



City of
Peterborough

TO: Members of the Planning Committee

FROM: Ken Hetherington, Manager, Planning Division

MEETING DATE: January 11, 2010

SUBJECT: Report PLPD10-001
Extension to Draft Plan of Subdivision Approval
For Draft Plan of Subdivision 15T-05503
AON Inc.
4571 Guthrie Drive

PURPOSE

A report to grant a two year extension of Draft Plan of Subdivision Approval for Draft Plan of Subdivision 15T-05503 located at 4571 Guthrie Drive.

RECOMMENDATIONS

That Council approve the recommendations outlined in Report PLPD10-001 dated January 11, 2010, of the Manager of the Planning Division, as follows:

- a) That Draft Plan of Subdivision Approval for Plan 15T-05503 located at 4571 Guthrie Drive be extended for a period of two years, to lapse on January 23, 2012; and,

- b) That Condition No. 36 of Draft Plan Approval be deleted and replaced with the following as reflected in Schedule 1 to Report PLPD10-001:
- “36. a) Prior to final approval, the subdivider shall install all-way stop signs at the intersection of Guthrie Drive and the exit ramp from Highway 7/115 to the satisfaction of the City and the Ministry of Transportation;
 - 36. b) That the subdivider agree in the subdivision agreement that the Holding “H” zoning symbol applied to the lands will only be lifted to permit the development of up to approximately 90 units following draft plan registration and that the Holding Symbol will not be lifted from the remainder of the lands until Guthrie Drive is closed between Bensfort Road and the Highway 7/115 ramp and a new temporary or permanent municipal road connection to Wallace Point Road is constructed at the subdivider’s expense; and,
 - 36. c) That the subdivider agree in the subdivision agreement that Guthrie Drive, between Bensfort Road and the Highway 7/115 ramp, will not be used as an access route for construction vehicles.”

BUDGET AND FINANCIAL IMPLICATIONS

There are no budget or financial implications for the City related to the extension of Draft Plan of Subdivision Approval.

BACKGROUND

Draft Plan of Subdivision 15T-05503 is located at 4571 Guthrie Drive, south of Highway 7/115, west of Bensfort Road. The plan is comprised of 63 single detached lots with a minimum lot width of 12 metres (40 feet), four blocks for up to 29 row or semi-detached dwellings and three blocks for multiple unit residential purposes (up to 222 units).

Subdivision development on the subject lands was originally granted Draft Plan of Subdivision and Zoning approvals in 1997. As part of the Conditions of Draft Plan Approval, the City established a lapsing date whereby, if Final Approval of the plan is not granted within three years of the Draft Plan Approval date, Draft Plan Approval shall lapse. In 2000, Draft Plan of Subdivision Approval was extended however that approval lapsed in 2003. In 2005, AON Inc. re-filed the application for Draft Plan of Subdivision Approval. Council granted Draft Plan of Subdivision and Zoning approval on September 11, 2006 however those approvals did not take effect until January 23, 2007 following the dismissal of an appeal by the Ontario Municipal Board. Accordingly, the current lapse date for this plan of subdivision is January 23, 2010.

In correspondence dated December 7, 2009, the applicant (AON Inc.) requested that Council grant an extension to Draft Plan Approval for plan 15T-05503. In their letter, AON Inc. cited current economic conditions associated with servicing the Plan and difficulties with gaining approval from the Ministry of Transportation as the primary reasons why the plan has not proceeded to Final Approval to date.

Additionally, the applicant advised that they are currently preparing a new draft plan of subdivision that will include additional lands with the intent of meeting Ministry of Transportation, City, and Peterborough Utilities Services Inc. requirements. Presently, they advise that the proposed new plan will not alter the content of the existing draft approved plan in any way.

As noted in Planning Report PLPD06-065 which recommended the plan for Draft Plan Approval in August, 2006, the subject property is located at the north limit of the Coldsprings Secondary Planning Area for which the City is in the process of completing a functional planning study. At that time, background studies related to the natural environment, soils, preliminary servicing and stormwater management had been submitted for the Coldsprings Functional Planning Study. Based on the background work completed, Staff recommended that the subject plan could proceed without compromising any outcome of the comprehensive study; servicing for the plan had been considered in context with an overall servicing strategy and the applicant was to proceed on an interim servicing arrangement for the plan.

In 2008, Earth Tech Canada Inc. completed the Coldsprings Transportation Study on the City's behalf which built upon the preliminary assessment completed for the Functional Planning Study by assessing the external transportation network needs associated with proposed growth in the Planning Area. The study recommendations, which were presented to Council in May 2008 (Planning Report PLPD08-035), identified improvements necessary to support full build out of the Coldsprings Planning Area and a phasing plan that is tied to development of the Coldsprings Planning Area.

Additionally, final stormwater management and municipal servicing reports have been submitted and are currently subject to final review. Once these two reports are complete, all background work for the Coldsprings Functional Planning Study will be complete and the consultant hired by the City to undertake the study, Meridian Planning Consultants, will be in a position to finalize the Functional Planning Study. Following Council acceptance of the Functional Planning Study, staff anticipate starting the public process for adopting a Coldsprings Secondary Plan.

