

## **Draft Plans of Subdivision Approved on or Before March 27, 1995 and Bill 185 - Cutting Red Tape to Build More Homes Act, 2024**

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### **Report Summary**

This report provides information regarding an update to the changes brought on by Bill 185, Cutting Red Tape to Build More Homes Act, 2024 and its impact on any draft approved plans of subdivision that were given conditions of approval on or before March 27, 1995 but have not yet registered some or all of those lots.

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

This report outlines Provincial legislative changes to which staff are providing an update.

### **Financial Implications**

There are no financial implications associated with this report.

### **Background**

#### Plans of Subdivision

Plans of subdivision are used to create the lots and blocks within new development. There are two major milestones to creating lots and blocks through a plan of subdivision: draft plan approval and lot registration.

- **Draft Plan Approval:** When a plan of subdivision is proposed, staff and other agencies undertake an extensive review and prepare draft conditions of approval for Council review and approval. Once Council approves the conditions, the plan is considered draft approved, and the applicant can proceed to address the conditions and move towards registration of the plan. The conditions of approval address the detailed components of the draft plan, (road design site-specific study recommendations, drainage, etc.). Importantly, the conditions of approval include a lapsing date after which time the conditions of approval are no longer valid and the applicant must reapply.
- **Lot Registration:** To create the lots and blocks identified in the draft plan of subdivision the applicant must meet all the conditions of draft plan approval, prior to the lapsing date. Once registered, lots and

blocks can be transferred (sold) to other parties.

In Greater Sudbury there are several plans of subdivision that have received draft approval but have yet to be registered or have only register phases of the overall plan. There are several factors that may prevent a developer from registering some or all the draft approved lots prior to the lapsing of the conditions of draft plan approval. These reasons may include economic (higher interest rates, lack of skilled trades persons, or requirement for large capital investments); practical (servicing capacity, challenging topography, or natural hazards); or business-related (other projects are being prioritized by the developer, return on investment considerations). Often there is more than one reason.

When a developer is unable to register all the draft approved lots prior to the lapsing of the conditions of approval, they can request an extension to the lapsing date.

#### Bill 185, Cutting Red Tape to Build More Homes Act, 2024

On April 10, 2024, the Provincial Government introduced Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* to the Ontario legislature, which received royal assent on June 6, 2024. Bill 185 amended several Acts, including the Planning Act, to enact “use it or lose it” provisions for older draft plans of subdivision. These changes mean that any unregistered lots or blocks in draft approved plans of subdivision that were issued conditions of approval on or before March 27, 1995 will lapse as of June 6, 2027. The City of Greater Sudbury will not have the option to extend the draft approval beyond that date.

#### **Draft Approved Plans of Subdivision on or Before March 27, 1995**

There are twelve (12) plans of subdivision that were draft approved on or before March 27, 1995 that still have lots or blocks in the draft approved state. All these draft plans of subdivision represent single detached residential development and include just over 1,000 lots. The plans of subdivision impacted by Bill 185, as of December 2024, are:

<b>File Number</b>	<b>Owner</b>	<b>Development Name</b>	<b>Number of Unregistered Lots</b>	<b>Community</b>
780-3/90009	Zulich Development Corporation	Fabian Crescent	23	Garson
780-3/86008	Dalron Development Ltd.	Foxborough West	50	Garson
780-6/88016	2487893 Ontario Limited	Countryside	40	Sudbury
780-6/88019	Primo Titton Construction Limited	Mariposa	107	Sudbury
780-6/88020	Dalron Development Ltd.	Mallards Green	10	Sudbury
780-6/89019E	1789682 Ontario Limited	Moonglow East	93	Sudbury
780-6/89019W	Dalron Development Ltd.	Moonglow West	188	Sudbury
780-6/89023	Dalron Development Ltd.	Royal Oaks (Nickeldale)	83	Sudbury
780-6/91001	Timestone Corporation	Lionsgate	227	Sudbury
780-6/93009	Dalron Development Ltd.	Pondsvie	20	Sudbury
780-7/89008	Riverglen Developments Limited	Riverdale	91	Lively
780-7/92014	Dominion Park Developments Corp.	Dominion Park	85	Hanmer

Any remaining draft approved lots within these twelve draft approved plans of subdivision will lapse on June 6, 2027. The City is unable to grant any extensions to these subdivisions, due to the legislative changes introduced through Bill 185, *Cutting Red Tape to Build More Homes Act, 2024*.

## **Options Moving Forward**

There are two options available for these subdivisions moving forward.

### **1. Register the Draft Approved Lots**

The developers can work toward clearing the conditions of draft plan approval and register the lots. Registered lots are not affected by Bill 185, *Cutting Red Tape to Build More Homes Act, 2024*. Some developers are working toward registration, and it is anticipated that some of these lots will be registered ahead of the June 6, 2027 lapsing date.

### **2. Reapplication for Draft Plan of Subdivision**

Any draft approved lots that lapse on June 6, 2027 can be part of a new draft plan of subdivision application. Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* does not prohibit future applications for the development of any lapsed draft approved plans of subdivision.

## **Communication to Stakeholders**

Planning Services staff have reached out to all the landowners/developers listed above to ensure they are aware of the legislative changes and identify options for them moving forward.