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Date: June 23, 2017

To: Mayor and Council

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Manager. Planning & Development Services

RE: Wayne & Connie Stockwell – Development Agreement
Stockwell Development – 182 County Road 27 E

Report No.: PDS-2017-031

AIM

To request Council authorization to enter into a Development Agreement with Wayne and Connie Stockwell for lots created by Consent (File B 22/16) on lands known municipally as Part of Lot 269, Concession NTR, Town of Kingsville, Community of Cottam.

BACKGROUND

The applicant's received provisional consent approval in the February of 2017 for the creation of four large estate lots located at the northeast edge of Cottam. As a condition of that consent the applicant's were required to enter into a development agreement as there were a number of conditions not typical of a standard consent approval that needed to be address in both the short and long term.

DISCUSSION

The subject land was a 9.71 ha (23.99 ac.) farm parcel containing a single dwelling and a farm outbuilding. A total of five (5) (4 new) residential lots were created with a lot area ranging from 1.8 ha (4.5 ac.) to 2.18 ha (5.4 ac.) all with frontage onto County Road 27 East. See Appendix 'A'. Each of the lots requires many of the standard lot creation conditions, water service, access, municipal address, drainage outlet, parkland dedication, drainage apportionment and payment of any outstanding local improvements. In addition the applicants were granted approval to create and develop the lots on private septic systems, however this is an interim measure and once sanitary sewer capacity is available the owners of the lots will be required to connect to the sanitary sewer system and decommission their septic systems. Since this is a longer term item it cannot be addressed as a condition of consent as such a development agreement has been prepared (See

Appendix 'B') to address this along with some other non-standard consent approval requirements including:

- i) Information clauses which outline
 - a. the proximity of the Cottam Lagoon;
 - b. the rear 150 m of each lot is a buffer area for the lagoon and prohibits development;
 - c. that use of private septic systems is temporary;
 - d. septic systems must be located in the front yard;
 - e. once notified septic systems are to be decommission and connection to the Town system completed within 240 days;
 - f. purchaser's will be responsible for the cost of obtaining sanitary sewer capacity, and;
 - g. sanitary sewer connections have been installed but are not accessible to the lots until notified by the Town.
- ii) That the Town is to be provided with a draft copy of the standard agreement of purchase for review;
- iii) That each purchaser is to be provided with a copy of the development agreement;
- iv) That the shed located on Part 3 is to be removed or relocated in compliance with the zoning within 18 months of the date of this agreement.

Although a standard condition for a plan of subdivision the owners were also required to have a professionally engineered storm water management, lot grading and drainage plan prepared and installed to address concerns of the abutting property owner's prior to any development occurring on the property. This was recognized as a critical element of the approval to avoid some of the more typical grading and drainage issues that infill development can cause without a comprehensive plan in place.

LINK TO STRATEGIC PLAN

There is no link to the Strategic Plan

FINANCIAL CONSIDERATIONS

There will be an increase in assessment once all conditions of approval are completed and the lots become available for sale. There will be a further increase once homes are constructed on the new lots.

CONSULTATIONS

Ongoing consultation has been occurring with Municipal Services regarding the storm water management system and servicing of the lots which is presently underway or nearing completion. Planning Services has also been in constant contact with the applicants and their solicitor in the review and drafting of the final development agreement. Neighbouring property owners which expressed interest in the details of the drainage design and development agreement have also been provided with ongoing information as the agreement was prepared.

RECOMMENDATION

That Council approve the proposed Development Agreement for the residential lots created by consent (File B/22/16) between the Town and Wayne and Connie Stockwell, as drafted, and authorize the Mayor and Clerk to sign the agreement and have said agreement registered on title.

Robert Brown

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

Peggy Van Mierlo-West

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