



Date: February 8, 2024

To: Mayor and Council

Author: Richard J.H. Wyma CSLA
Director of Planning and Development

RE: Application for Development Agreement (AGR 2023-1) for Heritage Estates (154 Heritage Road)

RECOMMENDED ACTION

1. That the Development Agreement for Heritage Estates Subdivision in the Town of Kingsville for a 25 lot (50 semi-detached residential lots) **BE APPROVED**.
2. That the Mayor and Clerk **BE AUTHORIZED** to execute the agreement; and,
3. That Administration **BE DIRECTED** to register the agreement on title.

BACKGROUND

In 2023, Council approved a Draft Plan of Subdivision on 154 Heritage, identified in schedule B of Appendix A. The development consists of a local road connecting Normandy Avenue to County Road 50 (Heritage Road), a cul-du-sac street, 25 lots for the development of 50 semi-detached dwelling units.

On September 15, 2023, the County of Essex issued a Notice of Decision granting draft plan of subdivision (File 37-T-23003, Appendix B) approval on the subject lands and provided a list of required conditions (Appendix C). Planning staff have undertaken drafting of the required development agreement.

DISCUSSION

The Development Agreement was prepared and circulated to the applicants for review and includes much of the standard wording for subdivision developments including, stormwater management, installation of services, phasing, road construction, sidewalks including location and timing, street naming, sewage and water provision, conveyances, parkland, development charges, conservation authority requirement, signage, trees and performance securities.

The Development Agreement also incorporates a review and comment from Dillon Consulting which undertook a Municipal Consolidated Linear Infrastructure-

Environmental Compliance Approvals (CLI-ECA) review on behalf of the Town of Kingsville (CLI-ECA are issued for components of municipal sewage collection systems and municipal stormwater management systems. These approvals were formerly completed by the Ministry of Environment and Energy, but delegated to municipalities in 2023). In its review, Dillon also reviewed the servicing plans in the context of the Town's Development Manual.

The subdivision is proposed to proceed in two phases along one primary street:

- The first phase includes ten (10) lots for the development of 20 semi-detached dwelling units, the construction of Street 'A' which connects Normandy Avenue to County Road 50, and associated infrastructure including stormwater management and sidewalks.
- The second phase includes the construction of 'Street B' and cul de sac, and the remaining fifteen (15) lots for the development of 30 semi-detached dwelling units and associated infrastructure including sidewalks.

FINANCIAL CONSIDERATIONS

There will be an increase in assessment once the plan of subdivision is registered and lots created. New construction will generate building permit fees and collection of development charges.

Parkland dedication for the subdivision will be through cash-in-lieu of parkland calculated in accordance with the *Planning Act*, R.S.O. 1990, c.P. 13, Subsection 42 and in accordance with the Town's Fees and Charges By-law and based on the applicable park fee per lot for 50 new lots and due at the time of building permit issuance. Determination of the value of the prepayment shall be based on the value of the lands as of the day before the approval of the draft plan of subdivision.

ENVIRONMENTAL CONSIDERATIONS

The approved subdivision is subject to the installation of a stormwater management system. Two key elements of those systems are the control of not only the quantity of water discharge but also the quality. These systems are designed to help safeguard stormwater discharge by the use of controls in the system to remove dirt and debris.

The development also connects to the multi-use pathway along Heritage Road and is just south of the Chrysler Canada Greenway providing active transportation links within Kingsville and Essex County.

CONSULTATIONS

The draft agreement was drafted by Kingsville legal counsel and adapted to this application by planning and engineering. The agreement was circulated to the Technical

Advisory Committee and Senior Management Team. The draft agreement was also circulated to the applicant for confirmation.

PREPARED BY:



Richard J.H. Wyma
Director of Planning and Development

REVIEWED BY:



Ryan McLeod
Director of Finance/Treasurer/Acting CAO