

## Jeanne D’Arc – Dugas Street Subdivision

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:	780-7/08001

## 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 #780-7/08001) in the community of Val Therese for a period of three years until June 23, 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 73504-2823, Parcel 22436 'A' SES, Lot 6, Concession 2, Township of Hanmer, File 780-7/08001, as outlined in the report entitled “Jeanne D’Arc-Dugas Street Subdivision, 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, 4, 5, 6, 8, 28 by replacing ‘Municipality’ or ‘City of Greater Sudbury’ with ‘City’.
2. In Condition #10, by replacing ‘Director of Planning’ with ‘Director of Planning Services’.
3. In Condition #10, by replacing ‘General Manager of Public Works’ with ‘General Manager of Growth and Infrastructure.’
4. By deleting Condition #11 and replacing it with the following:  
“11. That this draft approval shall lapse on June 23, 2024.”
5. In Condition #17:  
  
By deleting the following: “The stormwater management plan must be designed to the satisfaction of the Nickel District Conservation Authority.”  
  
By adding the following: “The geotechnical engineer will be required to address On-site and Excess Soil Management in accordance with O. Reg. 406/19.”
6. In Condition #18, by adding the following:

“A lot grading agreement, if required, shall be registered on title, to the satisfaction of the Director of Planning Services and the City Solicitor.”

7. In Conditions #18, 28 and 33 by replacing ‘owner/applicant’ with ‘owner’.
8. In Condition #24, by deleting reference to the Department of Fisheries and Oceans.
9. By adding new Condition #35:

“35. That the applicant/owner prepare a flood analysis of the realigned watercourse to the satisfaction of the Nickel District Conservation Authority. The analysis must demonstrate that the regional flood, being the Timmins Storm, is contained within the banks of the realigned watercourse. If the proposed realigned watercourse is to be enclosed as part of the final build out, the applicant/owner must demonstrate that the enclosure of the watercourse is sized properly so that the regional flood can flow unimpeded, and without affecting the floodplain up- or downstream.

10. By adding new Condition #36:

“36. That the applicant/owner must demonstrate that there is no floodplain within the proposed development to the satisfaction of the Nickel District Conservation Authority. Please contact Nickel District Conservation Authority directly to discuss how this can be accomplished.”

11. 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 rezoning is approved, staff estimates approximately \$330,000 in taxation revenue in the supplemental tax year only, based on the assumption of 68 single detached dwelling units at an estimated assessed value of \$375,000 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 \$1,286,000 based

on the assumption of 68 single detached dwelling units based on the rates in effect as of this report.

Once development has occurred and the subdivision infrastructure has been transferred to the City, there will be additional on-going costs for future annual maintenance and capital replacement of the related infrastructure (ie. roads, water/wastewater linear pipes, etc).

## **Report Overview:**

The owner has requested an extension to the draft plan of subdivision approval for the subject lands (File #780-7/08001) in the community of Val Therese for a period of three years until June 23, 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:**

Dominion Park Developments Corp.

## **Location:**

PIN 73504-2823, Parcel 22436 'A' SES, Lot 6, Concession 2, Township of Hanmer

## **Application:**

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on June 5, 2008 and subsequently extended in 2012, 2015 and 2018. The plan includes 116 single detached lots. A first phase of the subdivision consisting of 48 lots was registered in 2009, with 68 lots remaining.

## **Proposal:**

The owner is requesting that the draft approval for the above noted lands be extended for a period of three years until June 23, 2024.

## **Background:**

The City received a request on April 30, 2021 to extend draft approval on a plan of subdivision for a period of three years on those lands described as Part of PIN 73504-2823, Parcel 22436 'A' SES, Lot 6, Concession 2, Township of Hanmer. Staff has circulated the request to relevant agencies and departments and is now bringing forward this report to extend the draft approval to June 23, 2024.

The plan of subdivision was draft approved initially on June 5, 2008. Following the registration of the first phase of the plan on June 22, 2009, the draft approval was extended for a period of three years to June 23, 2012. Additional draft plan approval extensions were requested in 2012, 2015 and 2018. The most recent set of draft plan conditions are attached to this report, which include that the plan lapses on October 23, 2021.

The lands within the plan of subdivision are designated Living Area 1 in the Official Plan and are zoned 'H13R1-5', Hold – Low Density Residential One. The "H13" symbol pertains to water services, and may only be removed upon the owner entering into an agreement to carry out any improvements to the municipal water supply system that may be required to provide adequate flows for domestic and fire protection.

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.

The owner has advised that since the previous request for extension they have retained professional consultants to complete works required to clear all conditions and move the subject draft subdivision to final registration. This includes a boundary and topographic survey of the subdivision site which is scheduled to be completed in May 2021, and detailed design of the subdivision is underway. Staff is satisfied that the owner is making reasonable efforts towards developing the subdivision.

### **Draft Approval Conditions**

Condition #11 should be deleted entirely and replaced with a sentence referring to June 23, 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, in lieu of a stormwater management plan, two new conditions to confirm the adequacy of the realigned watercourse, and to confirm there is no floodplain within the proposed development. They have also requested a note be added to the conditions regarding their regulatory role if a regulated natural hazard is discovered as the site is developed.

Development Engineering has commented that the last phase of this subdivision was registered in 2009, and there have been no subsequent submissions.

Housekeeping changes are recommended to ensure consistency in terminology when referring to the City, the Director of Planning Services, the Department of Fisheries and Oceans, the General Manager of Growth and Infrastructure, and the owner. Condition #18 is recommended to be updated to enable registration of a lot grading agreement.

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 \$3273.00. 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 June 23, 2024, be approved as outlined in the Resolution section of this report.