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Date: April 11, 2018

To: Mayor and Council

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

RE: Sunvalley Estates
Extension of Draft Plan of Subdivision Approval
County File No. 37-T-12001

Report No.: PDS 2018-020

AIM

To provide Mayor and Council with information regarding a request by the applicant's agent Mr. Walter Branco, for Domenico Mucci, to support a requested extension to draft plan approval for the Sunvalley Estates Subdivision.

BACKGROUND

Council originally authorized the entering into of a Development Agreement with the land owner for the creation of 71 single detached residential lots on August 27th, 2012. The County of Essex issued Draft Plan approval for the Sunvalley Estates Subdivision on August 14th, 2012. (See Appendix A – Overall Draft Plan)

Draft Plan Approval (as granted by the County of Essex, the approval authority) allows the developer to proceed with servicing and establishing the development but does not allow for the sale of the lots until all conditions have been satisfied, an agreement has been entered into with the Municipality, the plan has received final approval, and the plan is registered. Through phasing of the development, infrastructure and/or servicing, the economy, or other factors, the conditions may not be met within the three years and, therefore, the applicant requires an extension of the approval to complete the works.

DISCUSSION

Phase 1 of the Sunvalley Estates subdivision has been built out completely. Phase 2 underwent a minor redline amendment that reconfigured lots in the northwest corner increasing the total lots at final built out to 73. (See Appendix B) Phase 2 was started in

early 2017 and was just approved to go on one year maintenance. A number of dwellings have received building permits in Phase 2 and are currently under construction. The developer is planning to move forward with the servicing of the remaining lands once all terms of the development agreement have been completed for Phase 1. As Phase 1 is completed, Phase 2 is actively developing and Phase 3 is presently in a position to move forward with servicing extension the developer has demonstrated that ongoing efforts have continued to complete the subdivision. Therefore extension of Draft Approval is, warranted for the Sunvalley Estates Subdivision which is set to expire on August 14th, 2018.

According to Section 51(33) of the Planning Act, “the approval authority may extend the approval for a time period specified by the approval authority, and may further extend it, but no extension is permissible if the approval lapses before the extension is given”. Therefore, since the County of Essex has the authority to extend it, and since the full build out has continually proceeded since 2012, Kingsville Administration recommends that the County of Essex grant what should be a final 3-year extension of Draft Plan Approval for the final phase of Sunvalley Estates.

LINK TO STRATEGIC PLAN

Manage residential growth through sustainable planning.

FINANCIAL CONSIDERATIONS

The ongoing construction of dwellings and final registration of the lots in Phase 3 will result in an increase in assessment through to final build out.

CONSULTATIONS

Administration and the County Planner

RECOMMENDATION

It is recommended that Council support a resolution to grant a three-year extension of the Draft Plan of Subdivision Approval for the Sunvalley Estates Subdivision in the Town of Kingsville (County of Essex File No. 37-T-12001

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