

PLANNING JUSTIFICATION REPORT

OFFICIAL PLAN AMENDMENT

DESCHENE ROAD

CITY OF GREATER SUDBURY

AUGUST 2022

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1.0 INTRODUCTION

TULLOCH has been retained by the owners of the lands described below (being PIN 735043120), in the City of Greater Sudbury, to prepare a planning justification report in support of amending the City of Greater Sudbury's Official Plan on a site-specific basis to permit three (3) additional rural lots along Deschene Road in Hanmer - through applications for Consent - whereas more than three lots have already been created from a parent parcel that existed as of June 14, 2006.

This report provides a planning analysis and justification for the official plan amendment considering applicable provincial and municipal planning documents and related policy.

The legal description of the lands are as follows:

PART LOT 4 CONCESSION 3 HANMER; PART 4 PLAN 53R20867; S/T LT139176, LT139177 CITY OF GREATER SUDBURY

This report reviews consistency/conformity of the application in the context of applicable policies found within the:

- *2020 Provincial Policy Statement (PPS)*
- *City of Greater Sudbury Official Plan (OP)*
- *Growth Plan for Northern Ontario (GPNO)*
- *City of Greater Sudbury Zoning By-Law 2010-100Z*
- *Greater Sudbury Source Water Protection Plan*

The author finds that the proposed development facilitates rural housing supply in a location that presents the best planning outcome, will facilitate the rounding out of existing linear rural residential development along Deschene Road and promote the development of residential housing within proximity to a major commercial area. It will not exacerbate the supply of available vacant rural lots as it would introduce more desirable (from a planning perspective) rural residential lots to the existing supply of rural residential lots (many of which are in locations that do not promote the overall community building goals of the Official Plan, as the subject proposed lots would).

Overall, the author finds that the proposed official plan amendment conforms with the *City of Greater Sudbury Official Plan* and the *Growth Plan for Northern Ontario*, is consistent with the *2020 Provincial Policy Statement* and represents good planning.

2.0 SUBJECT SITE AND SURROUNDING CONTEXT

SUBJECT SITE

The subject property has an area of approximately 9.71 hectares with \pm 577.5m frontage on the east side of Deschene Road (See *Figure 1*). The property is situated north of Old Hwy 69/Municipal Road 80 in the community of Val Therese/Hammer.

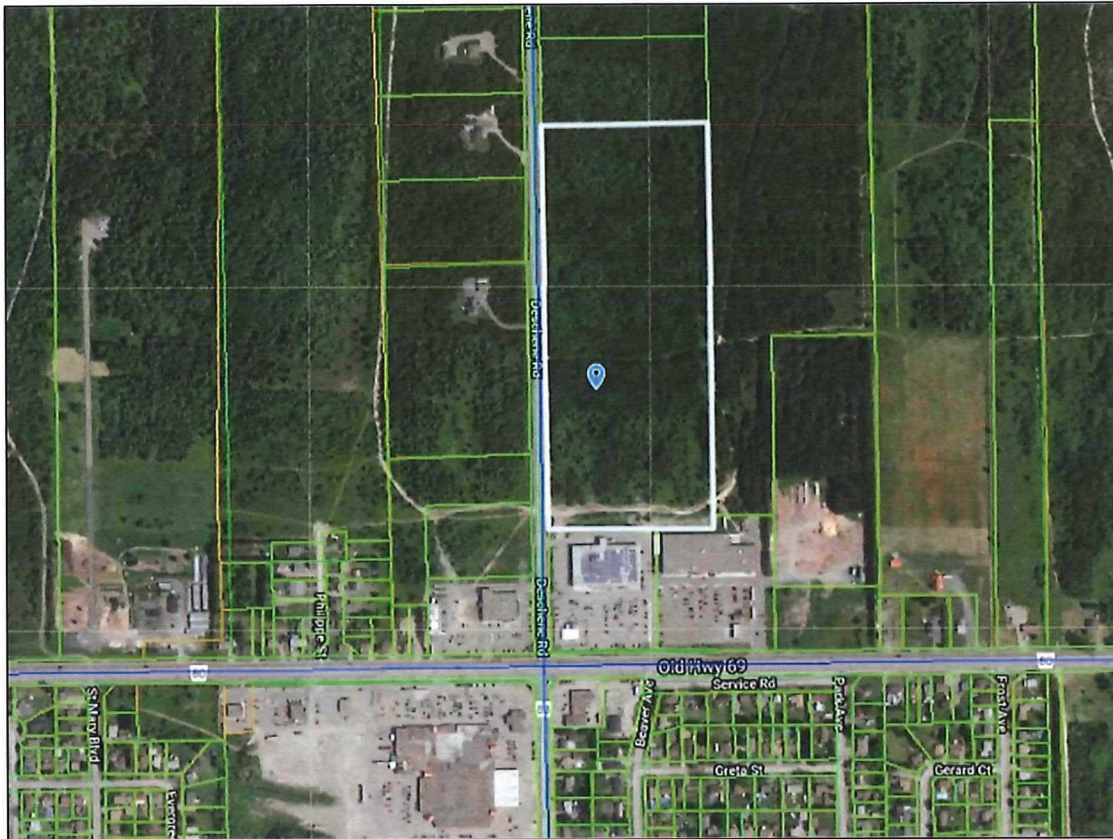


Figure 1: Approximate Location of Subject Lands

Municipal water is available along Deschene Road however municipal sanitary sewer is not available at this location.

