



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: JUNE 11, 2018

FROM: Development Engineering Department

DATE: May 18, 2018

SUBJECT: Subdivision Agreement - 165 Charnwood Drive - 24T-15001

LOCATION: 165 Charnwood Drive

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RECOMMENDATION:

1. That a subdivision agreement between the Town and TIBURTINO BUILDUP (BT) CORP 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 TIBURTINO BUILDUP (BT) CORP 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 TIBURTINO BUILDUP (BT) CORP (Owner) with respect to construction, maintenance and assumption of the public infrastructure (roads, storm sewers, open space, etc.) associated with the development.

BACKGROUND:

The subject property, formally known as Chisholm Public School, was closed in 2010. The Town purchased the property in April 2012 from the Halton District Public School Board. The Town initiated an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision for the purpose of re-developing the land for low density residential use. The subdivision consists of 9 Lots and one walkway block which provides pedestrian access to the existing walkway on Bonnylyn Court.

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The Draft Plan of subdivision and conditions of draft approval were approved on September 4th 2015. The Town then sold the lands to TIBURTINO BUILDUP (BT) CORP with specific re-development conditions; specifically that:

- the first residential occupancy certificate be obtained within 3 years of closing (March 31, 2020) and;
- the final residential occupancy certificate be obtained within 5 years of closing (March 31, 2022).

Since Draft Plan approval, the Owner has advanced their engineering submission to the point where staff support the execution of the required Subdivision Agreement. Upon execution of the Subdivision Agreement, the agreement and Plan of Subdivision can then be registered on title with the Land Registry Office. Following the registration of the plan and agreement, the Owner can then proceed to close any pending purchase and sale agreements and proceed to secure building permits to advance home construction on the land.

The lands which are subject to the subdivision agreement are depicted on the attached reduction of the legal plan is attached as Appendix A.

COMMENT/OPTIONS:

The subdivision agreement has been prepared in the Town's standard form. It is anticipated that the Owner will secure building permits in late 2018/early 2019, thus ensuring the development complies with the occupancy conditions set out in the purchase and agreement.

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. All works within this phase will be funded by the developer.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

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

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(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 – Legal Plan
- Appendix B- Subdivision Agreement

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