



SUBJECT: Supplementary information and directions regarding subdivision agreement extension for Garden Trails Subdivision

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Community Planning Department

Report Number: PL-48-20

Wards Affected: 1

File Numbers: 510-05/99

Date to Committee: August 11, 2020

Date to Council: August 24, 2020

Recommendation:

Receive community planning department report PL-48-20 regarding supplementary information with respect to a proposed extension of subdivision approval for the Garden Trails Subdivision located at 550 Genista Drive; and

Refuse the request to extend Draft Plan Approval for the Garden Trails subdivision (24T099005/B) at 550 Genista Drive, as recommended in community planning department report PL-31-20.

Purpose:

The purpose of this report is to provide further information regarding the recommendation to refuse the request to extend the Draft Plan Approval, including the conditions of the Subdivision Agreement, associated with the Garden Trails Subdivision in response to a discussion arising from report PL-31-20, which recommended that draft approval lapse on June 30, 2020.

Vision to Focus Alignment:

- Supporting Sustainable Infrastructure and a Resilient Environment
- Delivering Customer Centric Services with a Focus on Efficiency and Technology Transformation

Background and Discussion:

The subject lands are located south of Provincial Highway 403 and the CN Railway tracks, at the terminus of Genista Drive and are approximately 3.8 hectares in size. The lands are made up of two blocks within a Registered Plan of Subdivision (Blocks 152 and 154, Plan 20M-795) and are adjacent to a tributary of Grindstone Creek, which is located south of the subject lands.

In 2001, the Ontario Municipal Board (OMB), now known as the Local Planning Appeal Tribunal (LPAT), approved the draft plan of subdivision (file no. 510-05/99) to facilitate Phase II of the subject draft plan of subdivision which includes the creation of 20 single detached lots fronting onto a new municipal road, being the extension of Genista Drive; the creation of new servicing blocks and the establishment of a new Open Space block.

As part of the draft approval, the applicant was required to satisfy the conditions provided within three years. Since the time of draft approval in 2001, the applicant was granted several extensions to this timeframe. The previous lapsing date was June 30, 2020. Prior to this date, staff recommended that draft approval lapse and a new application be submitted. Council granted a temporary, two-month extension to allow time for staff and the applicant to meet and determine what would be required for a resubmission with respect to timing, submission requirements and fees.

The most recent extension was temporarily granted as of June 30, 2020 with the lapsing date being August 31, 2020. Staff met internally as well as with external agencies and the applicant and have provided information as it relates to the planning process within this report.

Analysis

The policy framework has changed substantially since draft plan approval and given the ecological significance of the lands, it is important that current standards and regulations are considered and maintained. The application was circulated to relevant departments and agencies for review and to determine which documents would require updates.

City planning staff, Regional planning staff and Conservation Halton environmental planning staff met with the applicants on June 29, 2020 and July 15, 2020 to determine the extent of work required to determine the developable area supported by the current policy framework and the steps required to facilitate approval of a subdivision application. City staff and external agencies assembled a list of reports and studies that would be required to be updated and submitted by the applicant and subsequently reviewed by staff as part of either a resubmission or a new application. This list, along with preliminary comments related to the required updates, was sent to the applicant on July 21, 2020 (attached as Appendix "A") and includes the following technical documents:

- Draft Plan of Subdivision

- Geotechnical Slope Stability Assessment
- Environmental Site Assessment
- Environmental Noise and Vibration Study
- Functional Servicing and Stormwater Management Report
- Tree Inventory and Preservation Plan
- Landscape and Restoration Plan
- Fluvial Geomorphic Assessment
- Environmental Impact Assessment including edge management strategy
- Topographic Survey delineating regulatory hazards and allowances
- Updated drawings, including:
 - Construction and mobility management
 - Utility coordination
 - Grading and Stabilization
 - Servicing
 - Stormwater management
 - Erosion and sediment control
 - On-street parking
 - Tree inventory and preservation
 - Tree planting and landscaping

The extent of the technical comments will be determined as the documents are submitted and reviewed and the developable area is determined. This will also determine the timing that would be required to achieve final subdivision approval. The amount of effort and resources required to review and comment on the aforementioned studies, review a revised draft plan proposal, and update the applicable draft plan conditions is such that staff continues to recommend that a new application is warranted, as opposed to the draft plan approval extension being proposed by the applicants.

Financial Matters:

The following table summarizes the application fees that would be applied to each of two scenarios. *Scenario 1* would involve the fees required to extend the existing draft approval. *Scenario 2* would involve the fees required to submit a new application.

Scenario 1

In *Scenario 1*, the applicant would provide the required documents to the City as a resubmission to the existing subdivision application. The submission would be recirculated to staff and a full review would be undertaken. The modified conditions would be determined throughout the review process. A further submission may be required and reviewed further, dependent on the nature of the comments received.

City Fee:

\$1,670 – Extension of Draft Approval

\$9,490 – Major Subdivision Revision Fee

Region Fee:

\$5,124.13

Conservation Halton Fee:

\$4,007

Total: \$20,291.13

Scenario 2

In *Scenario 2*, the same documents would be submitted and processed as a new application. The remainder of the process would be similar to *Scenario 1* and would result in a new set of conditions.

City Fee:

\$30,360 – Base Fee

*\$19,200 – Variable Fee**

Region Fee:

\$10,400.35 at time of application

\$2,137.56 at time of registration

Conservation Halton Fee:

\$6,947 – Base Fee

\$3,822 – Technical Review

*\$6,280 – Variable Fee**

Total: \$79,146.91

**Variable fee is calculated based on original proposal of 20 units; however this may change once developable area is confirmed.*

Conclusion:

After meeting with external agencies and the applicant, staff have compiled information related to the required technical reports and studies; the required fees for each scenario and the nature of the review required for each of two different scenarios. Staff maintains the recommendation of PL-31-20 that the extension request should be refused.

Respectfully submitted,

Melissa Morgan, MCIP, RPP

Planner II – Development Review

Appendix:

A - Notes from Preconsultation meeting held July 15, 2020

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Council. Final approval is by the City Manager.