TOPOGRAPHY AND SITE FEATURES

The subject lands are currently vacant, tree-covered, and relatively flat. The site does not contain any floodplain, watercourses, or wetland areas and as such is not subject to regulation by Conservation Sudbury.

The site is however located within the Wellhead Protection Area of the Phillippe Street Well and a Section 59 Source Water Protection Application will be submitted as part of the official plan amendment application.

TRANSPORTATION AND TRANSIT

The subject property fronts on the east side of Deschene Road. Old Hwy 69/ Municipal Road 80 is located approximately 360.0-metres south of the most southerly proposed lot.

Deschene Road is categorized as a local road and Municipal Road 80 is categorized as a primary arterial road per *Schedule 7* of the *City of Greater Sudbury's Official Plan*.

The nearest bus stops are currently located at the Hanmer Valley Shopping Centre (5085 Old Hwy 69/ Municipal Road 80), Canadian Tire (5206 Old Hwy 69/ Municipal Road 80) and at the corner of Old Hwy 69/Municipal Road 80 and Beaver Avenue. The area is serviced via the City's GOVA Transit system Route 105 which connects the community of Val Therese/Hanmer with the rest of Greater Sudbury.

SURROUNDING NEIGHBOURHOOD CONTEXT

The subject site is situated on the north side of the neighbourhood of Hanmer, which is characterized by a mix of uses including residential, commercial, and open spaces. The surrounding community has experienced notable change over the past decade with the addition of new commercial uses (including restaurants and a financial institution), and low and medium density residential uses (including a newly approved 80-unit row dwelling complex across the street on Deschene Rd). The community has also seen numerous *Planning Act* applications (zoning by-law amendments) seeking to introduce medium density housing types in the area, including R3(72), R3(18), R3(49), R3(56) and R3.D18(13).

Surrounding uses can be described as follows:

NORTH:	Low density rural residential and vacant lands
EAST:	Low density residential and rural lands
SOUTH:	Commercial and residential
WEST:	Open space, low and medium density residential, and rural lands

More specifically one and two-storey single detached dwellings on large estate lots are located along both the east and west side of Deschene Road.

The abutting property to the south (5200-5206 Old Hwy 69/Municipal Road 80) is zoned C2-General Commercial and designated Mixed-Use Commercial, and houses a large (retail) supermarket, department store and other commercial uses. The west side of the Deschene Road (also zoned C2) features a fast-food restaurant, financial institution, and other commercial/retail uses. The southerly side of Old Hwy 69/Municipal Road 80 houses a range of commercial uses including the Hanmer Valley Shopping Mall, fitness centre, gas bar/commercial uses, and restaurants.

The broader neighbourhood includes a mix of residential housing types of single-detached, duplex, semi-detached and row dwellings in addition to open spaces, restaurants, and larger-scale commercial uses along Old Hwy 69/Municipal Road 80.

PREVIOUS PLANNING ACT APPLICATIONS

The parent parcel to which the subject lands relate have been the subject of six previous severances via Consent since the adoption date of the *Official Plan* on June 14, 2006. The subject lands are the remainder of the lots created via consent to the immediate north along Deschene Road.

The subject lands were also subject to an official plan amendment (OPA 83) which permitted the creation of the additional three lots following the prior three consents. Such approved OPA permitted:

*Section 21.94 Notwithstanding anything to the contrary those lands described as Parcel 375, Part 4, Plan 53R-18782, Lot 4, Concession 3, Township of Hanmer may permit the severance of three lots, each with a minimum area of 2 hectares and a minimum frontage of 104 metres and a retained parcel with an area of 10 hectares, where the original parent parcel has already had the maximum 3 lots allowed to be severed from the property in the Rural designated since June 14, 2006. *(OPA 83)*

There have been an additional three approved official plan amendments (by other private landowners) along Deschene Road: OPA 64, OPA 58, and OPA 90. All these amendments were for an exemption to the rural lot creation policies to facilitate lot creation in excess of the three-lot policy maximum. See *Table 1* for further details regarding previous OPA's along Deschene Road.

