

**THE CORPORATION OF THE TOWN OF GEORGINA**

**REPORT NO. DS-2024-0017**

**FOR THE CONSIDERATION OF  
THE COUNCIL  
April 24, 2024**

**SUBJECT: EARTHWORKS AGREEMENT - GREYSTONE/MIDDLEBURG  
DRAFT PLAN OF SUBDIVISION 19T-14G01  
PART OF LOT 15, CONCESSION 3 (NG), AND PART OF ROAD  
ALLOWANCE BETWEEN CONCESSIONS 2 AND 3, BEING PART 1,  
PLAN 65R-30415  
SOUTH SIDE OF OLD HOMESTEAD ROAD, WEST OF THE  
QUEENSWAY NORTH, KESWICK**

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**1. RECOMMENDATIONS:**

- 1. That Council receive Report No. DS-2024-0017, prepared by the Development Engineering Division, Development Services Department dated April 24, 2024, respecting the execution of a proposed Earthworks Agreement for the Greystone/Middleburg Subdivision;**
- 2. That Council authorize the Mayor and Clerk to execute an Earthworks Agreement between Greystone (Homestead) Limited and Middleburg Developments Inc., as Owners, and the Corporation of the Town of Georgina, relating to Draft Plan of Subdivision 19T-14G01 referred to as the Greystone/Middleburg Subdivision; and,**
- 3. That Council authorize staff to make minor revisions to the draft Earthworks Agreement, included as Attachment 3 to Report No. DS-2024-0017.**

**2. PURPOSE:**

The purpose of this report is to bring forward a draft Earthworks Agreement related to draft approved Plan of Subdivision 19T-14G01. A key plan map is included for reference as Attachment 1.

**3. BACKGROUND:**

On April 24, 2018, the Local Planning Appeal Tribunal (LPAT) issued an Order approving Draft Plan of Subdivision 19T-14G01 on lands comprising Part of Lot 15, Concession 3 (NG), and Part of Former Road Allowance between Concessions 2 and 3 (NG), and located on the south side of Old Homestead Road, west of The Queensway North. A copy of the Draft Plan is provided as Attachment 2. The subdivision is currently

proposed to be registered and developed in two phases and is comprised of 187 lots for single detached residential purposes, in addition to blocks for park, stormwater management, environmental/buffer, access, road widening and land dedication purposes.

On March 24, 2021, Council received Report No. [DS-2021-0025](#) and approved a request for an extension of Draft Plan Approval and modifications to the Conditions of Draft Approval for Draft Plan of Subdivision 19T-14G01. An interim 6-month extension to May 24, 2024, was subsequently granted under staff's delegated authority to prevent the Draft Plan from lapsing while detailed design is being advanced, and earthworks are proposed to commence.

The Town enters into Earthworks Agreements to allow for earthworks in advance of the installation of municipal services (i.e., watermains, storm sewers and sanitary sewers). This is a standard form of Agreement containing the normal construction clauses, security requirements together with indemnification and liability insurance clauses. In this case, the Agreement will pertain to completion of sediment and erosion control measures, construction access, topsoil stripping, and rough grading of the site including roads, lots, and park areas. The Owners' representatives will subsequently be required to request authorization to enter into a further Pre-servicing Agreement respecting the installation of municipal services.

#### **4. ANALYSIS:**

The Owners' representatives have been working with Town staff and external agencies to address comments and concerns related to the detailed design of the Draft Plan of Subdivision. The Owners' representatives have advised Town staff that they want to advance works with the common goal of delivering new housing.

The Earthworks Agreement is to be executed by the Owner(s) prior to execution of same by the Town. The Owner(s), their agent or solicitor will provide the necessary schedules for this Agreement to the Town's satisfaction. The execution of an Earthworks Agreement is in accordance with the standard development practices of the Town and supports new development in a timely fashion and orderly manner. The proposed earthworks on the Greystone/Middleburg lands shall be supported and guided by approved drawings including but not limited to, grading, site stockpiling and erosion and sediment control implementation. Approximately 3,100 cubic metres of excess soil shall be removed from this site in accordance with the proposed earthworks drawings included for reference in Attachment 4.

#### **5. RELATIONSHIP TO STRATEGIC PLAN:**

**Ensuring Balanced Growth** - Execution of this proposed Earthworks Agreement will

promote and ensure responsible growth and support the delivery of housing.

**6. FINANCIAL AND BUDGETARY IMPACT:**

At this time, there is no financial impact from the proposed works. It is noted that the development of any subdivision has the financial impact expected of additional municipal infrastructure to be operated, maintained, and incorporated into the Town's Asset Management Plan. Initially, these are the responsibility of the developer, but ultimately become the responsibility of the Town. It is expected that this maintenance cost will be captured in future budget requirements. The new development also generates revenue through the development review and building permit processes, as well as adding to the municipal tax base.

**7. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:**

Public consultation is not required respecting the proposed Earthworks Agreement.

**8. CONCLUSION:**

It is respectfully submitted that it is appropriate to enter into an Earthworks Agreement with the proponent and that Council authorize the Mayor and Clerk to execute the agreement on behalf of the Town with Greystone (Homestead) Limited and Middleburg Developments Inc. respecting the proposed earthworks within the Draft Plan of Subdivision 19T-14G01 lands.

**APPROVALS**

Prepared By:	Saleem Sial, P.Eng. Senior Development Engineering Technologist
Reviewed By:	Ben Pressman, P.Eng. Supervisor of Development Engineering
Reviewed By:	Mike Iampietro, P.Eng. Manager of Development Engineering
Recommended By:	Denis Beaulieu, MCIP, RPP Director of Development Services
Approved By:	Ryan Cronsberry Chief Administrative Officer

***Attachments:***

*Attachment 1 – General Location*

*Attachment 2 – Draft Approved Plan of Subdivision*

*Attachment 3 – Draft Earthworks Agreement*

*Attachment 4 – Proposed Earthworks Drawings*