to the City, rather than requiring a monetary contribution.

Infrastructure and Capital Planning Services, Roads, Transportation and Innovation Section, has requested updates to specify the road to be constructed to an urban standard (Montee Principale), and to require the owner to construct the sidewalk on the west side of Montee Principale rather than requiring a monetary contribution.

Environmental Planning Initiatives has requested updates regarding Endangered Species Act requirements.

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

No other changes to the draft approval documents have been requested either by the owner or by circulated agencies and departments. The draft conditions are attached to this report along with the draft approved plan of subdivision for reference purposes.

The applicant has paid the applicable processing fee in the amount of \$2090.00. This amount is calculated as per By-law 2017-24 being the Miscellaneous Use Fees By-law.

Conclusion:

The Planning Services Division has reviewed the request to extend the subject draft approval and has no objections to the requested extension. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approval of the subdivision. Appropriate changes, where identified, have been included in the Resolution section of this report and will now form part of the draft plan approval if approved by Council. The Planning Services Division therefore recommends that the application to extend the draft approval for the subject lands for a period of three years until May 31, 2024, be approved as outlined in the Resolution section of this report.