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Date: January 18, 2018

To: Mayor and Council

Author: Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services

RE: Queen Valley Development Agreement (Porrone Lands)
Pt. Lot 11, concession 2 ED & Pt. Rd. Allowance between Conc. 1 & 2,
Pt. 1, 2, 3 & 4 RP 12R 25761

Report No.: PDS 2018-004

AIM

To provide Council with the background of the subject lands and details of the proposed development agreement for the development of a 130 lot residential subdivision.

BACKGROUND

In October of 2013 Council directed Administration to advise the Manager of Planning Services for the County of Essex that it supported the draft plan development for a 130 lot single detached residential development at the easterly end of Road 2 E and extending north to County 34. That approval was subject to imposition of any necessary conditions by the County, preparation of and approved of the required development agreement and that both ERCA and Ministry of Natural Resources and Forestry items be addressed related to natural hazard and natural heritage.

Since that time and in consultation with ERCA and MNRF the natural hazard issues, namely the requirement for storm water management and the necessary improvements to the Esseltine Drain, have been identified and addressed. The natural heritage item was localized to the southeast corner of the subdivision and required the conveyance of Block 134 to the Town along with fencing along the back of the abutting lots. This was an amendment of the original plan which the County agreed with and requested that Council adopt a resolution in support of the amendment. Council approved the amendment via resolution 389-2017 in May of 2017.

On September 26, 2017 the County issued a Notice of Decision granting draft plan of subdivision (File 37-T-13002) approval on the subject lands and provided the list of

required conditions (See Appendix A). With confirmation of the draft approval Administration then undertook drafting of the required development agreement.

DISCUSSION

The development agreement (see attachment) was prepared and reviewed internal, was circulated to the applicant's solicitor for review and includes much of the standard wording for subdivision developments including, storm water management, installation of services, phasing, road construction, street naming, sewage and water provision, conveyances, parkland, development charges, conservation authority requirement, signage, trees and performance securities.

The subdivision is proposed in 6 phases which are detailed in Appendix B. The phase sizes range from 14 lots to 26 lots. Street names, which were circulated for review, and are proposed as follows:

Street A – Queen Valley Drive
Street B – Molise Boulevard
Street C – Dolce Vita Boulevard
Street D – Villacanal Drive
Street E – Sannita Avenue
Street F – Serenity Way

One foot conveyances will be required in each of the phases at the end of the applicable streets. Temporary connector links (secondary access) will also be necessary from Street B to County 34 as part of Phase 1A, from Street E to Street D as part of Phase 3 and from Street F to Street E as part of Phase 4.

This agreement will be the first development agreement prepared since Council endorsed the inclusion of a more detailed outline of the subdivision signage requirements in order to address potential purchaser concerns regarding the overall layout of the subdivision. The required signage must address (if applicable) the following:

- i) Street layout
- ii) Street names
- iii) Lot pattern
- iv) Storm water pond location
- v) Pump or lift station location
- vi) Community mail box
- vii) Housing type
- viii) Phasing
- ix) Park Location
- x) Sidewalk locations
- xi) Multi-use path
- xii) Contact information including websites

There was no park location proposed in this subdivision at the time of the approval as such cash-in-lieu of parkland will be collected at the time of building permit issuance at a rate of \$1,500 per lot in accordance with Fee By-law and Planning Act Section 42 requirements.

The applicant has provided a chronology (Appendix C) which outlines the time line of development approval that has taken place on the subject lands. Both the CAO and Manager of Planning Services meet with the applicant to discuss this and the applicant's request for a reduction in the cash-in-lieu of park land. While the development of these lands has taken some time to complete it is important to understand that the Town is not the approval authority for Official Plan amendments and it was not uncommon across the province, post amalgamation, for the initial consolidation of the former Official Plans to take several years to complete. It is not typical practise to discount required fees based on approval time lines particularly with plans of subdivisions that involve the Town, County, public and multiple levels of provincial ministries. It is also noteworthy that the method of cash-in-lieu collection that the Town utilizes under Section 42 of the Planning Act does not require payment from the developer but rather the property owner at the time of building permit so this is not a direct cost to the developer. Alternatively the Town could choose in the future to collect the cash-in-lieu at the time of the first phase registration which is a direct cost and requires 100% payment for the entire development.

LINK TO STRATEGIC PLAN

Manage residential growth through sustainable planning.

FINANCIAL CONSIDERATIONS

As each phase of development is registered there will be an increase in assessment. An increase will also be realized as lots are sold and houses constructed.

CONSULTATIONS

The development agreement was circulated to the management team and ERCA for review.

RECOMMENDATION

It is recommended that:

Council approve the attached development agreement for the Queen Valley Subdivision in the community of Ruthven for a 130 lot residential subdivision and authorize the Mayor and Clerk to sign the agreement and direct administration to have the agreement registered on title;

Council deny the applicant's request for a foregoing or reduction in the required cash-in-lieu of park land dedication payment.

Robert Brown

Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services

Peggy Van Mierlo-West

Peggy Van Mierlo-West, C.E.T.
Chief Administrative Officer