

The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2018-001

Date: February 14, 2018

Time: 1:00 p.m.

Place: Council Chambers

Regular Meeting

Ward Community Identifier: Ward 7

Subject: Request by Romspen Investment Corporation to enter into a Subdivision Agreement for Phase 1 of Plan of Subdivision 16T-06505, File No. D05-19-014, Arizona Heights (Lakes Terminal and Warehousing Ltd.), being Part of Blocks W and X, Plan 70, former Village of Bobcaygeon, now City of Kawartha Lakes

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Christina Sisson, Supervisor, Development Engineering

Recommendations:

RESOLVED THAT Report PLAN2018-001, respecting Part of Blocks W and X, Plan 70, former Village of Bobcaygeon, Application No. D05-19-014, Lakes Terminal and Warehousing Ltd. – Arizona Heights, Phase 1 – 16T06505, be received;

THAT Schedule “D” Summary of Estimated Costs, in Appendix “C” to Report PLAN2018-001 shall list 100% of the cost of all works to the satisfaction of the Director of Development Services and the Director of Engineering & Corporate Assets;

THAT the Subdivision Agreement for File No. D05-19-014 substantially in the form attached as Appendix “C” to Report PLAN2018-001, be approved and adopted by Council; and

THAT the Mayor and Clerk be authorized to execute any documents and subsequent Agreement(s) required by the approval of this Agreement.

Department Head: _____

Corporate Services Director / Other: _____

Chief Administrative Officer: _____

Background:

On August 29, 2006, Council granted draft plan of approval to Plan of Subdivision 16T-06505 to create 63 residential lots for single detached dwellings, a block for a stormwater management pond, a block for a road widening and two blocks for new cul-de-sac roads. Subsequently, the Director of Development Services extended the draft plan approval on April 22, 2009, August 17, 2012 and September 30, 2014, and October 24, 2017 with a final lapsing date of October 24, 2019.

On February 16, 2010, Council directed that Subdivision Agreements shall be reviewed by the Planning Committee, for recommendation to Council (CR2010-233). The purpose of this report is to present the staff endorsed draft Subdivision Agreement, attached as Appendix "C" respecting the draft plan attached as Appendix "B". This Agreement complies with Council's policies and by-laws applicable to the development of land and incorporates civil engineering standards and land-use planning requirements.

Rationale:

Romspen Investment Corporation (Romspen) has requested that the City prepare the required Subdivision Agreement for Phase 1 of the draft approved plan of subdivision. Romspen is acting in its capacity under Power of Attorney for Lakes Terminal and Warehousing Ltd. which was signed on May 16, 2012. The Power of Attorney was registered on title to the property on September 12, 2017 as KL131228.

Phase 1 represents the creation of 19 residential building lots (Lots 1 through 19) together with a block for stormwater management (Block 20), a block for drainage (Block 22), a block for future connection to the remaining draft approved plan (Block 21) and a block for a 0.3 m. reserve (Block 23). There are 21 conditions of draft plan approval and some of these have already been fulfilled and others will be fulfilled in accordance with the requirements and obligations set out in the Subdivision Agreement. Romspen must sign the Subdivision Agreement before the Mayor and City Clerk. The Director of Development Services will subsequently sign the final plan and each of these documents will then be sent to the City solicitor for final review and registration and residential lots will be created with the registration of the M-Plan.

Provincial Policies:

Growth Plan for the Greater Golden Horseshoe (Growth Plan):

As this land is designated for residential development in the City of Kawartha Lakes Official Plan, this plan and implementing Subdivision Agreement conforms to the 2017 Growth Plan.

Provincial Policy Statement (PPS):

Similarly, as this land is designated for residential development in the City of Kawartha Lakes Official Plan, this plan and implementing Subdivision Agreement are consistent with the 2014 Provincial Policy Statement.

Official Plan Conformity:

The property is designated "Urban Settlement Area" in the City of Kawartha Lakes Official Plan and subject to the Bobcaygeon Secondary Plan currently under appeal to the Ontario Municipal Board. This plan and implementing Subdivision Agreement conforms to the policies and designations in both the City of Kawartha Lakes Official Plan and the Bobcaygeon Secondary Plan.

Zoning By-law Compliance:

The land is zoned Urban Residential Type One Exception Thirteen (R1-S13) in the Village of Bobcaygeon Zoning By-law 16-78. The site specific exception permits a maximum lot coverage of 40%. The proposed residential use and subdivision layout contained in the Subdivision Agreement comply with the relevant provisions of the Zoning By-law.