Table 1: Other OPAs on Deschene Road

OPA #	APPROVAL
OPA 64	<i>Notwithstanding anything to the contrary on lands described as Part 1, Plan 53R-19141, Lot 5, Concession 3, Township of Hanmer, the severance of one lot having a minimum lot area of 2 ha (5 acres) and a minimum lot frontage of 90m (295 ft) onto Deschene Road is permitted.</i>
OPA 58	<i>Notwithstanding anything to the contrary on lands described as PIN 73504-3007, Lot 5, Concession 3, Township of Hanmer, three additional rural lots may be created from the lands as they existed on August 11, 2015 subject to the following criteria being satisfied.</i> <ul style="list-style-type: none"><i>I. Minimum lot areas shall be 2 hectares.</i><i>II. Minimum lot frontages shall be 105 metres;</i><i>III. That the three new lots are found within approximately 315 metres of the northerly lot line of the lands subject to this amendment.</i>
OPA 90	<i>Notwithstanding anything to the contrary on land described as Part of PIN 73504-3056, Lot 5, Concession 3, Township of Hanmer, the additional severances of on lots having a minimum lot area of 2 hectares and a minimum lot frontage of 104 meters onto Deschene Road</i>

3.0 PROPOSED DEVELOPMENT

The application proposes to amend the *City of Greater Sudbury's Official Plan* to provide a site-specific exception from **Section 5.2.2.2(b)** to permit the severance of three additional lots in the Rural designation, where the original parent parcel has already exceeded the maximum of three lots allowed to be severed from the property since June 14, 2006 (see *Figure 2*). Additionally, the proposal requests to proceed via consent as opposed to the plan of subdivision approval process.

