

**OLD VICTORIA EAST  
1697 HAMILTON ROAD, 1742 HAMILTON ROAD,  
1990 COMMISSIONERS ROAD EAST  
THAMES VILLAGE JOINT VENTURE**

**ADDED COMMUNICATION**

Thames Village Joint Venture would respectfully request Members of the Planning Committee consider the following information as it relates to the staff Planning Report being presented tonight.

Prior to the report being completed, staff provided what we believed to be a “draft” report for our review. Thames Village joint Venture forwarded this report to both Vic Cote and Doug Stanlake, individuals who have been retained to assist with this issue. Comments were provided back to staff however it appears they were not incorporated into the report which has been finalized and now is before Planning Committee. It is our opinion many of the suggested revisions have merit and should be brought to your attention. They generally pertain to what we believe are errors or omissions of the report.

**Proposed Financing Option**

- Second bullet; the years 2014 and 2017 should be switched to read “accelerate the works from 2017 to 2014.”
- It was suggested to staff as part of the report being presented to Planning Committee that a third option could be to allow the developer to construct the SWM at its expense, subject to City guidelines and approval. An agreement would be entered into with the developer, to reimburse the developer’s cost through future development charge levies (collected for SWM) derived from this development. The timing of the payback to the developer is subject to timing of the Old Victoria SWM #1 in the GMIS which will be established in the new development charge by-law. This would require an agreement between the City and the developer with the risk for the developer being the timing of the payback. This option would allow the plan of subdivision to be processed with a draft approval condition on such an agreement being entered into between the City and the developer. **This option was not included notwithstanding our suggestion of a further option.**

### Old Victoria SWM Environmental Assessment

- The Old Victoria Stormwater Management EA was completed by **the City** in October **2009 not 2007**. After the city realized the EA did not comply with Hydro One or the MOE location criteria, the City insisted we obtain a letter from Hydro One indicating their concurrence with the pond location. Hydro One would only give their locational criteria and not a formal letter since there was not an accepted Draft Plan of Subdivision submission. The City would not accept the plan without the letter and hence we are in a catch 22 situation. We have completed a comprehensive investigation of SWM facilities within Hydro One easements and have found many examples similar to what is being proposed within the Old Victoria Planning Area.

### Confirming Pond Location and Footprint

- We wish to stress that an addendum to the EA could be undertaken however this is may take some time as it is not a budgeted item for the City to complete. Alternatively, TVJV could prepare a preliminary functional design report and submit this report as part of our application which supports a different size and location of the SWM pond which will in fact comply with Hydro One and MOE locational criteria. The restrictions for encroachment into the Hydro One easement will be detailed within the functional report. We are confident this can be achieved. In so much as it has been suggested the MOE has expressed concern over granting Environmental Compliance Approval Certificates for infrastructure located on lands not owned by the operating body, we wish to advise Planning Committee that the lands the SWM pond will be located on are lands which will be conveyed to the City, the very same operating body. Since the revised size and location of the SWM pond will continue to be **TOTALLY** within the Open Space Block depicted on the Draft Plan of Subdivision, we are certain neither the lotting pattern nor the block sizes of each land use depicted on the plan will change. We are only talking about a specific feature's size and location shifting within the larger Open Space block.
- The report suggest in the second paragraph that the restrictions of Hydro One necessitates shifting the pond location from that described in the approved EA and as such **will trigger an EA addendum to confirm the revised location and footprint of the facility**. The shifting of the pond can be confirmed by providing the functional design report.

### Complete Application

- (Paragraph 2) We disagree with staff that there is **NO** mechanism by which the applicant can satisfy draft plan conditions to construct the required SWM facility prior to securing a funding source within the DC rate calculation and completing an EA addendum. There is a mechanism which is either through the new DC bylaw or by entering into a Municipal Servicing Financing Agreement (MSFA). It should be noted that we attempted to submit and have accepted our application for draft plan of subdivision which showed the SWM facility conforming to the approved EA which was completed by the City but does **not** meet Hydro One locational criteria. **The City is in a position that draft plan approval could be granted subject to either a financing option or a draft plan approval term of five (5) years.**
- The OPA and ZBLA applications can be considered concurrently with the Draft Plan of Subdivision if Council directs staff to accept the Draft Plan submission.

### Progressing a Plan of Subdivision

- We suggested a more aggressive progression to staff as part of this report. MID 2013 we would suggest **January**, Spring 2014 we suggest **September 2013**, and Mid 2014, we suggest **Spring 2014**.

We wish to stress to Committee and Council that the proposed development of TVJV compliments approvals already granted to Sifton and by allowing TVJV to precede with this applications which have not been accepted by staff is causing undue delays in developing a major portion of the Old Victoria Planning Area. It is always a goal to promote good planning by encouraging neighborhoods to be completed as soon as possible.

In closing we would respectfully request that Planning Committee recommend to Council the Draft Plan of Subdivision be accepted and that as part of the circulation process a five year approval be granted which will allow financing options and construction timing of the SWM facility to be confirmed.