
Subject: Request for Extension to Draft Plan of Subdivision Approval (File No. 19T-90.001) – 12131 Woodbine Avenue

Staff Report No. DS-002-25

Department/Commission: Development Services Commission

Date: February 19, 2025

Recommendation:

- 1) That Council extend Draft Plan Approval for Subdivision File No. 19T-90.001 for a period of two (2) years, with a revised lapsing date of March 4, 2027; and
- 2) That Council direct Staff to issue a Notice of Decision for the extension to Draft Plan Approval.

Report Highlights

- Application to Request an Extension to Draft Plan Approval was submitted by Macaulay Shiomi Howson Ltd. (on behalf of White Owl Properties Inc.) for the subject lands (12131 Woodbine Avenue) for a period of two (2) years.
- This is the eighth (8th) request for Extension to Draft Plan Approval received for the subject lands.
- The Applicant recently revised their Draft Plan of Subdivision for the subject lands in June 2024. At the time of Council approval, revised Draft Plan Conditions were imposed, and Staff note that an extension request was not sought nor granted.
- Draft Plan Approval for this plan of subdivision is set to lapse on March 4, 2025. If the extension request is approved, the new lapsing date would be March 4, 2027.
- Staff are of the opinion that the request for extension is appropriate, given the Applicant's efforts over the past eight (8) months to clear their Draft Plan Conditions and advance their associated Site Plan Control application.

1. Purpose:

The purpose of this report is to assess the merits of extending Draft Plan Approval for an industrial plan of subdivision located on the lands municipally known as 12131 Woodbine Avenue (the “Subject Lands”).

2. Background:

2.1 Location and Property Overview

The subject lands are municipally known as 12131 Woodbine Avenue (Part of Lot 35, Concession 4 [M]), and are located on the east side of Woodbine Avenue, south of Stouffville Road, within the Community of Gormley. The land area of the draft plan of subdivision totals approximately 30 hectares with a corresponding frontage on Woodbine Avenue of approximately 315 metres.

Attachment 1 to this report is a copy of the location map.

Figure 1 shows the location of the subject lands, outlined in red.

Figure 1: Location of the Subject Lands



2.2 Development Overview & History

On January 20, 2004, the Town of Whitchurch-Stouffville granted approval, subject to conditions, for a plan of subdivision consisting of seven industrial/employment blocks and four blocks to protect the tributary to Berczy Creek. Servicing for the draft plan was approved to be provided by individual well and septic systems. In granting Draft Plan

Approval in 2004, the Town included a three-year lapsing provision with a Draft Plan Approval lapsing date of April 6, 2007.

Subsequent to the initial draft plan approval in 2004, the following extensions were approved by Council:

- **April 6, 2007** – one-year extension (lapsing date on April 6, 2008).
- **March 4, 2008** – three-year extension (lapsing date on March 4, 2011).
- **February 15, 2011** – two-year extension (lapsing date on March 4, 2013). At that time, Council amended the conditions of draft plan approval to require that the Owner agree to design and construct a pressurized fire hydrant system with adequate water supply to the satisfaction of the Fire Chief as part of the development of the subject lands.
- **February 12, 2013** – three-year extension (lapsing date on March 4, 2016).
- **February 16, 2016** – three-year extension (lapsing date on March 4, 2019).
- **February 19, 2019** – three-year extension (lapsing date on March 4, 2022). The Town's Engineering Department amended one condition with regards to stormwater management ponds. The Toronto and Region Conservation Authority (TRCA) added one condition with regards to the Owner completing a Natural Heritage Evaluation. York Region added and revised minor conditions with regards to updates to technical standards.
- **March 2, 2022** – three-year extension (lapsing date on March 4, 2025). York Region added and revised conditions that replaced their existing conditions through this extension. Town Staff encouraged the Owner to proceed with the clearing of draft plan conditions and subdivision prior to the March 4, 2025 lapsing date, as Staff may not continue to be supportive of any future requests for extension if no substantial progress on clearance of conditions is demonstrated by the Owner to complete the registration of the subdivision agreement.

In 2024, the Applicant submitted a revised draft plan consisting of three (3) industrial blocks, one (1) office block, two (2) stormwater management pond blocks, and four (4) blocks to protect the site's existing environmental features and the tributary to the Berczy Creek.

On **June 19, 2024** the Town of Whitchurch-Stouffville granted approval of revisions to Draft Plan Approval subject to revised Draft Plan Conditions. An extension to draft plan approval was not requested nor granted at this time.

Attachment 2 to this report is a copy of the Revised Draft Plan of Subdivision approved at the June 19, 2024 Council Meeting.

Attachment 3 to this report is a copy of the revised Draft Plan Conditions

3. Analysis:

3.1 Current Request for Extension to Draft Approval

Macaulay Shiomi Howson Ltd. (MSH), on behalf of the property Owner, has requested a two (2) year extension to Draft Plan Approval for their Plan of Subdivision (File No. 19T-90.001). Draft Plan Approval for this subdivision is set to lapse on March 4, 2025.

Attachment 4 to this report is a copy of the cover letter requesting the extension.

Staff note that, if approved, this would be the eighth (8th) extension granted to the Draft Plan Approval for the subject lands. With that being said, the Draft Plan was revised in June 2024, which brought forward significant revisions to the associated Draft Plan Conditions. Over the past eight (8) months, the Applicant has made substantial progress towards the clearance of these conditions.

In October 2024, the Applicant submitted materials to the Town's Engineering Department for the purposes of moving forward with their subdivision registration. Staff continue to work with the Applicant and expect that several submissions will be necessary in order to clear the associated Draft Plan Conditions, and as such, do not believe that subdivision registration will be possible in advance of the March 4, 2025 lapsing date.