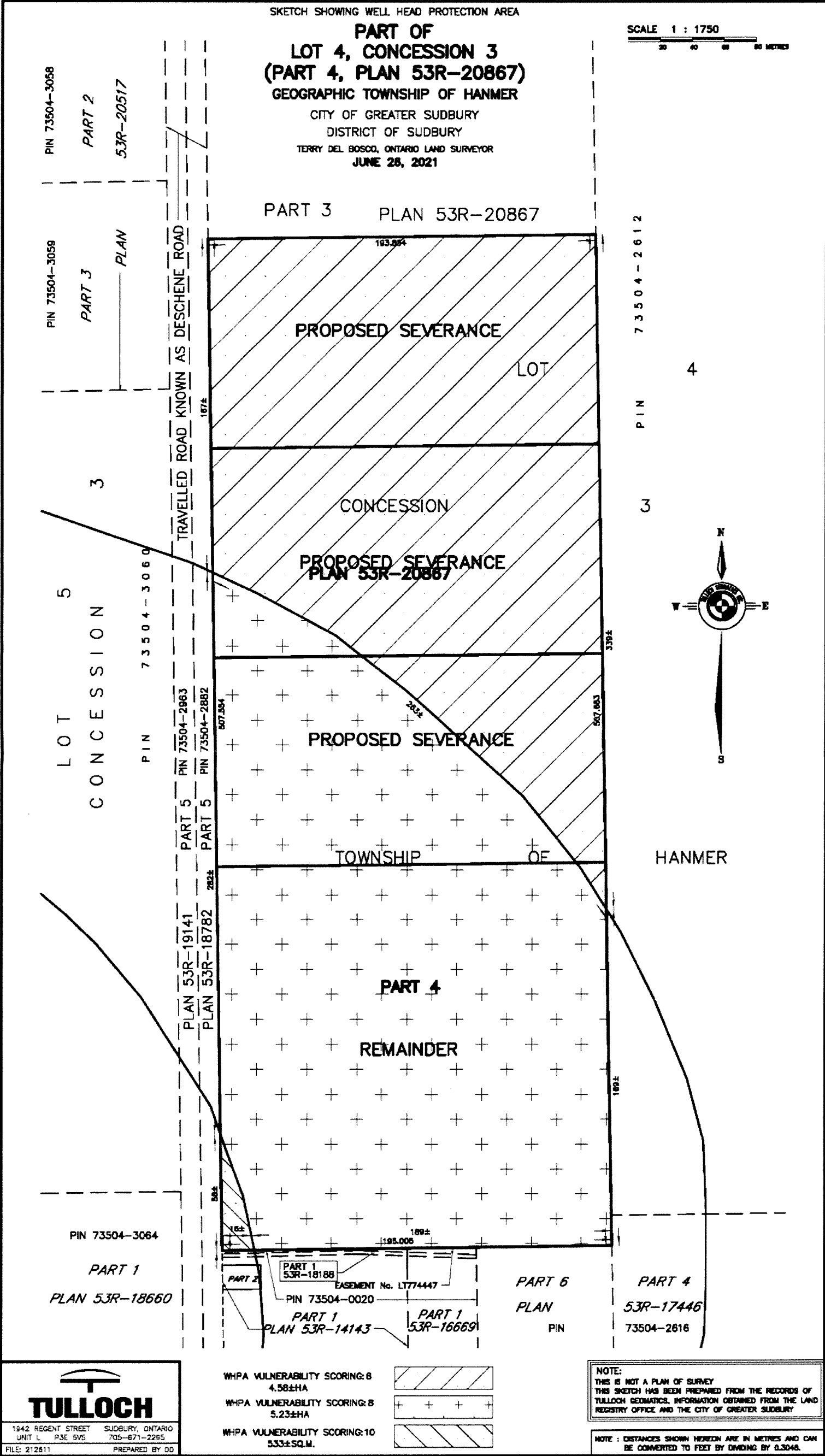


Figure 2: Proposed Consent/Development Sketch

4.0 POLICY OVERVIEW AND ANALYSIS

The following section sets out the relevant planning policy framework to assess the appropriateness of the proposed application in the context of provincial and municipal policies and regulations. Each subsection will outline relevant policies and provide a planning analysis with respect to how the official plan amendment is consistent with or conforms to such policy.

PROVINCIAL POLICY STATEMENT, 2020

The *2020 Provincial Policy Statement* provides high-level provincial policy direction for planning approval authorities in preparing municipal planning documents, and in making decisions on *Planning Act* applications. Municipal Official Plans must be consistent with the provincial policy statement. Policies applicable to the proposed official plan amendment are outlined and discussed below.

PPS **Section 1.0** speaks to managing and directing land use to achieve efficient and resilient development and land use patterns. PPS **Section 1.1.1** states, in part:

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;

...

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

Per **policy 1.1.1(a)(e)** the proposed development promotes efficient development and land use patterns by proposing development on an underutilized lot that is both directly adjacent to and benefits from existing partial municipal servicing/operational services and other infrastructure. Siting infill development on lands where infrastructure already exists makes better use of such and promotes the financial wellbeing of the Municipality, given that municipal operational services are already provided (and will be leveraged given new tax base), and no new hard infrastructure is needed to facilitate the lots.

Demographic data obtained from the City of Greater Sudbury shows that Val Therese has seen a steady population increase from 2006 to 2016. The City's 2013 *Growth and Settlement Policy Discussion Paper* projected that by 2036, more than half of the City's population will reside in Sudbury followed by Valley East, and then the rural area. Further, REMAX's Annual Canadian Housing Market Outlook for the City of Greater Sudbury indicates that Valley East is one of the top three neighbourhoods in highest demand in the city. This proposal supports PPS **policy 1.1.1(b)** and responds to OP policy **5.2.2.3(a)** and the need for the development of housing in Valley East by creating three new lots suitable for the development of three single detached dwellings.

PPS **Section 1.1.3** states, in part:

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

Most of the subject lands, and all lands proposed to be severed (if approved), are located outside of the City's settlement boundary, which per the PPS settlement areas shall be the focus of growth and development including lot creation. However, the lands subject to the application are unique in that they abut the settlement boundary and a major mixed use commercial area with low to medium residential uses in the immediate vicinity. Deschene Road is also currently serviced via municipal water, emergency services, and snow and garbage removal (in addition to school bus and other soft services). Given the unique context of the subject lands, there are relevant policies in the OP that provide tests for demonstrating when additional rural development should be permitted (**5.2.2(3)**). This report addresses such tests and demonstrates that given the land's location/context, the intent of policy **1.1.3.1** (to encourage compact development in proximity to services while allowing some appropriate rural residential development) is maintained.

Section 1.1.4 of the PPS speaks to Rural areas within Municipalities, Relevant policies include:

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;*
- 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*

The application supports PPS **Section 1.1.4** as the proposed additional three lots complement the existing rural residential character of Deschene Road (by virtue of similar lot fabric/frontages as currently exist), while leveraging the unique location of the lands abutting commercial/employment uses and existing rural amenities and assets without the need to extend services. This application proposes a small-scale cluster of rural residential development (three lots) along an existing serviced public road with direct access to

Old Highway 69/Municipal Road 80, both of which can accommodate vehicle traffic from the additional three lots. Furthermore, it supports good rural planning principles including the effective use of rural municipal services and infrastructure and enabling development in areas with existing hard and soft services makes better use of municipal resources and aids in protecting the financial wellbeing of the Municipality.

PPS Section 1.1.5 respecting Rural Lands in Municipalities states in part:

1.1.5.2 *On rural lands located in municipalities, permitted uses are:*

c) residential development, including lot creation, that is locally appropriate

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*

Section 1.1.5.2 allows for lot creation on rural lands in municipalities that is considered locally appropriate. The subject application proposes the creation of three additional lots on existing infrastructure directly abutting the settlement boundary and commercial/employment uses. Given discussion throughout this report it is the author's opinion that the proposed lot creation is locally appropriate.

Section 1.1.5.4 promotes rural development that is compatible with the rural landscape and can be sustained by rural service levels. The proposed three lots are compatible with the rural landscape given the similar low density residential developments that are in proximity to the lands along Deschene Road. The application proposes to leverage existing assets, including natural features as well as the neighbourhoods-built form and rural character. The existing character and form will not change but the addition of three residential lots will round out the existing cluster of linear residential development.

