

Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Tuesday, October 13, 2020
Subject	Request for an Extension of Draft Plan of Subdivision Approval Nima Subdivision 635 Woodlawn Road East File: 23T-11503 Ward 2

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, Terra View Custom Homes Ltd. and Lambden Farm Trust for an extension to Draft Plan of Subdivision 23T-11503 approval, municipally known as 635 Woodlawn Road East be approved with a five (5) year lapsing date to November 18, 2025, subject to the original draft plan conditions approved by the former Ontario Municipal Board in its Decision/Order, issued on November 18, 2015 contained in Attachment 4 of Infrastructure, Development and Enterprise Services Report 2020-151, dated October 13, 2020.
 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, issued on November 18, 2015 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 approved draft plan of subdivision 23T-11503.

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 June 4, 2020 the City received a request from Astrid J. Clos Planning Consultants on behalf of the owners, Terra View Custom Homes Ltd. and Lambden Farm Trust for an extension to Draft Approved Plan of Subdivision 23T-11503.

The Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment applications for the subject lands were approved by the former Ontario Municipal Board (OMB) in its Decision/Order on November 18, 2015.

Location

The subject lands are located between Eramosa Road and Woodlawn Road East and to the east of Muskoka Drive. The subdivision has a total area of 14.723 hectares and consists of the following:

- 117 single detached lots
- 4 semi-detached units
- 61 on-street townhouse units
- 66 apartment units
- 86 residential units within mixed-use buildings including office and commercial uses
- 1 park block
- 3 open space blocks
- 2 stormwater management blocks
- hectare pumping station block

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

The subdivision will lapse on November 18, 2020, and the owner is requesting a five (5) year extension to November 18, 2025.

Phase 1A of the subdivision was registered as 61M-229 on January 8, 2019 and included 2 blocks zoned for commercial/residential purposes and 1 stormwater management block.

In the event the draft plan approval is not extended beyond November 18, 2020, the subdivision will lapse and there will be no planning approvals in place for the subdivision.

Official Plan Land Use Designations

The applications for Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment were received in 2011 and therefore were evaluated against the Greenlands system policies of the Official Plan. The existing Official Plan land

use designations that apply to the subject lands are "Low Density Greenfield Residential", "High Density Residential", "Mixed Office/Commercial", "Open Space and Park" and "Significant Natural Areas and Natural Areas" as shown in Attachment 5.

Existing Zoning

The zoning for the subject lands was approved by the former OMB through its Decision/Order on November 18, 2015. Zoning for the subject lands permits a range of residential zones that permit single detached, semi-detached, townhouse and multiple residential units. There is also a park block, which is zoned "Neighbourhood Park" (P.2). The wetlands are zoned "Wetland" (WL) and the lands associated with stormwater management and associated setbacks and buffers are zoned "Conservation Land" (P.1). The existing zoning can be found in Attachment 6.

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 intensification targets within the Greenfield Area 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 that is considered compatible with the surrounding neighbourhood in terms of its scale, intensity and design.

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 6 and 20 to allow transition to the construction of subdivision municipal services under the City's assumption model.

6. The Developer shall enter into an Engineering Services Agreement with the City, satisfactory to the City Engineer, **if required by the City Engineer**.
20. With the exception of any share determined by the City to be the City's share in accordance with its by-laws and policies, the Developer is responsible for the total cost of the design and construction of all municipal services within and external to the subdivision that are required by the City to service the lands within the plan of subdivision including, **but not limited to**, such works as **lot grading and drainage**, sanitary facilities, storm facilities, water facilities, walkways and road works including sidewalks, boulevards and curbs, with the distance, size and alignment of such services to be determined by the City, including but not limited to reconstruction of Woodlawn Road along the frontage of the subdivision to an urban cross section and correcting the Woodlawn Road vertical curvature/sight distance limitation and constructing a left turn lane and sidewalk on Eramosa Road. This also includes the Developer paying the cost of the design, construction and removal of any works of a

temporary nature including temporary cul-de-sacs, sewers, stormwater management facilities, watermains and emergency accesses. **Prior to commencing construction, the Developer shall enter into a subdivision agreement with the City. The subdivision agreement shall, among other matters, require the Developer to post securities in a format approved by the City, in an amount of 100% of the estimated cost of constructing the municipal services to the satisfaction of the City. The Developer shall have a Professional Engineer administer the construction contract up to the end of the warrantee period and shall maintain the municipal services to the satisfaction of the City until assumption. Engineering, inspection and review fees will be collected based on the estimated cost of constructing the municipal services.**

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 Ontario Municipal Board 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:

Kealy Dedman, P. Eng., MPA

Deputy Chief Administrative Officer

Infrastructure, Development and Enterprise Services

519-822-1260, extension 2248

kealy.dedman@guelph.ca