

Staff Report to Council

Title: Development Agreement –
Bradstones Developments Inc.

Report Number: Development Services-2023-30

Director: Infrastructure &
Development

Manager: Development Services

Meeting Date:
Wednesday, September 13, 2023

Date to be considered by Council:
Wednesday, September 13, 2023

Recommendation:

That the Council of the Municipality of Kincardine pass a bylaw to enter into a Development Agreement with Bradstones Developments Inc. and

That the Mayor and Clerk be authorized to execute any documents and agreements on behalf of the Municipality

Executive Summary:

Bradstones Developments Inc. has proposed a 10-block townhouse development comprised of 36 units within the R3-y zone. Each 2-storey block proposes between 2-4 residential units. The subject property is located in the area of Queen St. and Golf Links Rd. and is described as PART LOT 18 CON A. The development proposal has progressed through the Zoning amendment process, OLT appeal process and Site Plan approval stages where a Development Agreement has now been prepared. The Development Agreement will further work in conjunction with the previously approved Site Plan Agreement by providing specific staging and completion benchmarks to ensure the project proceeds in accordance with all legislated design protocols.

Strategic Priorities:

B.5-Evaluate and proactively plan for infrastructure to meet population growth and long-term sustainability

Financial Considerations:

Development costs shall be borne by the developer.

Policy:

N/A

Context and Background Information:

The parcel of land legally described as PART LOT 18, CONCESSION A, KINCARDINE, PART 1, PLAN 3R-10519; TOGETHER WITH AN EASEMENT OVER PART LOT 18, CONCESSION A, KINCARDINE, PART 2, PLAN 3R-10519 AS IN BR164551; MUNICIPALITY OF KINCARDINE has recently received Site Plan Approval. As a Condition of the R3-y-H zoning applied to the property, site specific zoning provisions were attached which required a Site Plan Agreement to be put into place prior to the removal of the “H” holding provision. The holding provision has since been removed under Bylaw 2023-123 and a Site Plan Agreement has been registered on the land title.

Upon satisfying the R3-y zoning provisions, the developer further initiated a Planning application to develop the site under a Vacant Land Condominium. Through the Planning process, a detailed Development Agreement was initiated that will identify the site-specific staging and design benchmarks and further provides the legal mechanism for implementation of the County conditions identified under the draft approval. The County conditions have been included under Schedule “H” of the agreement.

Consultation Overview:

Through the development process, OLT process and Site Plan Control process, various studies and legislation were assessed to ensure the development aligned with good Planning practices and with the Provincial Policy Statement, Official Plans (both Local and County) as well as the applicable zoning provisions. The project underwent numerous studies from Archaeological Assessments, Environmental Impact Studies, Planning Justification reports, Stormwater Management, Traffic Impact Assessments, Functional Servicing as well as public comment and County presentation before council.

Origin:

Planning Act - Plan of Condominium

Implementation Considerations:

The Site Plan Agreement was implemented with pre-servicing conditions allowing an expedited project development to proceed. It is understood that continuous advancement of the project in a timely manner is in keeping with Municipality and its residents as well as the developer. A 2-year timeline for the completion of the pre-serving conditions including vital infrastructure (water, sewer, roads) and stormwater management controls has been incorporated into the Site Plan Agreement.

Risk Analysis:

Through implementation of the Development Agreement (in tandem with the previously approved Site Plan Agreement) adequate securities, development control staging,

engineering assessments and coordinated work plans will be administered through the Agreement.

Attachments:

Development Agreement – Bradstones Developments Inc.

Development Agreement Bylaw

Prepared by: Dwayne McNab – Development Services Manager/ Chief Building Official

Submitted by: Dwayne McNab – Development Services Manager/ Chief Building Official