



**Date:** November 1, 2021

**To:** Mayor and Council

**Author:** Tim Del Greco, Manager of Engineering

**RE:** West Side Collector Road – Memorandum of Understanding

**Report No.:** IED 2021 – 48

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## **RECOMMENDED ACTION**

1. That Council authorize the Mayor and Clerk to sign a Memorandum of Understanding regarding the acquisition of lands and construction of a West Side Collector Road and connector roads between the Corporation of the Town of Kingsville, 1552843 Ontario Inc. (operating as Noah Homes), 1903357 Ontario Inc., and Amico Properties Inc. on the terms and conditions described within this report and as depicted on the map in Appendix A;
2. That Council authorize Administration to commence an Application for Approval to Expropriate approximately 1.3 acres of land located at 280 Main Street West, and shown approximately as Parcel "A" on the map in Appendix A; and,
3. That **By-law 92-2021** being a by-law to authorize the acquisition of certain lands for the development of a West Side Collector Road be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same.

## **BACKGROUND**

A number of large residential developments are proposed west of the Kingsville downtown core. As this development proceeds, increased traffic volumes on Main Street are to be expected. The construction of a west side collector road bypassing the downtown core has been identified as a means of supporting new growth and alleviating future traffic congestion on Main Street. The extension of Heritage Road to Road 2 West has been identified as the preferred alignment for a new collector road. Further, this alignment will also accommodate a new watermain required to support the proposed developments.

The parcels of land required for the construction of a collector road are owned by a mix of individuals and private developers. Senior Administration has been in discussion with

the owners in an effort to secure either the land or a commitment to construct portions of the proposed collector road.

A Memorandum of Understanding (“MOU”) outlining the required terms and conditions in order to facilitate land acquisition and construction of a collector road has been negotiated with all but one property owner. Continued negotiation with the remaining property owner as well as expropriation are options for securing the remaining land (Parcel “A” on Appendix A, 280 Main Street West).

## **DISCUSSION**

Attached in Appendix A is a map of the proposed alignment along with property ownership.

The terms of the MOU at a high level are:

1903357 Ontario Inc. is to:

- Transfer Parcels B1 and B2 to the Town of Kingsville.
- Vacate the home on Parcel B1 to allow the Town of Kingsville to demolish.

Noah Homes is to:

- Transfer Parcel C to the Town of Kingsville.
- Transfer Parcel E to the Town of Kingsville.

Amico Properties is to:

- Construct a collector road at their expense on Parcel D1 and transfer this parcel to the Town of Kingsville.

The Town of Kingsville is to:

- Acquire Parcel A via negotiation or expropriation.
- Transfer Parcel E to 1903357 Ontario Inc.
- Construct the collector road (excluding the section on Parcel D1) within the next five years at cost to the Town of Kingsville.
- Commence a “Local Comprehensive Review” of land use within this area in 2022 with no guarantee of any revisions to settlement areas or zoning classifications.
- Pay for Ontario Land Surveyor services.

All parties:

- Recognize that there is no guarantee of any Planning Act approvals now or in the future including the expansion of settlement areas or changes to zoning classifications.

If Council approves the MOU and the recommendations within this report, funds will be requested during 2022 budget deliberations to (i) facilitate land acquisition (or expropriation) of Parcel A, (ii) engineering services to accommodate requirements of the

Municipal Class EA (environmental assessment process), and (iii) initial engineering / design work.

The CAO wishes to acknowledge the cooperation and generosity of 1903357 Ontario Inc., Noah Homes, and Amico Properties, for facilitating the transfer of lands and other benefits and transactions for the construction of this collector road.

## **FINANCIAL CONSIDERATIONS**

A high level cost for land acquisitions, engineering, and construction of the West Side Collector Road and collector road connections as required from the Town of Kingsville in accordance with the MOU is estimated to be in the range of \$6,500,000 - \$7,500,000. This estimate can be refined following completion of detailed engineering.

It is further estimated that approximately 90% of all costs will be eligible for funding via development charges. This figure will be confirmed upon completion of the planned review of the Kingsville Development Charges Background Study in 2022.

## **CONSULTATIONS**

Kingsville Administration  
1552843 Ontario Inc. (operating as Noah Homes)  
1903357 Ontario Inc.  
Amico Properties Inc.

*Tim Del Greco*

Tim Del Greco, P.Eng  
Manager of Engineering

### **Reviewed by:**

*G. A. Plancke*

G.A. Plancke, Civil Eng. Tech (Env.)  
Director of Infrastructure and Engineering

## **LINK TO STRATEGIC PLAN**

Manage growth through sustainable planning.

### **Link to Council 2021-2022 Priorities**

- ☐ COVID-19 and the health and safety of the community
- ☐ Customer Service: Training, Technology, Staff, Review Standards/Level of service
- ☐ Housing: Affordability (lot sizes, developer incentives, second dwellings, density, etc.)

- ☐ Greenhouse: lights & dark sky, odours (site plan compliance, bylaws, other tools)
- ☐ Programming Increase: Youth and Seniors
- ☐ A development plan for Downtown Kingsville / Main Street
- ☐ Financial savings: Schools closings, Migration Hall
- ☐ Economic Development: strengthen tourism/hospitality
- ☐ COVID - economic recovery
- ☐ Communications: Strategy – Policy (social media), Website refresh and other tools, Public engagement
- ☐ Housing: Migrant Worker Housing – Inspections (Building/Fire), regulate, reduce, or increase
- ☐ Committees / Boards: Review and Report
- ☐ Policy Update: Procedural Bylaw
- ☐ Economic Development: diversify the economy, create local jobs, industrial, Cottam
- ☐ Infrastructure (non-Municipal): Union Water expansion & governance
- ☐ Infrastructure (Municipal): Asset Management Plan update, the infrastructure funding deficit
- ☒ No direct link to Council priorities