

## **Township of Southgate**

### **Administration Office**

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## **Staff Report CAO2021-038**

**Title of Report:** Southgate Meadows Inc. - Flato Glenelg Carriage House  
Subdivision Agreement Phase 1 Approval Report

**Department:** Administration

**Council Date:** May 19, 2021

### **Council Recommendation:**

**Be it resolved that Council** receive staff report CAO2021-038 as information; and

**That** Council approve the Southgate Meadows Inc., Flato Glenelg Carriage House Phase 1 Subdivision Agreement as presented with the initial security calculations; and

**That** Council consider approval of the final Southgate Meadows Inc., Flato Glenelg Carriage House Phase 1 Subdivision Agreement by municipal By-law 2021-067 at the May 19, 2021 Council meeting.

### **Background:**

A Subdivision Agreement is required by the Township of Southgate for all residential development projects where the lands being developed have no roads and requires the normal municipal services (lighting, sidewalks, stormwater, wastewater and water) and public servicing (cable TV, electricity, internet, natural gas, telephone, etc.) infrastructure. A Subdivision Agreement (SDA) is a robust version of a site plan agreement that the Township uses to manage industrial and commercial projects. A SDA is a broader document that deals with the following subjects (Articles) and issues to manage the project and the municipal risk associated with these types of developments. The following are the titles of the Articles in the SDA document:

- Interpretation (Definitions)
- Subject Lands and Preconditions for Servicing and Registration
- Special Provisions
- Conveyances and Payments to be Made
- Construction of Services
- Phasing Plan
- Drainage
- Acceptance and Ownership of Services
- Deadline for Completion of Services
- Financial Assurances
- Indemnification and Liability Insurance
- Developer's Additional Obligations during Servicing

- Driveway Locations, Mailboxes, and Roads
- Building Deposit Requirements
- Building Permit Requirements
- Occupancy Requirements
- Building Construction
- Covenants to be Registered on Title
- Lapsing of Agreement
- Stop Work Orders
- Breaches of Agreement
- Arbitration
- General Provisions

The following are Schedules and Forms included in the Subdivision document:

- Legal Description
- Conditions of Draft Plan Approval
- Variations and Exceptions from Standards Provisions of Agreement
- Lands to be Conveyed to the Township
- Easement to be Conveyed to the Township
- Form of Agreement for Easements
- Payments to be made to the Township
- Municipal Services to be provided by the Developer
- Covenants and Restrictions in every Contracts for the sale of lands & registration on titles
- List of Approved Plans
- Final Lot Grading and Drainage Certificate Form
- Letter of Credit requirements form

Southgate's lawyer Stephen Christie from Stutz Brown Self provided the legal review and Township Engineer Ray Kirtz from Triton completed the Engineering review work to develop the Flato Agreement as a template for the Township to use for all future residential developments.

### **Staff Comments:**

Our Township Engineers from Triton Engineering has already provided the technical review of the Schedule E titled "Easements to be Conveyed", Schedule F titled "Securities to the Township" and Schedule I titled "List of Approved Plans" for this project approval of the Southgate Meadows Inc., Flato Glenelg Carriage House Phase 1 Subdivision Agreement.

The Southgate Meadows Inc., Flato Glenelg Carriage House Phase 1 SDA includes a Schedule "J" titled, "Phasing Plan" that identifies the number of phases. The SDA also includes a Schedule "K" titled, Project Phase Mplan, that reflects the specific layout drawing information for this development phase. The SDA for Flato Glenelg

Carriage House Phase 1 includes the Mplan for the agreement's and when approved will allow registration of 183 lots.

The next steps in this SDA process is to approve by municipal by-law and execute the Flato Glenelg SDA for only the Phase 1 project.

### **Financial Impact or Long Term Implications**

There is no financial impact to the municipality as a result of this report as all legal and engineering costs to review and finalize the Flato Glenelg specific agreement for their development will be charged to the developer.

Flato Developments at the present time has \$3,405,531.74 posted in securities with the Township of Southgate for all of their projects.

### **Communications & Community Action Plan Impact:**

This report has been written and presented to Council to communicate accurate information to the public.

### **Goal 3 - Promoting Health Services and Housing Choices**

**Action 3:** The residents and businesses of Southgate envision a caring community which meets the needs of all ages and incomes for a healthy and comfortable life, even as our population grows and changes.

**Strategic Initiatives 3-A (2019-2023):** By means of appropriate policies, incentives and development partners, the Township will facilitated a significant increase in the supply and comfortable life, even as our population grows and changes.

### **Concluding Comments:**

1. That Council receive this staff report as information.
2. That Council consider approval of the Flato Glenelg Subdivision Agreement for residential developments by Township municipal By-law 2021-067 at the May 19, 2021 meeting.
3. Council has already approved the allocation of 170 residential units (RU) of water and wastewater reserve service capacity for 118 single family and 65 townhomes in the Flato Glenelg Phase 1 project at the October 7<sup>th</sup>, 2020 Council meeting and approved by Municipal By-law 2020-113 for the Flato Glenelg Final Capacity Allocation Agreement.
4. The final step is the approval of the Planners recommendation to lift the Holding condition on the Flato Glenelg Phase 1 project is ready for registration and securities have been posted.

Respectfully Submitted,

**CAO approval:** Original Signed By

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**PW approval:** Original Signed By

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**Planning approval:** Original Signed By

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