



2021 Division Road North
Kingsville, Ontario N9Y 2Y9
(519) 733-2305
www.kingsville.ca
kingsvilleworks@kingsville.ca

Date: April 26, 2019

To: Mayor and Council

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

RE: Application for Development Agreement Amendment by
Timbercreek Estates Inc. - Emily Ave
Part of Lot 3, Concession 1 ED, Part of Block 46, Plan 12M 565

Report No.: PDS 2018-018

AIM

To provide detail to the Mayor and Council on a minor amendment to the existing development agreement on the approved plan of subdivision known as Timbercreek Estates.

BACKGROUND

The subject lands represent the remaining portion of the Timbercreek Estates subdivision. These lands, as outlined in the development agreement, can only be developed once sanitary sewer capacity is available. In the original agreement the completion of the Lakeshore East Sanitary Sewage Expansion Project was required to provide this capacity. However, since that time it has now become possible to service the property as a result of the pending twinning of the Lakeside Park sewer which will be completed later this year. The owner is proposing to proceed with the development of 15 (Appendix A) of the 42 lots (Appendix B) in Phase 2 which were pre-serviced during the construction of Phase 1. These lots are located along the west side of Emily Ave and the west side of Grandview Drive. The developer has requested that the wording of the development agreement be amended to reflect the change in the sanitary servicing by deleting the current reference to the 'Lakeshore East Sanitary Sewage Expansion' and replacing it with 'availability of sanitary sewage treatment capacity'.

DISCUSSION

As a result of the pending upgrade of the sanitary sewer service through Lakeside Park the subdivision in question is no longer specifically reliant on the completion of the

Lakeshore East Sanitary Sewage project. Municipal Services has indicated no objection with the requested amendment to the development agreement. They have requested that either reference to the Lakeshore East project remain in the agreement or that wording simply note availability of sanitary sewage treatment capacity.

As a result of the change in the servicing of the property Municipal Services also requested that the developer be required to release any claim to the forcemain components that have already been installed along Emily Ave and in the ERCA Greenway as part of Phase 1 without consideration of compensation. In addition completion of the remaining forcemain to the Greenway will continue to be the responsibility of the developer, regardless of who that may be, once the remaining lands are developed.

LINK TO STRATEGIC PLAN

Manage residential growth through sustainable planning.

FINANCIAL CONSIDERATIONS

With sanitary sewer capacity for the property development of additional lots can continue which will result in an increase in assessment along with the collection of development charges and building permit fees.

CONSULTATIONS

Management staff

RECOMMENDATION

It is recommended that Council approve the requested amendment to the Timbercreek Subdivision development agreement to:

permit the next phase(s) of development subject to the availability of sanitary sewage treatment capacity;

require the developer to release any claim on the existing forcemain components without consideration of compensation, and

include revised wording to indicate that completion of the remaining forcemain to the ERCA Greenway will be the developers responsibility at the time the remaining subdivision lands are developed.

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