

Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Tuesday, October 12, 2021
Subject	Request for an Extension to Draft Plan of Subdivision Approval Hanlon Creek Business Park Subdivision File: 23T-03501 Ward 6

Recommendation

1. That in accordance with Section 51(33) of the Planning Act, the application by Astrid J. Clos Planning Consultants on behalf of the owners, the Estate of Stanford Robert Snyder and the City of Guelph for an extension to the Hanlon Creek Business Park Draft Plan of Subdivision 23T-03501 be approved with a five (5) year lapsing date of November 8, 2026, subject to the original draft plan conditions approved by the former Ontario Municipal Board in its Decision/Order No. 3143, issued on November 8, 2006 contained in Attachment 4 of Infrastructure, Development and Enterprise Services Report, dated October 12, 2021.
2. That in accordance with Section 51(45) of the Planning Act, administrative and technical revisions have been made to draft plan conditions approved by the former Ontario Municipal Board in its Decision/Order No. 3143, issued on November 8, 2006 to update standard wording and new service area names and staff titles, update By-law numbers and allow transition to the City's assumption model.
3. That in accordance with Section 51(47) of the Planning Act, City Council has determined that no public notice is required as changes to the draft plan conditions are administrative and technical in nature and are therefore considered to be minor.

Executive Summary

Purpose of Report

This report provides a staff recommendation to grant a five (5) year extension to draft approved plan of subdivision 23T-03501.

Key Findings

Planning staff support the request for an extension to draft plan approval subject to administrative and technical amendments to the draft plan conditions approved by the former Ontario Municipal Board.

Financial Implications

None arising from this report.

Report

Background

On July 27, 2021 the City received a request from Astrid J. Clos Planning Consultants on behalf of the owners, the Estate of Stanford Robert Snyder and the City of Guelph for an extension to Draft Approved Plan of Subdivision 23T-03501.

Applications were submitted for an Official Plan Amendment, a Zoning By-law Amendment and a Draft Plan of Subdivision to create a corporate business park in 2002. The applications were considered by Guelph City Council on January 31, 2005 and approved subject to conditions. The planning documents were appealed to the former Ontario Municipal Board (OMB) by various parties and subsequent to a Hearing process, the subdivision was approved by the OMB on November 8, 2006 for a period of 5 years. On October 3, 2011, Council approved an extension subject to the original draft plan conditions approved by the former OMB in the Decision/Order No. 3143, issued on November 8, 2006 for an additional 5 years with a lapsing date of November 8, 2016. On September 12, 2016, Council approved an extension subject to the original draft plan conditions approved by the former OMB for an additional 5 years with a lapsing date of November 8, 2021.

The subdivision will lapse on November 8, 2021, and the owners are requesting a five (5) year extension to November 8, 2026.

Phase 1 of the Hanlon Creek Business Park was registered on April 27, 2011 as Plan 61M-169. Phase 2 was registered on January 20, 2012 as Plan 61M-176.

The registration of this final phase is market driven and dependent upon the absorption of lands in Phases 1 and 2. The Covid-19 pandemic and related restrictions have added to the required timeline to complete the registration of this final phase. The owners are therefore requesting a five (5) year extension to November 8, 2026. In the event the draft plan approval is not extended beyond November 8, 2021, the subdivision will lapse and there will be no planning approvals in place for the subdivision and the owners will not be able to register the 3rd and final phase of this subdivision.

Location

The Hanlon Creek Business Park subdivision lands are bounded to the north by residential uses, to the east by the Hanlon Expressway, to the south by Forestell Road and to the west by Downey Road.

The Location Map and Orthophoto can be found in Attachment 1 and Attachment 2 to this report.

Official Plan Land Use Designations

The application for Draft Plan of Subdivision and applications to amend the Official Plan and Zoning By-law were received in 2002 and therefore were evaluated against the Greenlands system policies of the Official Plan. An Official Plan Amendment was approved by the former OMB. The current Official Plan land use designations for the Hanlon Creek Business Park are "Corporate Business Park",

"Industrial" and "Significant Natural Areas and Natural Areas" as shown in Attachment 5 and includes any site-specific Official Plan Amendments approved by Council since the OMB approval in November of 2006.

Existing Zoning

The associated Zoning By-law Amendment for the Hanlon Creek Business Park subdivision lands was approved by the former OMB. The existing zoning for the Hanlon Creek Business Park lands can be found in Attachment 6 and includes subsequent site-specific Zoning By-law Amendments approved by Council since the original approval in November of 2006.

Recommendation

Staff are recommending approval of the draft plan extension, subject to the draft plan conditions outlined in Attachment 4. The requested draft plan extension is supported on the basis that the plan remains an appropriate subdivision that will contribute towards meeting the employment targets as per "Places to Grow" policy. The draft plan continues to conform to the land use policies of the Official Plan and represents an appropriate subdivision development.

Planning staff support the request to extend draft plan approval with a 5 year lapsing date.

Departmental and Agency Consultation

The Planning Act does not require a circulation to agencies for an extension of draft plan approval. The following internal City Departments/Divisions were circulated for input: Engineering, Environmental Planning and Parks Planning.

The following changes have been made to conditions 7 and 28 to allow transition to the City's assumption model.

Original condition:

7. That prior to any grading or construction on the site, the Developer enters into an Engineering Services Agreement with the City, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise, to the satisfaction of the City of Guelph.

Changed condition:

7. The Developer shall enter into an Engineering Services Agreement with the City, satisfactory to the City, if required by the City Engineer.

Original condition:

28. That the developer pays to the City the flat rate charge established by the City per metre of road frontage, to be applied to tree planting within the proposed subdivision.

Changed condition:

28. The Developer shall prepare a street tree planting plan to the satisfaction of the City and implement such plan to the satisfaction of the City.

The remaining conditions of draft plan approval included in Attachment 4 that apply to the subject lands remain relevant and include all of the same conditions approved by the former OMB with administrative and technical revisions made to update standard wording and new service area names and staff titles. These

revisions are considered to be minor and, therefore, no further notice under the Planning Act is required in accordance with Section 51(47) of the Planning Act.

Financial Implications

None arising from this report.

Consultations

A request for an extension to an approved draft plan of subdivision does not require public notification.

Strategic Plan Alignment

Priority

Sustaining our future

Direction

Plan and Design and increasingly sustainable city as Guelph grows

Alignment

The draft plan of subdivision remains an appropriate subdivision that conforms to the land use policies of the Official Plan, which is the City's key document for guiding future land use and development.

Attachments

Attachment-1 Location Map

Attachment-2 Orthophoto

Attachment-3 Draft Approved Plan of Subdivision

Attachment-4 Conditions of Draft Plan Approval

Attachment-5 Official Plan Land Use Designations

Attachment-6 Existing Zoning

Departmental Approval

Chris DeVriendt, MCIP, RPP, Manager of Development Planning

Report Author

Lindsay Sulatycki, MCIP, RPP, Senior Development Planner

This report was approved by:

Krista Walkey, MCIP, RPP

General Manager, Planning and Building Services

Infrastructure, Development and Enterprise Services

519-822-1260, extension 2395

krista.walkey@guelph.ca

This report was recommended by:

Jayne Holmes, P. Eng., PMP

Deputy Chief Administrative Officer

Infrastructure, Development and Enterprise Services

519-822-1260 extension 2248

jayne.holmes@guelph.ca