



OAKVILLE

## REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: DECEMBER 02, 2019

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**FROM:** Development Engineering Department  
**DATE:** November 20, 2019  
**SUBJECT:** Subdivision Agreement - Bronte Green 24T-14004  
**LOCATION:** Bronte Road , South of Upper Middle Road  
**WARD:** 4

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### RECOMMENDATION:

1. That a subdivision agreement between the Town and **Bronte Green Corporation** be finalized in accordance with the standard agreement format;
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 **Bronte Green Corporation** 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 **Bronte Green Corporation** (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:

The Draft Plan of Subdivision and conditions of draft approval for the subject lands were board approved in July of 2017.

The development consists of 334 single detached lots, 164 townhouse units, 2 condo blocks, 3 potential school blocks, 3 park blocks, 4 NHS Blocks & 2 pond blocks (1 stormwater management, 1 wildlife pond)

Appendix A illustrates the location of the subdivision. Appendix B shows the legal plan. There are a number of Draft Plan conditions (numbers 44 through 138) that need to be satisfied prior to the plan being registered. Staff will ensure that those conditions are satisfied prior to proceeding to registration. Draft Plan condition

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number 45 requires that the Owner to enter into a standard form subdivision agreement to the satisfaction of the Town to address all matters related to the financial and construction obligations and build out of the subdivision, including but not limited to, development charge reimbursements, works to be completed on behalf of the Town, subdivision assumption and maintenance and monitoring of storm water management facilities, and homeowner warning clauses, etc. A standard form Subdivision Agreement has been prepared and is the subject of this staff report.

**COMMENT/OPTIONS:**

The subdivision agreement has been prepared in the Town's standard form. All works are to be constructed and funded by the developer save and except the Neighbourhood park, 2 urban squares and a Natural Heritage System (NHS) trail which are funded in part from Development Charges. See the Financial section for funding details.

**CONSIDERATIONS:****(A) PUBLIC**

Not Applicable

**(B) FINANCIAL**

The subdivision agreement will provide for the terms and conditions which set out the financial obligations and other requirements of the Owner. In particular, the agreement will provide for park development works as noted in Schedule K, to be completed on behalf of the town and funded 90% from development charges (DC) and 10% from the tax levy and reserves in accordance with the approved capital projects. The Owner will be reimbursed for these works in the year(s) and upset limit of the year(s) that the project is funded in an approved capital budget. Under the transition provisions in Bill 108 (not yet in force) this development will be subject to the Development Charge Bylaw as it applied prior to recent amendments to the legislation since the conditions of draft approval required the conveyance of parkland and payment of cash-in-lieu of parkland.

**(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.

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**(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS**

This report addresses the corporate strategic goal to:

- Be accountable

**(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 –Location Plan  
Appendix B – Legal Plan  
Appendix C – Subdivision Agreement

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