

Ztillion Holdings Ltd. Extension 2

Presented To:	Planning Committee
Meeting Date:	April 15, 2024
Type:	Routine Management Reports
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	780-4/08005

Report Summary

This report provides a recommendation regarding the extension of a subdivision lapsing date to June 23, 2027 on Subdivision File # 780-4/08005 on School Street and Church Street in Levack.

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 73342-0855, Lot 86, Plan M-1010, Lot 9, Concession 1, Township of Levack, File # 780-4/08005, as described in the report entitled "Ztillion Holdings Ltd. Extension 2" from the General Manager of Growth and Infrastructure, presented at the meeting of April 15, 2024 as follows:

1. By deleting Condition 24 and replacing it with the following:

"24, That this draft approval shall lapse on June 23, 2027."

Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

The request to extend the approval for a draft plan of subdivision is an operational matter under the Planning Act to which the City is responding. The proposal is consistent with the goals and objectives of the Strategic Plan by increasing the supply of new housing within settlement area boundaries. The proposed subdivision is contiguous with an existing built-up area and aligns with the goal to create compact, complete communities under the Community Energy & Emissions Plan.

Financial Implications

If approved, staff estimates approximately \$131,000 in taxation revenue, based on the assumption of 35 multiple 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. In addition, this would result in total development charges of approximately \$448,000 based on assumption of 35 multiple dwelling units and based on the rates in effect as of the date of this report.

Report Overview

Ztillion Holdings Ltd. has requested that their draft approved plan of subdivision in the community of Levack be extended for a period of three years until June 23, 2027 (780-4/08005). The Planning Services Division is recommending approval of the application.

The Planning Services Division has reviewed the request and has no objections to the requested extension for a period of three years. 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:

Ztillion Holdings Ltd.

Location:

PIN 73342-0855, Lot 86, Plan M-1010, Lot 9, Concession 1, Township of Levack

Application:

To extend the draft approval conditions for a plan of subdivision which was approved initially by Council on July 23, 2008. The draft approval was recently deemed not to have lapsed and extended by Council on March 1, 2024, until June 23, 2024 for a plan of subdivision on those lands described as PIN 73342-0855, Lot 86, Plan M-1010, Lot 9, Concession 1, Township of Levack (related report available online [here](#)).

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, 2027.

Background:

The City received a written request from Ztillion Holdings Ltd. dated February 12, 2024, to extend draft approval on the plan of subdivision and paid the applicable fee for a three year extension on those lands described as PIN 73342-0855, Lot 86, Plan M-1010, Lot 9, Concession 1, Township of Levack.

The Ztillion Holdings Ltd. draft plan of subdivision was initially approved on July 23, 2008 for six blocks of seven street-townhouse units having a total of 42 dwelling units, one of which was completed in September 2017 (Permit #11-1459). The blocks being developed are to be accessed on four sides from School Street, Church Street, Second Avenue North and Third Avenue North.

Part of the subdivision lands containing the existing street-townhouse dwellings were the subject of a by-law passed by Council on October 7, 2014 to exempt them from part lot control under Section 50(5) of the [Planning Act, R.S.O. 1990](#). The part lot control by-law was registered with the Land Registry Office (LRO) on October 21, 2014 and expired on October 14, 2016. The part lot control by-law would have facilitated the transfer of title on the lands occupied by the street-townhouse units. No requests to extend the maximum duration period of the part lot control by-law were requested by previous owners and it expired. Staff notes that no lands were transferred out to other parties during the effective period of the part lot control by-law and the lands remain as legally described in this report as one block of land owned by Ztillion Holdings Ltd.

The draft approval lapsed on June 23, 2021 as the owner did not make a request to extend the draft approval prior to the lapsing date. The draft approval was recently deemed not to have lapsed and extended by Council on March 1, 2024, until June 23, 2024.

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.

The lands within the plan of subdivision are designated Living Area 1 in the Official Plan. The lands are currently zoned 'R3', Medium Density Residential.

The most recent set of draft plan conditions are attached to this report.

Departmental & Agency Circulation:

Circulation was determined not to be required given the draft plan was recently deemed not to have lapsed and extended by Council on March 1, 2024, until June 23, 2024.

Planning Considerations:

Official Plan

Section 19.4.2 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 notes that this particular draft plan approval was originally approved by Council on July 23, 2008 and since that time the lands have benefitted from a building permit to construct the existing street-townhouse dwelling however no registration of any subdivision phases has occurred.

As part of their request to extend the draft approval, the owner has advised that since 2018 they have been working to complete the development of one of the buildings on the property, and then paused work due to the pandemic. Staff is satisfied that the owner is making reasonable efforts towards developing the subdivision.

With respect to the City's Official Plan, staff advises that Phase 2 of the City's Official Plan Review is in part examining issues related to water and waste-water capacities and demands. Section 19.4.2 of the City's Official Plan in particular has been identified as being a policy requiring an update to address municipal infrastructure capacities and demand issues. Staff through this process will consider the embedding of criteria into this section to strengthen the policy position and to better clarify what constitutes reasonable effort on behalf of a landowner when they seek to extend a draft approved plan of subdivision. Internal procedures and application requirements for extension requests are also under review and a stronger "landowner onus" approach will be applied to extension requests in the future once said procedures are established.

The owner is cautioned that future draft approval extensions may be subject to review under strengthened criteria embedded in the Official Plan through the City's Phase 2 Official Plan Review.

Draft Approval Conditions

Condition #24 should be deleted entirely and replaced with a sentence referring June 23, 2027 as the revised date on which the subject draft plan approval shall lapse.

No other changes to the draft approval documents have been requested. The current draft conditions are attached to this report along with a sketch of the draft approved plan of subdivision for reference purposes.

Summary:

The Planning Services Division has reviewed the request and has no objection to extending the draft approval to June 23, 2027. Appropriate changes where identified have been included in the Resolution portion 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 draft approval for the Ztillion Holdings Ltd. for a three-year period until June 23, 2027, be approved as outlined in the Resolution section of this report.