

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: MARCH 19, 2018

FROM: Development Engineering Department

DATE: February 26, 2018

SUBJECT: Dundas-Trafalgar Inc (Minto) Phase 2 Subdivision Agreement

LOCATION: Dundas Street East & Trafalgar Road

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RECOMMENDATION:

1. That a Subdivision Agreement between the Town and Dundas Trafalgar Inc. be finalized in accordance with the standard agreement format; and
2. That the Town Solicitor be authorized to make minor changes to the Agreement, which do not affect the substance of the Agreement; and
3. That the agreement with Dundas Trafalgar Inc. be executed in accordance with By-Law 2013-057.

KEY FACTS:

The following are key points for consideration with respect to this report:

- The subdivision agreement sets out the financial obligations of Dundas Trafalgar Inc. (Owner) with respect to construction maintenance and assumption of the public infrastructure (roads, storm sewers, stormwater management facilities, open space, etc.) associated with the development.

BACKGROUND:

This Subdivision Agreement will be the 18th Subdivision Agreement for lands within North Oakville. Appendix A sets out the location of the subject lands within the context of North Oakville. Appendix A further depicts the status of all lands within North Oakville as at the date of this report. This is the second and final phase of the Minto draft plan.

The Draft Plan of Subdivision and conditions of draft approval for the subject lands were approved by the Ontario Municipal Board on October 10, 2014, Appendix B illustrates the limits of the Draft Plan. One of the conditions of draft approval requires the Owner to enter into a subdivision agreement with the Town.

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COMMENT/OPTIONS:

This is the second phase of development within the approved Draft Plan. The subdivision agreement has been prepared in the Town's standard form. All works are to be constructed and funded by the developer.

In order to proceed to plan registration, the Owner has significant drainage works to complete upon the lands to control and direct storm-water runoff through the site, under Trafalgar Road and into East Morrison Creek on the west side of Trafalgar Road. These works occupy lands owned by the Owner, the Region of Halton (Trafalgar Road) and the abutting developer, Great Gulf on the west side of Trafalgar Road. The Owner has entered into a Servicing Agreement with the Region of Halton for the new culvert works under Trafalgar Road. The Owner has also secured the cooperation of Great Gulf with respect to the works required upon the Great Gulf lands.

The Owner is required to complete the necessary storm-water works and to ensure that the lands supporting these works are conveyed into public ownership prior to the registration of this plan of subdivision.

The Owner has made significant progress in advancing the design of these works and securing the necessary permits to allow these works to move forward. It is expected that these works will proceed in the early spring of 2018 and be substantially complete by late summer/early fall, following which this subdivision plan can be registered.

Schedule M – Clause 39 of the proposed Subdivision Agreement clearly sets out the Owners requirements to complete the necessary storm-water control works prior to registration of this Plan of Subdivision.

CONSIDERATIONS:**(A) PUBLIC**

Not Applicable

(B) FINANCIAL

The subdivision agreement provides for the terms and conditions which set out the financial obligations and other requirements of the Owner. In particular, the agreement will provide for NHS trail works to be done on behalf of the town and funded 90% from development charges (DC) and 10% from tax levy in accordance with the approved capital projects noted in Schedule K of the agreement.

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(C) IMPACT ON OTHER DEPARTMENTS & USERS

All affected Departments (Parks and Open Space, Legal Services, Planning, Finance and Engineering and Construction) have been circulated. Comments received have been addressed in the Comment/Options section of this report and will be incorporated into the subdivision agreement where required.

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- be accountable in everything we do

(E) COMMUNITY SUSTAINABILITY

The proposed subdivision agreement will assist in ensuring the development achieves the objectives set out in the approved draft conditions by financially securing for these obligations.

APPENDICES:

Appendix A – North Oakville Development Status Map

Appendix B - Draft Plan of Subdivision and Development Phasing Plan

Appendix C- Subdivision Agreement

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