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TO:	CHAIR AND MEMBERS BUILT AND NATURAL ENVIRONMENT COMMITTEE
FROM:	D. AILLES MANAGING DIRECTOR – DEVELOPMENT APPROVALS BUSINESS UNIT
SUBJECT:	OLD VICTORIA SUBDIVISION PROGRESSION OCTOBER 17, 2011

RECOMMENDATION

That, on the recommendation of the Managing Director, Development Approvals Business Unit, Municipal Council **CONSIDER** the request by Sifton Properties Limited to advance the Old Victoria subdivision in the absence of any formal tool being approved.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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September 24, 2007 – Planning Committee – Report to PC recommending adoption of an Official Plan Amendment to modify Map Schedules “A”, “B” and “C”, and, adopt special policies in Section 3.5 for the Old Victoria Plan.

September 27, 2010 – Planning Committee – Information report to PC with respect to servicing options for the Old Victoria Development.

February 14, 2011 – Built and Natural Environment Committee – Information report to BNEC with respect to a request by Sifton Properties Limited to advance the Old Victoria development.

June 8, 2011 – Built and Natural Environment Committee – Report to BNEC recommending adoption of a Zoning By-law amendment relating to the property located at 1603 Hamilton Road and 1844 Commissioners Road East.

BACKGROUND

Introduction

The Old Victoria subdivision was considered with other development lands across the City and established as a 2015 project in the Growth Management Implementation Strategy (GMIS).

Sifton has repeatedly requested that Council provide a means for the subdivision to progress ahead of its scheduled time and ahead of other scheduled works and subdivisions. Council has provided a draft approval of the subdivision and has approved the commencement of the functional design for the stormwater management facility required. Council also requested that the City provide a municipal servicing finance agreement (MSFA) to be used as a tool for accommodating such requests. The relevant resolution in part as adopted by Municipal Council at its meeting held on April 4, 2011 is as follows:

- “(c) (i) the Approval Authority **BE ADVISED** that Council supports a five (5) year lapse date for draft plan of subdivision application 39T-09052 for the following unique reasons:
 - (A) all municipal Class Environmental Assessments are completed;
 - (B) the Area Plan is completed and adopted by Council;
 - (C) with the exception of the stormwater management facility, all water and sanitary services are in place to accommodate the plan; and

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- (D) the file was being processed when the City was transitioning between an Urban Works Reserve Fund process to a Development Charges process;
- (ii) the Stormwater Management Unit **BE DIRECTED** to commence completion of the functional and detailed design for the Stormwater Management Facility and the Environmental Impact Statement required for the Stormwater Management outlet to allow for a 2012 construction date, subject to a source of funding report to cover the cost (approximately \$250,000) being approved by Council; and
- (iii) the Civic Administration **BE DIRECTED** to bring forward a GMIS draft, including potential front ending policies, by August 2011.

Sifton feels that in the absence of a tool and in the ongoing delays on advancement of some other developments that they have a fair request in once again asking for advancement for their subdivision.

Discussion

The Old Victoria subdivision is one of a number of holdings that Sifton has wished to develop for primarily residential housing. Their current active holdings include Andover Heights and the Bierens subdivision in Bostwick East, the Warbler Woods/Hopedale and Riverbend South subdivisions in Riverbend, the Forest Hill/ Ballymote subdivision in Stoneycreek. All of these properties are shown in Figure 1. Currently the Andover Trails first phase and Forest Hill subdivisions are in late stages of their lives. The Warbler Woods/Hopedale plan was progressed to registration but is currently not able to proceed due to the extended time it is taking to complete the Tributary 'C' Environmental Assessment.

Sifton also wishes to progress the Riverbend South subdivision as soon as possible and this land has also been caught in the Tributary 'C' EA which has been delayed as a result of a late request for consultation from the First Nations. This has resulted in Sifton wanting to advance Old Victoria as soon as possible.

The progression of a MSFA mechanism has not reached a timely conclusion as originally anticipated and there is not an approved means to provide terms for advancing the costs and the works. Staff would prefer that some mechanism be used as opposed to modifying the GMIS timing.

Other developers also have a current interest in the MSFA and would like to advance their lands as soon as possible. Staff currently have four subdivisions other than Sifton that have expressed interest and are concerned that the cumulative spin-off costs are significant in the balance of growth and the associated debt.

If Council did wish to advance the Old Victoria subdivision in advance of a MSFA being available, staff are of the opinion that the best mechanism would be the use of a simple development credit applied to the Old Victoria property. It is particularly simple to use in this case for the following reasons:

- The stormwater management facility that serves Old Victoria serves only this property and a parcel outside the Urban Growth Boundary. If the credit is applied only across the Old Victoria development the risk is taken solely by Sifton and is wholly in the control of Sifton to administer.
- The mechanism is for a single works that is distinct in its nature, use and size.
- The City is the administrator for the project.


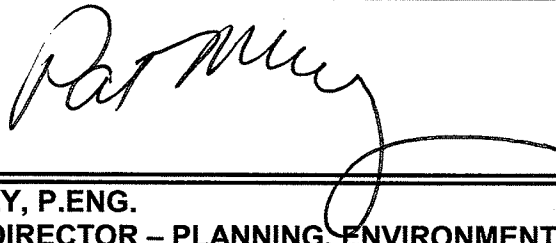
Other mechanisms could include variants such as scheduled payments or simply a repayment to the developer in 2015. This last option is Sifton's preferred mechanism but provides no

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benefit to the City and actually presents some risk in the increased debt. This in fact is the mechanism that has brought the current situation in the Urban Works Reserve Fund (UWRF).

Conclusion

Sifton is experiencing delays in some of its lands intended for past and immediate development and is requesting that Council find a means to advance the SWM construction related to Old Victoria and allow the subdivision to proceed as soon as possible to registration to accommodate the residential market.

RECOMMENDED BY:

DAVID AILLES, P. ENG. MANAGING DIRECTOR DEVELOPMENT APPROVALS BUSINESS UNIT
CONCURRED IN BY:

PAT MCNALLY, P.ENG. EXECUTIVE DIRECTOR – PLANNING, ENVIRONMENTAL & ENGINEERING SERVICES

October 5, 2011
DA/lf

cc. P. Christiaans, Director, Development Finance

FIGURE 1