Regarding rural service levels, Deschene Road is a publicly maintained roadway with existing municipal garbage and emergency services and snow removal. Given that Deschene Road is comprised of large stretches of vacant land and rural residential lots; the net tax revenue generated through the additional three lots (discussed later in this report) would be beneficial to the municipality by helping to pay for the existing servicing/maintenance of the roadway.

Given the lands subject to the official plan amendment about an established linear cluster of residential development, the proposed lots do not deviate from the established character of the area, and will not require the expansion of infrastructure, it is the authors opinion that the application proposes rural residential development and lot creation that is locally appropriate and consistent with PPS **Section 1.1.5**.

Section 2.0 of the PPS, addresses the wise use and management of resources and with respect to water, states in part:

2.2.1 *Planning authorities shall protect, improve, or restore the quality and quantity of water by:*

f) implementing necessary restrictions on development and site alteration to:

1. protect all municipal drinking water supplies and designated vulnerable areas

With respect to **Section 2.0** of the PPS, the subject lands are within an identified Wellhead Protection Area of the Phillippe Street Well with a Vulnerability of 8 (WHPA C) and 10 (WHPA B).

As shown in *Figure 2*, only a limited portion of the proposed retained parcel is in a vulnerability score of 10 in which the *Source Water Protection Plan* (SWPP) prohibits septic systems for new lot creation. Given the size of the proposed lots all septic systems can be located outside of any areas where such are restricted per the SWPP. The application is therefore consistent with **Section 2.2.1(f)(1)**. A *Section 59 Source Water Protection Application* was submitted as part of the official plan amendment application.

Section 1.7 provides policy direction for municipalities to achieve long-term economic prosperity. The following policies are relevant:

1.7.1 *Long-term economic prosperity should be supported by:*

a) promoting opportunities for economic development and community investment-readiness

b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce

c) optimizing the long-term availability and use of land, resources, infrastructure, and public service facilities

The application supports **Section 1.7.1(a)** as it promotes opportunities for economic development and community investment readiness through the development of residential lots and increased municipal tax base that will provide a net-revenue benefit to the municipality. The application establishes lots zoned appropriately for single detached dwellings and assists in increasing housing supply in proximity to settlement/employment areas per **1.7.1(b)**. The proposed development efficiently uses underutilized lands directly adjacent to residential and commercial uses and in proximity to public service facilities, while being on an existing municipally maintained road network per **Section 1.7.1(c)**.

GROWTH PLAN FOR NORTHERN ONTARIO (GPNO)

The *Growth Plan for Northern Ontario* is a 25-year plan that provides guidance in aligning provincial decisions and investment in Northern Ontario. It contains policies to guide decision-making surrounding growth that promotes economic prosperity, sound environmental stewardship, and strong, sustainable communities that offer northerners a high quality of life.

3.4.3 *Municipalities are encouraged to support and promote healthy living by providing for communities with a diverse mix of land uses, a range and mix of employment and housing types, high-quality public open spaces, and easy access to local stores and services*

Per **Section 3.4.3** of the GPNO the subject application promotes the creation of three residential lots, with the furthest lot being located only approximately 500.0-metres from commercial and employment uses including local stores and businesses. By locating housing within walking distance to employment uses the application facilities and supports healthy community planning principles, while providing a mix of land uses and market choice within easy access to stores/services.

CITY OF GREATER SUDBURY OFFICIAL PLAN

The *City of Greater Sudbury's Official Plan* is the principal land use planning policy document for the City of Greater Sudbury. The OP establishes objectives and policies that guide both public and private development/decision-making.

The subject lands are designated 'Rural' per *Schedule 1B* of the *City of Greater Sudbury Official Plan* with a small portion of the southerly lot boundary being designated 'Mixed Use Commercial'. Majority of the subject property is located outside of the City's 'Settlement Area' and 'Built Boundary' as shown on *Schedule 3* of the *Official Plan* (See *Figure 3*).

The objectives of the OP's Rural designation under **Section 5.0** are as follows:

- *provide an efficient and orderly pattern of land use in Rural Areas, reducing land use conflicts and requiring minimal municipal services;*
- *ensure that all development is adequately serviced and does not negatively impact the environment;*
- *encourage a strong rural economy with a range of rural uses and activities;*
- *recognize the importance of agriculture, silviculture and other rural land uses to the economy; and,*
- *preserve the cultural and historical attributes of rural areas*
- *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.*

Permitted uses in the Rural designation include but are not limited to residential uses, agricultural uses, rural industrial/commercial uses, resort/shoreline commercial uses, etc.

