

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

COUNCIL REPORT

Report PLAN2017-028

Date: April 18, 2017
Time: 2:00 p.m.
Place: Council Chambers

Ward/Community
Identifier - 12

Subject: Request for Relief from Security Requirements for Site Plan
Approval by Boys and Girls Clubs of Kawartha Lakes
107 Lindsay Street South, Lindsay

Author: Richard Holy, Manager of Policy Planning

Signature:



Recommendations:

RESOLVED THAT Report PLAN2017-028, respecting Request for Relief from Security Requirements for Site Plan Approval by Boys and Girls Clubs of Kawartha Lakes, be received;

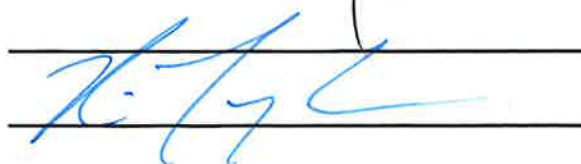
THAT the Boys and Girls Clubs of Kawartha Lakes be required to provide a maximum of \$25,000.00 in financial securities in their site plan agreement at 107 Lindsay Street South; and

THAT the Mayor and Clerk be authorized to execute any documents required by the approval of this application and decision.

Department Head:



Corporate Services Director / Other:



Chief Administrative Officer:

Background:

At the Council meeting of April 5, 2017, Council adopted the following resolution:

RESOLVED THAT the March 22, 2017, correspondence from Scott Robertson, Executive Director, Boys and girls Club Kawartha Lakes, regarding a Request for Relief from Providing Securities Associated with Site Plan, be received and referred to staff for report back to Council on April 18, 2017.

CARRIED CR2017-282

This report addresses this direction and provides a rationale for this request.

Rationale:

Site Plan Application

The Boys and Girls Clubs of Kawartha Lakes (BGCKL) submitted a site plan application to approve their expansion and redevelopment plans for their property located at 107 Lindsay Street South in Lindsay. BGCKL has embarked on a program to renovate and expand their building as well as redevelopment of the site with new parking areas and outdoor recreational amenity areas and facilities. The City has been working with BGCKL and various agencies towards granting site plan approval. Once the final site servicing issues are resolved, site plan approval will be granted and all remaining building permits will be issued. This should be completed within the next month.

Site Plan Control By-law

By-law 2003-21 as amended designates specific areas within the City as being subject to Site Plan Control and the subject lands are located within the site plan control area for Lindsay. The By-law references the City of Kawartha Lakes Site Plan Guide, which governs the submission requirements and financial securities for site plan approval.

Securities are taken by the City for site plan projects to ensure that the developer constructs all of the required work in accordance with City standards and the approved drawings. Should there be any instances where a developer defaults on the agreement, the City then has funds to have the necessary works completed. In the event of a registered lien where a developer does not pay their contractors, securities may also be used to pay these contracts in whole or in part. The guide also outlines the requirements for the provision of financial securities for all site works. The following securities would be applicable for this development proposal:

1. Erosion and sediment controls (50% Security)
2. Site preparation and earthworks (50% Security)

3. Internal parking areas and driveways (50% Security)
4. Stormwater management system (50% Security)
5. Sanitary system (50% Security)
6. Watermain and appurtenances (50% Security)
7. External lighting fixtures (50% Security)
8. Landscaping, fencing, walkways, and garbage enclosures (100% Security)

The applicant is responsible for providing a cost estimate for all relevant site development works in these categories, which does not include the outdoor recreational facilities or amenity areas that BGCKL either has built or intends to build. In this instance, there are development costs applicable in all of these categories, except watermain and appurtenances, as outlined above. The cost estimate as prepared by the applicant is reviewed and approved by staff. Financial securities are taken at 50% of the estimated construction value of the category, with the exception of landscaping which is taken at 100%. The latest cost estimate provided by BGCKL consultants estimates these total site works to cost \$767,000.00 (including taxes), for which a financial security of \$429,000.00 will be required. One of the last remaining matters to be finalized relates to the approval and posting of development securities through the site plan agreement.

BGCKL Request

On March 22, 2017, BGCKL submitted a request to have the requirements for financial securities waived on the following basis (See Appendix "A").

1. The project is being developed by a non-profit charity for the betterment of the community. Facilities are developed for program users as well as the general public.
2. BGCKL is exclusively funded through grants and individual and corporate donations. These moneys are usually directed towards specific projects and need to be spent as they are received. Since BGCKL does not receive matching funding to provide securities for works being completed, they have no means to provide the City with the financial securities for site works. They would also like to avoid the interest costs associated with letters of credit.
3. BGCKL feels that they are not a high risk to the City as they only move forward with projects once funding is secured.

Financial Considerations:

Given that BGCKL doesn't proceed with works unless they have financing in place, they would likely pose a reduced risk to the City from a financial perspective of defaulting on their obligations under the site plan agreement.

Review of Accessibility Implications of Any Development or Policy:

There are no accessibility implications for the City as a result of this request.

Relationship of Recommendations to the Strategic Plan:

The City of Kawartha Lakes 2016-2019 Strategic Plan identifies these goals:

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

The services that the BGCKL provides to the community assists the City in achieving it's goals of creating a vibrant and growing economy and providing an exceptional quality of life for its residents. Providing this relief from financial securities would allow BGCKL to focus their financial resources towards site development and internal renovations.

