

## Billiard's Green Subdivision Extension, Sudbury

Presented To:	Planning Committee
Meeting Date:	December 9, 2024
Type:	Routine Management Reports
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	780-6/12002

## 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 #780-6/12002) for a period of three years until November 7, 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 Part of PIN 73478-0607, Parcel 2877, Parts 1 & 2, 53R-18053, Lot 4, Concession 5, Township of Broder, File 780-6/12002, in the report entitled "Billiard's Green Subdivision Extension, Sudbury", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on December 9, 2024 as follows:

By deleting Condition #10 and replacing it with the following:

"10. That this draft approval shall lapse on November 7, 2027."

2. By replacing Condition 34(a) with the following:

"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 pre-development 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.

3. By deleting Condition 34(h).

4. By adding new Condition 34 (h)(i) and (j) as follows:

"(h) 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.

(i) 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.

(j) Stormwater management must further follow the recommendations of the Algonquin Road Subwatershed Study.”

5. By deleting Condition #35.

6 . In Condition #36, by replacing ‘Authority’s Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 156/06)’ with ‘Conservation Authorities Act’.

7. By adding new Condition #38:

“38. The wetland(s) must be mapped by a qualified professional (OWES-certified with experience in wetland mapping) to the satisfaction of Conservation Sudbury. The wetlands must be mapped within the location of the proposed subdivision and within 30 metres of the proposed subdivision. All mapping must include the wetland boundary and areas of potential interference shown at 12 metres and 30 metres from the wetland boundary. Development must comply with Conservation Sudbury’s wetland guidelines and proponent must demonstrate that loss of wetlands will not aggravate flooding or erosion to downstream parcels to the satisfaction of Conservation Sudbury.”

## **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 \$393,400 in taxation revenue, based on the assumption of 22 semi-detached dwelling units and 66 row dwelling units based on an estimated assessed value of \$300,000 and \$275,000, respectively, at the 2024 property tax rates.

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.

The amount of development charges will be based on final review of the property by the Building Services department at the time of permit issuance.

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).

# Staff Report

## Applicant:

Dalron Construction Ltd.

## Location:

Part of PIN 73478-0607, Parcel 2877, Parts 1 & 2, 53R-18053, Lot 4, Concession 5, Township of Broder

## Application:

To extend the draft approval conditions for a plan of subdivision which were approved initially by Council on April 10, 2013 and subsequently extended in 2016 and 2021. The plan includes 154 residential units consisting of 32 semi-detached dwelling and 122 row dwelling. A first phase of the subdivision was registered in 2018, with one block for 22 semi-detached and 66 row dwelling units and one block for parkland remaining.

## Proposal:

The owner is requesting that the draft approval for the above noted lands be extended for a period of three years until November 7, 2027.

## Background:

The City received a request from Dalron Construction Ltd. on May 21, 2024 to extend draft approval on a plan of subdivision for a period of three years on those lands described as Part of PIN 73478-0607, Parcel 2877, Parts 1 & 2, 53R-18053, Lot 4, Concession 5, Township of Broder. Staff has circulated the request to relevant agencies and departments and is now bringing forward this report to extend the draft approval to November 7, 2027.

The plan of subdivision was draft approved initially on April 10, 2013. Conditional approval was extended in 2016, in 2018 as a result of registering the first phase, in 2021, and a four-month administrative extension has been granted to allow time to review the current extension request. The most recent set of draft plan conditions are attached to this report, which include that the plan lapses on March 7, 2025.

The lands within the plan of subdivision are designated Living Area 1 in the Official Plan and are zoned 'H40R2-2', Hold – Low Density Residential Two, and 'H40R3-1', Hold - Medium Density Residential. Until such time as the "H40" symbol has been removed through a zoning by-law amendment, a maximum of 74 dwelling units are permitted. The "H40" symbol may only be removed if a public road connection exists from the subject lands to Maurice Street or Tuscany Trail.

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, and Environmental Planning Initiatives 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 they are currently developing in this area with the construction of 20 row dwellings and look forward to development continuing in this location. This extension will provide additional time for Dalron to rezone to accommodate the development of additional row dwelling units.

Development Engineering has advised that the most recent phase of the subdivision was registered in November 2018. There are currently no submissions of drawings for an additional phase of this subdivision. Staff is satisfied that the owner is making reasonable efforts towards developing the subdivision.

### Draft Approval Conditions

Condition #10 should be deleted entirely and replaced with a sentence referring to November 7, 2027, as the revised date on which the subject draft plan of subdivision approval shall lapse.

Infrastructure and Capital Planning Services, Drainage Section, has requested updates to the stormwater management conditions requiring the owner to design and construct stormwater management works for quality control and quantity control rather than providing a cash contribution in lieu of on-site stormwater quantity controls. Further, staff recommends that Condition #35 be deleted, which pertains to confirming off-site infrastructure is available and no longer aligns with the approach of providing on-site quantity control. Under the City's Consolidated Linear Infrastructure Environmental Compliance Approval (CLI-ECA) that was issued on October 16th 2023, the City can no longer request cash in-lieu for previous draft approved submissions that are not in detailed design or have not started construction. Stormwater must now be managed onsite. Note that the City has submitted a CLI amendment form to the Ministry of Environment, Conservation and Parks requesting to amend the CLI-ECA to allow the City to request cash in-lieu for previous draft approved subdivisions. The City is waiting to hear back from the Ministry.

Conservation Sudbury has recommended condition #36 be updated to replace a reference to a regulation to reflect the current legislative and statutory context, and by adding a new condition (Condition #38) to reflect that they have adopted Wetland Guidelines that require wetlands to be mapped by a professional, setbacks shown, and demonstrate that any loss of wetlands will not aggravate flooding or erosion to downstream parcels.

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.

## **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 November 7, 2027, be approved as outlined in the Resolution section of this report.