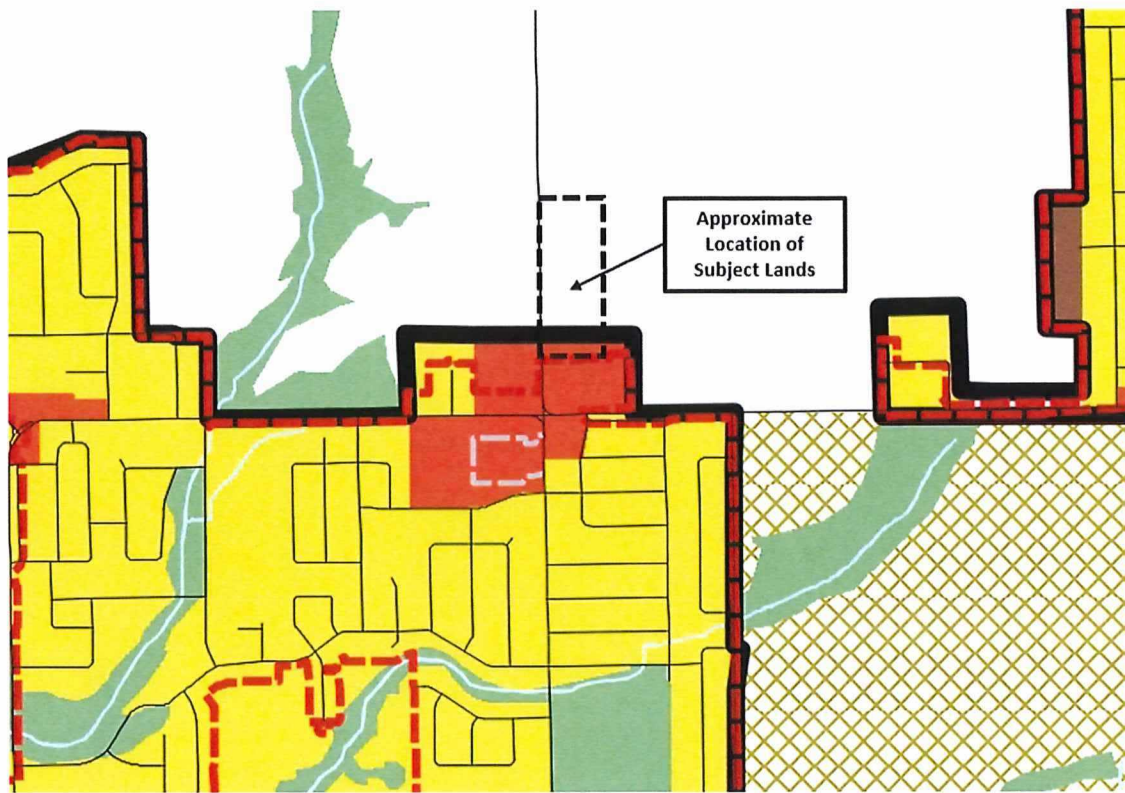


Figure 3: OP Land Use Designation

Section 5.2.1 of the OP speaks to rural residential development and states that *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.*

Relevant policies include:

5.2.1 Rural Residential

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*

As previously discussed, the proposed development is compatible with the rural landscape of the neighbourhood as the surrounding area includes residential dwellings that have similar frontages, lot areas/layouts and natural features/character as the proposed lots. Each lot will be serviced with municipal potable water and private sanitary servicing (for which the proposed lots are appropriately sized). No expansion/extension of municipal infrastructure is proposed or required through this application.

Section 5.2.2 of the OP states that policies on lot creation in Rural Areas are in place to mitigate the pressures inherent to un-serviced development and the environmental impact of private septic systems. To accomplish this the OP states that *'development is to be concentrated in fully serviced communities and limits on location, size, and the number of lot severances in the Rural designation have therefore been established.'* Further to such intent to limit, **Section 5.2.2** speaks to the City's lot creation policies in the Rural Area. It states in-part:

5.2.2.2 *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 in existence as of June 14, 2006*

5.2.2.3 *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*

The proposed lots will provide 2.0 hectares of lot area and minimum public road frontage of 90.0-metres as required under **5.2.2.2(a)**. **Section 5.2.2.2(b)** of the OP states that regardless of the size and frontage of the parent parcel, no more than three new lots may be created from a single parent parcel based on the adoption date of the Official Plan. Given that there have been six lots created by consent from the parent parcel since June 14, 2006, an OPA is required to facilitate an additional three lots.

CITY OF GREATER SUDBURY ZONING BY-LAW 2010-100Z

The subject lands are presently zoned “RU” Rural under *By-law 2010-100Z* being the Zoning By-Law for the City of Greater Sudbury.

The “RU” Zone permits a single-detached dwelling, mobile home dwelling, bed and breakfast establishment within a single-detached dwelling and having a maximum of two guest rooms, a group home type 1 within a single-detached dwelling and having a maximum of ten beds, seasonal dwelling on a legal existing waterfront lot, private cabin accessory to a seasonal dwelling and a private home daycare. Permitted non-residential uses include an agricultural use, animal shelter, forestry use having a minimum buffer of three hundred metres from the nearest residential building or residential zone, hunting or fishing camp provided it is a legal existing use, garden nursery, kennel having a minimum buffer of three hundred metres from the nearest residential building or residential zone, public utility, and a veterinary clinic.