Servicing Comments:

On July 27, 2005, Lakes Terminal and Warehouse Ltd. entered into a Pre-Servicing Agreement with the City and provided the required \$25,000.00 securities to initiate servicing on the subject land. The Subdivision Agreement serves to ensure accountability of the developer in the construction of the servicing infrastructure to be completed on the subject land. All Public Services under the subdivision agreement will be required to be verified prior to any acceptance, security reduction, and ultimately assumption. To date, the watermain has been installed and will require commissioning prior to acceptance. In addition, the storm sewer that was installed through pre-servicing has existing cracks that will have to be monitored prior to acceptance and/or assumption. The sanitary sewer that has been installed will be required to be cleaned, flushed, and verified prior to acceptance and/or assumption.

The stormwater management facility is an infiltration facility which has undergone a re-design and amended approval from the Ministry of the Environment and Climate Change. The facility will require monitoring and recording as per the MOECC Environmental Compliance Approval prior to acceptance and/or assumption.

Accessibility Implications:

The accessibility standards established in the Building Code will be shown on the subsequent construction drawings, which must be approved by the City prior to the issuance of a building permit.

Consultations:

Consultations involved staff from the City's Engineering & Corporate Assets, Community Services and Public Works Departments.

Development Services – Planning Division Comments:

City staff has completed their review of Phase 1 of draft Plan of Subdivision 16T-06505, Lakes Terminal and Warehousing Ltd. and endorses Appendix "B" and "C". We support the recommendations set out in this Report PLAN2018-001. It is now appropriate that the matter be considered by Council.

Other Alternatives Considered:

No other alternatives have been considered as this application conforms to the Provincial Policies and the City of Kawartha Lakes Official Plan.

Financial Considerations:

The draft Subdivision Agreement requires the owner to pay all of the City's reasonable legal costs incurred in the preparation and registration of the Agreement, together with the City Engineering Fee. The owner is also required to provide a Letter of Credit for 100% of the Estimated Cost of Works to the satisfaction of the Director of Development Services and the Director of Engineering & Corporate Assets.

It is Staff's understanding that the owner is requesting three (3) changes to the City's standard procedures:

1. The City requires that 100% of the securities for the works contained in Schedule "D" be posted with the City as part of the execution of the Subdivision Agreement. Romspen is seeking a reduction in the securities for works that have already been completed to date, and the City is in receipt of the written request. See Appendix "E" attached. Prior to supporting any reduction, the City required the following:
 - a) Revised Schedule "D" Cost Estimate itemizing components completed and requested security reduction for each component.

- b) Submission of engineering certification that all works have been constructed in conformity with the plans and specifications approved by the City.
- c) Statutory declaration as per the CKL template that all accounts for material, labour and equipment are paid in full.
- d) As built design drawings to be submitted and approved by the City.

Engineering staff confirm supporting documentation has been received for consideration of the reduced security.

2. The standard Subdivision Agreement requires that all development charges follow the Council approved policy of September, 2016. Staff has received the email from the Owner requesting that payment of these Development Charges be deferred to the Occupancy stage (attached as Appendix "D").

The Director of Community Services advises that the City should accept cash in lieu of parkland in accordance with the Planning Act. The amount payable is \$24,000.00 based on an appraised value of the land the day before draft plan approval was granted and the owner is accepting of this.

Relationship of Recommendations to the 2016-2019 Strategic Plan:

The Council Adopted Strategic Plan identifies these Strategic Goals:

- A Vibrant and Growing Economy
- An Exceptional Quality of Life
- A Healthy Environment

This application aligns with the Exceptional Quality of Life Goal as it permits residential development with access to municipal parks and cycling and walking paths.

Attachments:

The following attached documents may include scanned images of Appendices, maps and photographs. If you require an alternative format, please contact Sherry L. Rea, Development Planning Supervisor 705.324.9411 x 1331.

Appendix "A" – Location Map



Appendix 'A' -
Location Map.pdf

Appendix "B" – Draft M-Plan



Appendix 'B' - Draft
M-Plan.pdf

Appendix "C" – Draft Subdivision Agreement



20180130 - Draft
Arizona Heights Subdi

Appendix "D" – Request for Development Charge Deferral



FW 1732 - Arizona
Heights.msg

Appendix "E" – Request for Security Reduction



1732 - ECA Approval
Subdivision Agreemen

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Department Head: Chris Marshall, Director of Development Services

Department File: D05-19-014