

## **Fabian Crescent Subdivision, Sudbury – Extension of Draft Plan Approval**

Presented To:	Planning Committee
Meeting Date:	June 24, 2024
Type:	Routine Management Reports
Prepared by:	Bailey Chabot Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	780-3/90009

## **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 #780-3/90009) for a period of three years until September 4, 2027.

## **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 73494-0089, Parcel 48390 SES, Lot 6, Concession 1, Township of Garson in the report entitled "Fabian Crescent Subdivision, Sudbury - Extension of Draft Plan Approval", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 24, 2024 as follows:

1. Amending Condition 20 to change the lapse date from "September 4, 2024" to "September 4, 2027".

2. Amending Condition 24 to add:

"The geotechnical engineer will be required to address On-site and Excess Soil Management in accordance with O. Reg. 406/19."

3. Deleting Condition 27 and replacing it with:

"A stormwater management report and associated plans must be submitted by the Owner's Consulting Engineer for approval by the City. The report must address the following requirements:

- a) 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 predevelopment 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.

- b) 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.
- c) A hierarchical approach to stormwater management must be followed as described by the Ministry of the Environment, Conservation and Parks and as amended by City of Greater Sudbury most recent Storm Water Management Guide and Engineering Design Standards.
- d) "Enhanced" level must be used for the design of stormwater quality controls as defined by the Ministry of the Environment, Conservation and Parks;
- e) Stormwater management must further follow the recommendations of the Junction Creek Subwatershed Study;
- f) The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any stormwater management plan;
- g) 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;
- h) Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties; and,
- i) 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 works to the satisfaction of the General Manager of Growth and Infrastructure as part of the servicing plans for the subdivision and the owner shall dedicate the lands for stormwater management works as a condition of this development."

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

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 \$126,500 in taxation revenue, based on the assumption of 22 single detached dwelling units based on an estimated assessed value of \$400,000 at the 2024 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 \$488,000 based on assumption of 22 single detached dwelling units and based on the rates in effect as of the date 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 780-3/90009) in the community of Sudbury for a period of three years until September 4, 2027. 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:**

Zulich Enterprises Ltd.

## **Location:**

PIN 73494-0089, Parcel 48390 SES, Lot 6, Concession 1, Township of Garson

## **Application:**

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on September 4, 1990. The draft approval was most recently extended by Council on September 4, 2021, and is set to expire again on September 4, 2024.

## **Proposal:**

The owner is requesting that the draft approval for the above noted lands be extended for a period of three years September 4, 2027.

## **Background:**

The City received a request from Zulich Enterprises Ltd. on April 24 to extend draft approval on a plan of subdivision for a period of three years on those lands described as PIN 73494-0089, Parcel 48390 SES, Lot 6, Concession 1, Township of Garson.

The plan of subdivision was draft approved initially on September 4, 1990. 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 are scheduled to expire on September 4, 2024.

The lands are to be accessed via the extension of Sandra Street. The lands within the plan of subdivision are designated Living Area 1 (balance of the lands) in the Official Plan. The lands are currently zoned 'R2-2', Low Density Residential Two pursuant to the City's Zoning By-law 2010-100Z.

With the expiration date approaching, the landowner has made a request to extend the conditions of draft plan approval an additional three years. 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 September 4, 2027.

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.

## **Departmental & Agency Circulation:**

Building Services, Canada Post, Conservation Sudbury, Development Engineering, Fire Services, Greater Sudbury Utilities, Infrastructure Capital Planning Services, Strategic & Environmental Planning Initiatives, Transit Services, Transportation and Innovation Support, and Water/Wastewater Treatment and Compliance have each advised that they have no concerns from their respective areas of interest.

## **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 landowner has advised that the extension is needed given the prohibitive costs associated with servicing the properties with adequate water and sewer capacity. Although the applicant acknowledges the great need for this type of development in the City, the business case for the development of these properties did not provide enough financial incentive to warrant moving forward through the last three years and will look to move forward in the next three years.

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

### Draft Approval Conditions

Condition 20 should be amended to reflect the new lapse date of September 4, 2027.

Building Services has requested that Condition 24 be amended to reflect updated regulations pertaining to on-site and excess soil.

Infrastructure and Capital Planning Services, Drainage Section has requested that Condition 27 be deleted and replace, with the recommended condition of approval to reference updated stormwater management practices and standards.

The draft conditions are attached to this report along with the draft approved plan of subdivision for reference purposes.

## **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. 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 September 4, 2027, be approved as outlined in the Resolution section of this report.