No change in the subject lands zoning classification is required to facilitate the proposed lots. Furthermore, no site-specific reliefs would be required given that the proposed lots exceed the minimum frontage and meet the 2.0-hectare area requirements.

5.0 PLANNING RATIONALE

MUNICIPAL FINANCIAL IMPACT

In 2017, the City of Greater Sudbury released the *Comparative Fiscal Impact Analysis of Growth Study* - more commonly referred to as the ‘Cost of Growth Report’ - to demonstrate the net costs and revenues of supplying services to residential developments. The study categorized the cost of supplying services into three categories: urban, suburban, and rural areas, as well as the costs (hard and soft services) and revenue (assessment, taxation) collected. This study was used to inform the City’s OP rural lot creation policies under **Section 5.2.2** of the OP.

Two of the reports key findings concluded that:

- *In most cases, new development contributes adequate revenue to offset additional servicing costs. This stems from new dwelling units having higher average assessed values than the existing community*
- *Servicing costs are typically higher in more distant areas of the City and less in urban areas. This is particularly evident for services reliant on linear infrastructure*

At the time of the report (2013) all servicing calculations were based on a rural property assessment value average of \$282,000 (for new developments) with a yearly projected cost of servicing new rural development on transit to be \$3872.00 to service the same. However, the average assessment value used in the report for new rural development does not consider the context of the subject application and the values associated with new rural residential construction. In fact, the Report states itself that “the study is intended to provide a high-level assessment of cost and revenue variations. The actual financial implications of an individual development proposal will vary.” Given such potential for variance and this

PJR's analysis, it is the author's opinion that the proposed lots will result in a net-positive financial outcome for the municipality once the Cost of Growth report's methodology is applied to the subject application's resulting developments, which will contribute adequate revenue to offset servicing costs.

As of 2021 the average assessment value of properties with homes along Deschene Road was assessed at \$527,909 with an average 2021 property tax of **\$7,562.41** (See *Table 2*). For the purposes of this application, it is assumed that the homes constructed on the proposed lots would have an assessment value of greater than \$500,000 with comparable property taxes to surrounding homes. Using the Bank of Canada's Inflation calculator, it is projected that the cost to service a new rural lot categorized in the Cost of Growth Report would have increased from \$3872.00 in 2013 (as outlined in *Table 38* of the Cost of Growth Report) to **\$4451.23** in 2021.

Therefore, when assuming a conservative assessment value of \$500,000 the additional three lots would result in a net benefit to the municipality from a servicing perspective given that the taxes collected from such properties are on average \$7562.41.

Table 2: Deschene Road Property Tax and Assessment Value

Municipal Address	Property Tax (2021)	Assessment Value (2021) (MPAC)
4705 Deschene Road	\$7647.57	\$529,000
4771 Deschene Road	\$7315.06	\$506,000
4821 Deschene Road	\$7329.52	\$507,000
4845 Deschene Road	\$9573.20	\$715,000
4871 Deschene Road	\$10,755.75	\$744,000
4911 Deschene Road	\$6606.70	\$457,000
4920 Deschene Road	\$5132.21	\$355,000
4940 Deschene Road	\$5377.87	\$372,000
5005 Deschene Road	\$7965.61	\$551,000
5030 Deschene Road	\$10,640.09	\$736,000
5080 Deschene Road	\$4842.98	\$335,000
Total (Average)	\$ 7562.41	\$527,909

EXACERBATING THE RURAL LAND SUPPLY

Although it is recognized that the OP seeks to focus growth and development in the settlement area, the addition of three rural residential lots in this location will not exacerbate the existing supply of available vacant rural lots. We note the definition of 'exacerbate' is to 'make more violent, bitter, or severe.' Given the context of the policy, the intent of **Section 5.2.2.3(a)** is to not allow rural lot creation that would result in a more severe/negative rural land supply, to uphold the overall goals of the official plan.

In June of 2013 the City of Greater Sudbury released its *Growth and Settlement Discussion Paper*. This Paper provides a review of land supply and demand both within settlement and rural areas, and whether

such supply can accommodate demand over the next 20 years as required by the PPS. The Paper states “there is also an ample supply of rural lands to meet the projected demand while also providing a wide range of choice under the existing severance framework.” The term ‘ample’ is used given it was found that approximately 1913 rural building lots (supply) were available through existing rural lot creation policies, while up to 878 new rural residential lots (demand) would be needed through 2036 using a historic share approach.