Development Services – Planning Division Comments:

Staff have been working with BGCKL towards finalizing their site plan approval and recognize that their non-profit status and funding model would differentiate them from a typical developer. Since BGCKL is a stable community group who only commence projects once the funding is in place, Staff would agree that there is a reduced level of risk in this instance should all associated project securities not be in place. Although Staff is generally supportive of the request, a complete waiving of the securities is not supported. The City should retain securities in the amount of \$25,000.00 as a contingency to ensure that the connection works within the City's road allowance are constructed in accordance with City approvals. This also provides the City with some security for unforeseen matters such as street cleaning, etc. This matter has been discussed with both the Director of Engineering and Corporate Assets and executive member of BGCKL and both parties agree with this approach. BGCKL has confirmed that they will be providing \$25,000.00 in securities to the City. The securities will be returned in full once all of the works outlined on the cost estimate have been completed and inspected to the City's satisfaction.

Conclusion:

Based on the comments contained in this report, Staff respectfully recommends that the required securities for the Boys and Girls Clubs of Kawartha Lakes be capped at a maximum of \$25,000.00 in their site plan agreement at 107 Lindsay Street South and that this recommendation be APPROVED by Council.

Attachment:

Appendix "A" – Request Letter from BGCKL



Appendix A -
PLAN2017-028.pdf

Phone: (705) 324-9411 ext. 1246

E-Mail: rholy@city.kawarthalakes.on.ca

Department Head: Chris Marshall, Director of Development Services

Department File: D19-18-061



Boys & Girls Clubs
of Kawartha Lakes

APPENDIX A

to

REPORT

PLAN 2017-028

FILE NO.

D19-18-061

Mayor Andy Letham and Council
City of Kawartha Lakes
P.O. Box 9000
26 Francis Street
Lindsay, Ontario
K9V 5R8

March 22, 2017

Dear Mayor Letham and Council:

On behalf of our Board and Membership, I am writing to request relief from providing securities on the construction related to our site plan (File #: D19-18-061). This project involves the development of the Club's eight acre grounds and 70,000 square foot facility into a community hub that will provide increased fitness and sport, family support, child care and child and youth mental health services to Club members and other residents. Our organization understands the need for City Staff to secure such work as a general rule but we believe that this project is an initiative that differs in several ways. These are listed below.

Risk to the City: This project does not represent a high risk to the City. The Club only moves forward with construction when funding has been received. The work being done is already funded so there is less risk that the Club would default on work agreed to in the site plan. No building permits are going to be provided until the site plan is final so the City will be able to inspect all the work to ensure it is done correctly. The Club also has a vested interest because most of the work is on our property and we want the best possible facilities to be available to our members, local residents and visitors to the community. We have a good track record of providing safe, secure environments for users.

Nature of the Project: As a local not for profit charity, the Club is undertaking this project for the betterment of it's members who are City residents and for the use of all residents when the facilities are not being used by the Club. The new facilities will include a Basketball Complex, a Beach Volleyball Complex, a Skateboard Park, a Multi-Sport Play Field, a Splash Pad and a Youth Centre. The facilities will also attract visitors to the community thereby creating new economic benefits for the local business community. We are not developing the property for profit or personal gain.

Partnership Between the City and the Club: There has been a long standing partnership between between us on initiatives including sports and recreation, child care, economic development, transportation and other community initiatives. This project will benefit Club members and their families, residents and the business community by increasing physical health, self-esteem, community pride and will boost the economy by attracting visitors to the community. This direct enhancement to the quality of life in the City differentiates the project from other for-profit ventures.

Registered Charitable Organization No. 10762 7317 RR0001

A good place to be

107 Lindsay St. S
Lindsay Ontario K9V 2M5
T 705 / 324-4493
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www.bgckl.com



Boys & Girls Clubs
of Kawartha Lakes
FOUNDATION

Funding Model: The project has been funded through grants and individual and corporate donations exclusively. No taxpayer funds have been expended. This approach has led to \$3.156M being generated for this community project. However, all this funding has guidelines and funds must be expended as they are received for the most part. They are also usually directed to a certain aspect of the project. Unlike a developer, the Club does not have matching funds with which to provide securities. We would also like to avoid interest costs that a Letter of Credit would create in order to spend as much as possible on the project itself. To date, the Club has paid over \$40,000 in development costs for this project to the City.

Boys and Girls Club Community Benefits: As an organization that serves over 8,000 children and youth and their families in 10 communities in the City, the Club impacts a large portion of the population of our City. Club programs provide opportunities to develop the skills and knowledge participants need to reach their full potential. Services include sports and fitness, feeding/nutrition supports, academic/employment supports, child care, child/youth/family mental health supports and community outreach. Our programs encourage healthy living, personal growth, learning, and community involvement. Many municipalities provide these services without the service partnership the Club provides. The Club is a willing partner to ensure these services are available throughout the City.

The Club employs over 120 paid staff and provides volunteer opportunities for 150 additional individuals creating an annual economic impact of over \$3M in the community.

Community Hub: The Club's facility and grounds at 107 Lindsay Street is a Community Hub that houses the Community Living Adult Employment program, the Lindsay Gymnastics Club and a Section 23 Classroom operated in partnership with the Club Chimo Youth and Family Services and the Trillium Lakelands Board of Education. As a result of the site work we are doing now, it will also be the home of Chimo's program and administration offices in fall 2017. Many other community groups use our space for meetings, workshops, sports and other activities that contribute to the vitality of the community.

We also bring people together at schools, community centres, parks and other facilities in 9 rural communities throughout the City. These include Bobcaygeon, Coboconk, Dunsford, Fenelon Falls, Kirkfield, Little Britain, Manvers, Omeme and Woodville.

We will anxiously await your decision on this request. It is our hope to move forward as soon as possible on this important community project. Thank you for your consideration.

Sincerely,



Scott Robertson
Executive Director

