

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2022-0066

**FOR THE CONSIDERATION OF
COUNCIL**

August 10, 2022

SUBJECT: Re-conveyance of Temporary Turning Circle Lands – Part 1, Plan 65R-39239. File S.9.179.

1. RECOMMENDATION:

1. That Council receive Report No. DS-2022-0066 prepared by the Development Engineering Division, Development Services Department, dated August 10, 2022 respecting the land transfer of Part 1, Plan 65R-39239 within the Cedar Ridge Subdivision.
2. That Council adopt a by-law authorizing the Town Solicitor to complete the conveyance of Part 1, Plan 65R-39239 from the Town of Georgina to RSM Canada as Receiver of Greenvilla (Sutton) Investment Limited., all in accordance with Section 13.1 of the Subdivision Agreement dated August 18, 2014, last revised November 2020 between the Town of Georgina and 2088556 Ontario Inc., 935860 Ontario Limited, Greenvilla (Sutton) Investment Limited and Greenvilla Development Group Inc.

2. PURPOSE:

The purpose of this report is to address the correspondence by Eddy Chan, Director of Land Development, Delpark Homes requesting that the Town convey lands associated with a temporary turning circle (Part 1, Plan 65R-39239) back to the developer 935860 Ontario Limited, Greenvilla (Sutton) Investment Limited in accordance with Section 13.1 of the Subdivision Agreement dated December 2, 2019, last revised November 2020. A copy of the subject correspondence is provided as Attachment 1 and a copy of reference plan 65R-39239 is provided as Attachment 2.

3. BACKGROUND:

Part 1 of Plan 65R-39239 was conveyed to the Town as part of Phase 1 Cedar Ridge Subdivision for a temporary turning circle at the west end of Cliff Thompson Court until such time that the road is extended. An engineering drawing of the temporary turning circle is included as Attachment 3. The temporary turning circle is not required once Cliff Thompson Court is extended as part of Phase 2 of the subdivision. The developer is now intending to register Phase 2 and construct the

future lots that are within the temporary turning circle. The Town does not require these blocks for the purpose of future road right of way and does not require the temporary turning circle at Cliff Thompson.

4. ANALYSIS:

As per the Draft Plan Conditions Section and the Subdivision Agreement it was anticipated that the block to facilitate the temporary turning circle would be transferred back to the developer at the appropriate time: return of the block to the developer would be reasonable:

“13.1 Conditions of Draft Plan Approval

The Owner agrees to satisfy the Conditions of Draft Plan Approval appended hereto as Schedule ‘K’.

With regard to Condition 12 of the Conditions of Draft Plan Approval in Schedule ‘K’, a temporary turning circle, at the westerly limit of Cliff Thompson Court which will be conveyed to the Town upon registration of Phase 1 and lands described by reference plan and comprising Block 36 of phase 2 M-plan, as described in Schedule ‘D’. To facilitate the registration of the Phase 2 lands, which include Block 36 of phase 2 M-plan, the lands described in the reference plan shall be conveyed prior to the registration of Phase 2, at no cost, by the Town to the Owner of the subdivision, as revised, for purposes of residential lots, subject to applicable development charges. The Owner will assume responsibility for all costs related to the said conveyances, including all costs associated with restoring the lots to condition suitable for the issuance of building permits.

The Town hereby agrees that those portions of any temporary road will not be assumed by by-law.”

Once the lands are re-conveyed, the developer can proceed with registering Phase 2 of the Cedar Ridge Subdivision.

5. RELATIONSHIP TO STRATEGIC PLAN:

This report addresses the following strategic goal:

GOAL 4: “Deliver exceptional service”

6. FINANCIAL AND BUDGETARY IMPACT:

There are no costs to the Town with respect to the transfer of the subject lands. The developer is required to pay a nominal fee for the lands and will be required to pay all other costs associated hereto.

7. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:

The subject lands were not dedicated as public highway on the plan of subdivision. No public notice or consultation is required.

8. CONCLUSION:

The developer has proceeded in accordance with the plan approval and the Subdivision Agreement entered into with the Town. Pursuant to Section 13.1 of the Subdivision Agreement the Owner is requesting that Part 1, Plan 65R-39239 be conveyed back to the developer as they no longer wholly serve a need to the Town. The request is reasonable and it is respectfully submitted that the Town Solicitor be authorized to act on behalf of the Town on this matter.

APPROVALS

Prepared By: Mike Iampietro, P. Eng.
Reviewed By: Zaidun Alganabi M. Eng., P. Eng.
Recommended By: Harold Lenters, M.Sc.PI, MCIP, RPP.
Approved By: Ryan Cronsberry

***Attachments: ATTACHMENT 1. Correspondence from Eddy Chan
ATTACHMENT 2. Reference Plan 65R-39239
ATTACHMENT 3. Engineering Drawing – Temporary Turning Circle
Cliff Robertson Drive***