

University Park Subdivision

Presented To:	Planning Committee
Meeting Date:	June 26, 2023
Type:	Routine Management Reports
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	780-6/11003

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 #780-6/11003) for a period of three years until June 19, 2026.

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 Part 1-6, 53R-18857, Lot 1, Concession 2, Township of McKim, File #780-6/11003, as outlined in the report entitled "University Park Subdivision, Sudbury", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 26, 2023 as follows:

1. By deleting Condition #13 and replacing it with the following:

"13. That this draft approval shall lapse on June 19, 2026."

2. In Condition #22 by adding the following to the end of the condition: 'The geotechnical engineer will be required to address On-site and Excess Soil Management in accordance with O. Reg. 406/19.'

3. In Condition #24:

- a) In the second sentence by adding the following words after the words 'subdivision development': 'following the recommendations of the Ramsey Lake Subwatershed Study and Stormwater Master Plan'; and
- b) In the fourth sentence by deleting the words '85% total suspended solids removal of the 50 micron particle size for a 1 in 2 year storm event' and replacing them with the words: 'enhanced" level and 20% over-control of peak flows as defined by the Ministry of the Environment, Conservation and Parks.'
- c) By deleting the fifth sentence in its entirety, which reads 'The stormwater treatment facility shall have approved pretreatment devices for petroleum and floatable interception.'

4. In Condition #39 by adding the following to the end of the condition: 'Canada Post will provide mail delivery service to this subdivision through 1 Centralized Community Mailboxes (CMBs). The owner shall provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin.'

5. By adding the following new Condition #45:

"45. Development of lots 1, 2 and 3 as shown on the draft plan of subdivision prepared by Surveyors On Site Inc. and dated May 9, 2020 within the regulated area requires a permit from Conservation Sudbury under Ontario Regulation 156/06 to demonstrate that the development complies with the regulation. The application must demonstrate that it is safe from and does not aggravate hazards, and complies with Conservation Sudbury's wetland guidelines."

6. By adding the following Note:

"1. Any development within the regulated area requires a permit from Conservation Sudbury under Ontario Regulation 156/06 to demonstrate that the development complies with the regulation. The application must demonstrate that it is safe from and does not aggravate hazards, and complies with Conservation Sudbury's wetland guidelines."

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 estimates approximately \$805,000 in taxation revenue, based on the assumption of 53 single detached dwelling units and 91 multiple residential units based on an estimated assessed value of \$500,000 and \$275,000 per respective dwelling unit 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 Building Services department.

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 #780-6/11003) in the community of Sudbury for a period of three years until June 19, 2026. 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:

1721074 Ontario Inc.

Location:

Part 1-6, 53R-18857, Lot 1, Concession 2, Township of McKim

Application:

To extend the draft approval conditions for a plan of subdivision which were approved initially by the City on June 19, 2020 pursuant to Local Planning Appeal Tribunal orders issued on August 3, 2017 and October 22, 2019. The draft approval is set to expire on June 19, 2023.

Proposal:

The owner is requesting that the draft approval for the above noted lands be extended for a period of three years until June 19, 2026.

Background:

The City received a request from the owner on February 21, 2023 to extend draft approval on a plan of subdivision for a period of three years on those lands described as Part 1-6, 53R-18857, Lot 1, Concession 2, Township of McKim.

The plan of subdivision was draft approved initially by the City on June 19, 2020 pursuant to Local Planning Appeal Tribunal orders issued on August 3, 2017 and October 22, 2019. 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 include that the plan lapses on June 19, 2023.

The lands are to be accessed via Keast Drive. The lands within the plan of subdivision are designated Living Area 1 in the Official Plan. The lands are currently zoned "R1-3(1)", "R1-3(2)", "R1-3(3)", Low Density Residential One Special, "R3(57)", "R3(58)", Medium Density Residential Special, "OSC", Open Space Conservation, and "P", Park. The plan would permit 53 single detached dwellings and 91 multiple dwelling units.

The draft approval is set to expire on June 19, 2023. 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 June 19, 2026.

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:

Strategic & Environmental Planning Initiatives, and Transit Services have each advised that they have no concerns from their respective areas of interest.

Building Services, Canada Post, Infrastructure Capital Planning Services, and Conservation Sudbury have requested updates to the conditions as described below.

Development Engineering advises that the City has received a first submission of construction drawings in November of 2022 to further development on this site, and are awaiting the owner's second submission of construction drawings.

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.

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

Draft Approval Conditions

Condition #12 should be deleted entirely and replaced with a sentence referring to June 19, 2026, as the revised date on which the subject draft plan of subdivision approval shall lapse.

Building Services has requested that Condition #22 be updated to advise that the geotechnical engineer will be required to address On-site and Excess Soil Management in accordance with O. Reg. 406/19.

Canada Post has provided detailed comments and staff recommend that Condition #39 be updated to advise that Canada Post will provide mail delivery service to this subdivision through 1 Centralized Community Mailbox (CMB), which is recommended to be located on the side of either Lot 23 or 39. The owner shall provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin.

Infrastructure Capital Planning has requested to delete original condition number 16, 24, 25, and 26 and replace them with a new standard condition outlining the requirements for the stormwater management plan. Staff has further discussed this matter with ICP staff and minor updates to Condition 24 are recommended to reflect that the regulatory environment has evolved since the original draft plan approval in 2017.

Conservation Sudbury has requested that Condition #42, which permits stormwater management facilities and the sanitary sewer lift station in Block A subject to a cut and fill permit, be replaced by a more general condition requiring any development within the regulated area to require a permit from Conservation Sudbury under Ontario Regulation 156/06. Staff has further discussed this matter with Conservation Sudbury and recommend this condition be limited to Block A and Lots 1-3 which are known to be impacted by the regulated area, along with a Note referring to Conservation Sudbury's permitting requirements.

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 \$3338.75. This amount is calculated as per By-law 2017-24 being the Miscellaneous Use Fees By-law.

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 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 19, 2026, be approved as outlined in the Resolution section of this report.