Based on the work completed to date for the Coldsprings Functional Planning Study, staff remains of the opinion that the subject Draft Plan does not compromise any of the recommendations of the Functional Planning Study and that granting an extension to Draft Plan Approval for the subject plan will not adversely affect the creation of a secondary plan for the Coldsprings area. In fact, granting an extension to Draft Plan Approval would actually provide the benefit of preserving a much needed supply of

draft-approved building lots while at the same time allowing the City the time to process a secondary plan for the Coldsprings area and a new draft plan of subdivision application for much of the remainder of AON Inc.'s lands in the Coldsprings area.

The process to review an extension request does not require a statutory public meeting. However, prior to recommending an extension, staff typically conduct a review and agency circulation of the Draft Plan and Conditions to assess their relevancy under current policies, standards and market conditions. However, given that staff anticipates processing both the Coldsprings Secondary Plan and a new draft plan of subdivision application for the AON Inc. lands in 2010, it is staff's opinion that an agency review of the subject plan is not required at this time.

Although an agency review is not proposed at this time, staff have been working closely with the Ministry of Transportation (MTO) since 2005 to address the Ministry's concerns with respect to traffic operations in the vicinity of the eastbound Highway 7/115 exit ramp to Guthrie Drive / Bensfort Road. Presently, the draft approved plan of subdivision relies solely on Guthrie Drive for access to the surrounding area. Through the review of the subject plan in light of the Coldsprings Transportation Study, the Ministry has identified their desire to eliminate any conflict between subdivision-generated traffic and Highway 7/115 traffic by closing Guthrie Drive between Bensfort Road and the Highway 7/115 ramp and to realign the ramp to Bensfort Road directly.

In the interim, the MTO has indicated that they are willing to support a limited amount of residential development (approximately 90 units) before requiring the closure of Guthrie Drive and the creation of a new temporary or permanent municipal road connection between the lands and Wallace Point Road. Additionally, should development be approved prior to the closure of Guthrie Drive between the Highway 7/115 ramp and Bensfort Road, the MTO has requested that all construction traffic be required to use an alternate route to access the lands rather than using Guthrie Drive from Bensfort Road. Should the MTO proceed to close Guthrie Drive and realign the Highway 7/115 ramp before a new permanent municipal road connection is provided between the lands and Wallace Point Road, the applicant will need to work with the City to establish a connection with Wallace Point Road either on a temporary or permanent basis as anticipated in existing draft plan Condition No. 12.

Staff anticipate that the objective of providing a new permanent municipal road connection from the lands to Wallace Point Road will be addressed through the processing of the Coldsprings Secondary Plan and the new draft plan of subdivision application that is anticipated for part of the surrounding AON Inc. lands. However, in order to ensure that MTO's requests are implemented in the event that development within the subject plan proceeds in advance of those two forthcoming processes, staff recommends that Council delete existing Draft Plan Approval Condition No. 36 which identified the need to prepare and implement a Traffic Impact Study to the MTO's satisfaction and replace it with the following:

36. a) Prior to final approval, the subdivider shall install all-way stop signs at the intersection of Guthrie Drive and the exit ramp from Highway 7/115 to the satisfaction of the City and the Ministry of Transportation;
- b) That the subdivider agree in the subdivision agreement that the Holding “H” zoning symbol applied to the lands will only be lifted to permit the development of up to approximately 90 units following draft plan registration and that the Holding Symbol will not be lifted from the remainder of the lands until Guthrie Drive is closed between Bensfort Road and the Highway 7/115 ramp and a new temporary or permanent municipal road connection to Wallace Point Road is constructed at the subdivider’s expense; and,
- c) That the subdivider agree in the subdivision agreement that Guthrie Drive, between Bensfort Road and the Highway 7/115 ramp, will not be used as an access route for construction vehicles.

SUMMARY

In order to allow sufficient time to process a secondary plan for the Coldsprings area and a new draft plan of subdivision application for the applicant’s lands, staff recommend that Draft Plan Approval for Plan 15T-05503 located at 4571 Guthrie Drive be extended for a period of two years to January 23, 2012. Additionally, staff recommend that the conditions of Draft Plan Approval for Plan 15T-05503 be amended to ensure that transportation requirements related to the closure of Guthrie Drive are implemented in the event that development within the subject plan proceeds in advance of the forthcoming Secondary Plan and draft plan of subdivision application.

Submitted by,

Ken Hetherington,
Manager, Planning Division

Prepared by,

Brad Appleby,
Planner, Subdivision Control
& Special Projects

Concurred with,

Malcolm Hunt, Director,
Planning and Development Services

Contact Name:

Brad Appleby

Planner, Subdivision Control and Special Projects

Planning & Development Services

Phone – (705)742-7777 Ext. 1886

Fax – (705)742-5218

E-Mail – bappleby@peterborough.ca

Attachments:

Schedule 1: Proposed Amended Conditions of Draft Plan Approval

Exhibit A: Land Use Map

Exhibit B: Approved Draft Plan of Subdivision