



# **GARDEN TRAIL DRAFT PLAN OF SUBDIVISION – GENISTA DRIVE APPROVAL EXTENSION REQUEST**

Item 10.3 (f)  
Regular Meeting of Council  
August 24, 2020



**EMSHIH**  
DEVELOPMENTS INC.

# Technical Submissions Since 2001

- CH is incorrect to state that no work has been completed since 2001
- Ongoing process of a technical nature
  - 2010: Meeting with CH staff, City staff and design consultants resulting in an outline of the work required to move forward
  - 2010 – 2014: Multiple rounds of fieldwork and studies including site meetings with CH staff
  - October 10, 2014: Geotechnical Report
  - November 2014 – October 2016: ongoing consultation
  - October 26, 2015: Geotechnical Report
  - 2017: ongoing consultation including meetings with CH staff and receiving formal CH comments (April 5, 2017 and December 8, 2017)
  - 2019 - 2020: formal responses to CH comments by way of various Addendum

# Legal Mechanism to Charge Fees

- The City can impose additional fees at its discretion to reflect staff time and resources
- By-Law 52-2019: Bylaw to Impose Rates and Fees
  - Section 5 states:

“The fees and charges imposed by the City, as outlined in Schedule “A” to this by-law may be increased, decreased or waived completely by the Director to whose department the fee or charge relates, subject to any approved corporate policy”
  - Section 6 states:

“The fees and charges imposed by the City as outlined in Schedule “A” to this by-law may be amended by Council by way of a motion to reconsider”

# Extension is Most Efficient Use of Staff Resources

- A new subdivision application would engage a full *Planning Act* process:
  - Pre-consultation – circulation of plan to get comments on what reports are needed -- Redundant
  - Pre-submission public meeting is required – No value added
  - Submission based on full Draft Plan requirements – No value added
  - Review to be deemed complete -- Redundant
  - Notice required to be sent – No value added
  - Notice sign required – No value added
  - Circulation is required as per S. 51 (17) of the Planning Act; plan and supporting materials will have to be sent to: -- The City, Region and CH are the key agencies to review resubmission materials for the revised draft plan
    - a. Region (including MNRF)
    - b. CH
    - c. All school boards
    - d. All utilities
    - e. Hydro One
    - f. OPG
    - g. All gas operators, natural gas, and oil and gas utility companies in Burlington
    - h. CN Rail
    - i. All telecommunication infrastructure providers
    - j. MMAH
    - k. MTO.
  - Public meeting required – No value added
  - Recommendation meeting to get Draft Approval and conditions – Redundant as updated conditions already received

# Request for Extension

- GTD wants to continue working collaboratively with the City, CH and the Region to complete this site
- An extension will allow the following work to be completed:
  - Resolve CH matters of slope stability, stable top of slope and developable land area
  - Prepare a scoped EIA/EIS (at min. 6 months to complete)
  - Prepare additional updated studies per submission requirements
- GTD is requesting a motion from Council:
  - *To extend Draft Plan Approval for the Garden Trails Subdivision (24T099005/B) at 550 Genista Drive for a minimum of 1 year, to August 31, 2021*