In addition to the progress made towards clearing their Draft Plan Conditions, Staff note that the Owner and Applicant are actively advancing their associated Site Plan Control Application (File No. SPA22.010) that is applicable to the western portion of the property for three (3) industrial buildings. A fourth submission for this application was received by Staff in October 2024, and department and agency comments were provided for the Applicant's consideration in December 2024.

Staff acknowledge that the Applicant has made substantial progress on both the fulfilment of their Draft Plan Conditions and their on-going Site Plan Control application, and as such, are supportive of their request for an extension to Draft Plan Approval. In Staff's opinion, the subdivision is still appropriate for the subject lands and the nature of the development is consistent with the Town's objectives for employment uses. It is clear that the Applicant's intention is to have the subdivision registered as soon as possible, pending the fulfilment of their Draft Plan Conditions, which were significantly revised eight (8) months ago.

Given that this is the eighth request for Extension to Draft Plan Approval, Staff recommend that this be the last extension request considered by Council, in order to ensure that the subdivision registration proceeds in a timely manner and development occurs in the near future.

3.2 Town of Whitchurch-Stouffville Zoning By-law

At the time of enactment of the Town's Comprehensive Zoning By-law 2010-001-ZO, the zones and associated standards that were established in By-law 2004-056-ZO as part of

the original draft plan of subdivision approval were carried over as site-specific exceptions in By-law 2010-001-ZO.

The following zones and site-specific exceptions continue to be applied to the Subject Lands:

- Employment Business Park – Gormley, Exception 8 Zone, Water Restriction Zone **[EBP-G(8)(w)]**
- Employment Business Park – Gormley, Exception 9 Zone, Water Restriction Zone, Holding Symbol 1 **[EBP-G(9)(w)(h-1)]**
- Employment Heavy – Gormley, Exception 8 Zone, Water Restriction Zone **[EH-G(8)(w)]**
- Employment Heavy – Gormley, Exception 1 Zone, Water Restriction Zone **[EH-G(1)(w)]**
- Flood Hazard **(FH)**

As part of this extension request, no changes are proposed to the approved Draft Plan of Subdivision. As noted in June 2024, Staff recognize that the approved Draft Plan is generally in compliance with the existing zoning in place. Further review of future uses and regulations will be undertaken during the development of the site's individual blocks through future Site Plan Approval applications for respective blocks.

Town Staff are of the opinion that the proposed development continues to conform to the Town's Comprehensive Zoning By-law 2010-001-ZO.

3.3 Department & Agency Comments

The request for Extension to Draft Plan Approval was circulated to relevant Town Departments and applicable agencies for comment in January 2025.

There were no objections to the requested extension to draft plan approval from the departments and agencies that were circulated. The following departments and agencies had no further comments and/or conditions:

- Engineering & Public Works
- Region of York
- Fire & Emergency Services
- Toronto & Region Conservation Authority

4. Options:

4.1 Option A (Recommended)

That Council approve the request for extension to draft plan of subdivision approval for a period of two (2) years with a lapsing date of March 4, 2027. This option is recommended as the Draft Plan of Subdivision is still appropriate for the development of the subject lands, and that Staff do not anticipate more than two (2) years being required to register the plan of subdivision. Additionally, Staff recommend that Council does not approve any further extension requests that may be submitted in the future.

4.2 Option B

That Council does not approve the request for extension to draft plan of subdivision approval, in which the approval for the subdivision would lapse on March 4, 2025. This option is not recommended as the applicant is making progress with the clearance of conditions and the Town wants the development to move forward, and that the refusal would halt the overall build out of the industrial subdivision.

5. Financial Implications:

None.

6. Broader Intergovernmental Impacts and/or Considerations:

The currently approved Draft Plan (revised June 2024) conforms to the Provincial Planning Statement, the Growth Plan, the Town's Official Plan and Zoning By-law.

7. Communication:

- Statutory notification requirements completed in accordance with the requirements of the Planning Act.
- Council Agenda circulated to interested parties in advance of Council Hearing.
- Notice of Decision to be circulated as per requirements of the Planning Act.

8. Alignment with Strategic Plan:

1. A Town that Grows
A Town that grows in support of complete communities
2. Good Governance
Provide Good Governance

9. Attachments:

Attachment No. 1 – Location Map

Attachment No. 2 – Approved Draft Plan of Subdivision

Attachment No. 3 – Draft Plan Conditions

Attachment No. 4 – Cover Letter Requesting Extension

10. Related Reports:

April 6, 2004 – Miller Paving LTD. Proposed Plan of Subdivision and Zoning By-law Amendment

March 4, 2008 – [Report #7, Request for Extension of Draft Plan Approval, Miller Paving Limited](#)

February 15, 2011 – [Report #1, Request for Extension of Draft Plan Approval, Miller Paving Ltd.](#)

February 12, 2013 – [Report #1, Request for Extension of Draft Plan Approval, Miller Paving Ltd.](#)

February 16, 2016 – [Report #10, Extension of Draft Plan Approval – 12131 Woodbine Avenue \(D12\)](#)

February 19, 2019 – [Report #DS-004-19 Extension of Draft Plan Approval – 12131 Woodbine Avenue](#)

March 2, 2022 – [Report #DS-008-22 Request for Extension to Subdivision Draft Plan Approval \(19T-90.001\) – 12131 Woodbine Avenue](#)

June 19, 2024 – [Report #DS-032-24 Revision to Draft Plan of Subdivision Approval \(19T-90.001\) – 12131 Woodbine Avenue](#)

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