The Paper does not provide an analysis of developability of available rural lots of record or of the 1438 possible new building lots. The Paper’s methodology to determine a potential supply of 1438 new lots through existing consent policies relied upon a GIS analysis of existing parent parcels that had greater than 90.0-metres frontage and two hectares in area, without (to our knowledge) considering whether such lands were constrained by floodplains or other features. The Paper also does not consider ‘desirability’ of such rural lands and the intrinsic impact desirability has on determining whether vacant available rural lands would in-fact provide desirable supply for future rural lot creation. It is reasonable to conclude that not all rural parent parcels that provide the minimum area and frontage required for lot creation are ‘developable’ and that not all such lands are desirable from a market perspective. Given that not all available rural lands would be developable, the rural land supply is likely more constrained than presented in the 2013 paper. This however does not mean there is an overall shortage of rural lands to accommodate anticipated growth needs.

An analysis of ‘quality of location’ for rural lot supply is critical to understanding how this application would not exacerbate the existing supply of available vacant rural lots. The Paper analysed vacant rural residential land supply on a blanket-basis, treating rural lands that are directly adjacent to settlement areas, and rural lands far removed from such the same. Not all rural lands benefit from the proximity to community services/employment and existing hard and soft municipal services as the subject lands, which as discussed throughout this report are in close proximity to the subject property. Such proximity allows the proposed lots to meet the intent of the official plan with regard to promoting complete communities and providing easily accessible services to residents. Given the proposed lots would meet such intent, the creation of rural residential lots in this location would have the effect of directing those who want a larger rural estate lot to be within proximity of services, which is a better planning outcome than forcing the dispersion of rural residents to locations farther removed from service/settlement areas. As such, the introduction of new rural residential lots in this location will assist in shifting rural residential demand from those areas where rural lot creation would be permitted as-of-right (i.e., farther removed from settlement areas) and direct such residents/development to a location that already has an existing cluster of residential development and is directly adjacent to commercial/employment areas.

Given the Discussion Paper recognises there is already ‘ample’ existing rural residential lots to support demand, the outcome of the approval of the subject OPA (and creation of related proposed lots) would be to introduce additional rural residential market choice in a more desirable planning location. The introduction of the subject lots does add rural supply but does not exacerbate (make worse or more severe) the existing oversupply as it facilitates rural lot supply/creation that result in better planning outcomes than current rural lot creation official plan policy would allow as-of-right elsewhere. This

application introduces rural lot supply that better meets the intent of community building goals of the official plan than those rural lots that exist currently or could be created as-of-right in areas farther removed from settlement areas.

Again, it is recognized that OP policy allows for no more than three new lots to be created from a single parent parcel. However, the subject application is an example of where an exception to this policy should be permitted as lot creation in this location represents good planning and meets the intent of official plan policy when read in its entirety. This is owed to the fact that:

- The proposed lots meet the minimum lot area and frontage requirements of the Rural designation, and fits well with the rural residential landscape of the area;
- The Cost of Growth Report concludes that in most cases, new development contributes adequate revenue to offset additional servicing costs, and (as demonstrated in this report) the proposed development will provide a net financial benefit to the municipality;
- None of the lots created would require the uneconomical expansion of infrastructure;
- The lots would be located abutting the settlement boundary and commercial uses, therefore providing access to commercial, employment, and transit opportunities and introducing 'better quality' rural lot supply than that permitted as-of-right (thus resulting in better planning outcomes as is sought throughout the OP)

Given the comprehensive analysis above, the author finds that the application is consistent with the *2020 Provincial Policy Statement* and conforms with the intent of rural development in the *Greater Sudbury Official Plan* and the *Growth Plan for Northern Ontario* and that the proposed development results in better planning outcomes for rural lot creation. Specifically, the three lots will round out the existing linear rural residential development cluster along Deschene Road and promotes the development of residential housing within proximity to a major commercial area. The creation of these lots will not exacerbate the supply of available vacant rural lots and instead would introduce more desirable rural residential lots in a location which better promotes the overall community building goals of the *Official Plan*.

The proposed lots do not deviate from the established character of the area given similar lot fabric and frontages and will leverage existing assets, including natural features and rural character. Given the above this proposed rural lot creation is seen as locally appropriate both in the context of Greater Sudbury and the community of Val Therese/Hanmer, and results in more targeted appropriate rural lot creation than OP policy currently allows.

6.0 CONCLUSION

The proposed official plan amendment will permit the development of three rural lots and in doing so will complete the rounding of the existing rural residential strip development along Deschene Rd, while representing a net financial benefit to the Municipality. The subject application does not exacerbate the existing supply of rural lots and there is a need for new lots that offer better planning outcomes in the rural area, which the subject application will facilitate in a location that better meets the OP's overall intent than other areas where rural residential lots could be created without an OPA.

Given the analysis provide herein, it is the authors opinion that the proposed official plan amendment is consistent with the 2020 Provincial Policy Statement, conforms with the *Growth Plan for Northern Ontario* and the *City of Greater Sudbury Official Plan*, and represents good planning.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jarus', with a long horizontal stroke extending to the right.

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