



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*