



**THE CORPORATION OF THE TOWNSHIP OF KING
Report to Committee of the Whole**

Monday, May 9, 2022

**Public Works Department - Development Division
Report Number PW-DEV-2022-002
Pilot Project with Fandor Homes - Via Moto Phase 1
Changes to Pool Permit Process during the Two (2) Year Maintenance/Warranty Period
Amending Subdivision Agreement**

RECOMMENDATION(S):

The Director of Public Works respectfully submits the following recommendation(s):

1. Report Number PW-DEV-2022-002 be received; and
2. Council endorse the Pilot Project with Fandor Homes to change the pool permit process during the two (2) year maintenance/warranty period in the Via Moto Phase 1 subdivision; and
3. Council enact By-Law 2022-033 at this meeting of Council, being a By-Law to authorize the Mayor and Clerk to sign an Amending Subdivision Agreement between the Township and Fandor Homes (Via Moto) Inc., when prepared and finalized by the Director of Public Works and the Township Solicitor, based on the guiding principles outlined in report PW-DEV-2022-002.

REPORT HIGHLIGHTS:

- In un-assumed subdivisions, property owners applying for a Pool Permit are required to obtain Permission/Recertification from the Developer.
- In the past, some property owners have had difficulty obtaining Permission/Recertification from their Developer when the development is soon ready to be assumed, or the developer has requested fees and security deposits significantly higher than the Township does in assumed subdivisions.
- Staff are recommending Council endorse the proposed pilot project with Fandor Homes to change the pool permit process during the two (2) year maintenance/warranty period in the Via Moto Phase 1 subdivision.

PURPOSE:

The purpose of the report is to obtain Council's endorsement of the proposed pilot project with Fandor Homes to change the pool permit process during the two (2) year maintenance/warranty period in the Via Moto Phase 1 subdivision, and approval to execute a subsequent Amending Subdivision Agreement.

BACKGROUND:

At the November 30, 2015 meeting, Council approved the use of the Subdivision Agreement Template (Agreement) that is still in use today. The Agreement obligates the Developer to be responsible for all private lot grading until assumption. Current practice requires a property owner to obtain Permission/Recertification from the Developer when submitting for a Pool Permit in an un-assumed subdivision.

In the past, some property owners have had difficulty obtaining the Permission/Recertification from their Developer when the development is soon ready to be assumed. Some developers have requested fees and security deposits significantly higher than the Township does in assumed subdivisions. In these cases, the property owner usually approaches the Township to seek relief from the Permission/Recertification required with their pool permit application.

Fandor Homes is currently working towards the start of the two (2) year maintenance/warranty period on their Via Moto Phase 1 subdivision, and has volunteered to participate in the proposed Pilot Project.

ANALYSIS:

For the past several months, Fandor Homes and Township staff (public works, bylaw, building) have worked together to develop the below Pilot Project to propose changes to the Pool Permit Process during the two (2) year maintenance/warranty period.

Pilot Project - Proposed Changes to Pool Permit Process

- During the two (2) year Maintenance/Warranty Period, pool permit applications in the Via Moto Phase 1 subdivision no longer require the Permission/Recertification from the Developer.
- Property Owners can apply for a Pool Permit under the same requirements as assumed subdivisions. (Application, Fee, Security Deposit, Pre-construction Photos)
- Pool Permits for a property will not be issued until the Final Lot Grading Certificate has been submitted by the Developer.
- Property Owner will be responsible for all damages to adjacent private and public property, similar to pool permit holders in assumed subdivisions.
- Property Owner and Pool Contractor shall participate in a pre-construction meeting with the Township and the Developer.
- Property Owner and Pool Contractor agree to the designated equipment and staging area determined by the Township and the Developer.

Guiding Principles - Amending Subdivision Agreement

In order to execute the Pilot Project, the Subdivision Agreement will require the below changes:

- Council delegates the authority to the Director of Public Works to accept the Developers 'Final Lot Grading Certificate' in advance of assumption for lots where the property owner has obtained a Pool Permit from the Township.
- Acceptance of the 'Final Lot Grading Certificate' shall only occur during the two (2) year maintenance/warranty period for lots where the property owner has obtained a Pool Permit from the Township.
- The Developer shall submit the 'Final Lot Grading Certificate' to the Township no sooner than eight (8) weeks after the sod has been placed.
- Acceptance of the 'Final Lot Grading Certificate' for a property with a Pool Permit by the Director of Public Works, will release the Developer from any further liability for lot grading and from infrastructure liability

FINANCIAL CONSIDERATIONS:

There is no financial impact to the Township associated with the proposed pilot project and subsequent Amending Subdivision Agreement. All costs will be covered by the property owner for the Pool Permit application fee and security deposit as per the fees and charges bylaw.

ALIGNMENT TO STRATEGIC PLAN:

The 2019-2022 Corporate Strategic Plan was formally adopted by Council on September 21, 2020 which emphasizes all of the ICSP Pillars (Financial, Economic, Socio-Cultural and Environmental) and is also aligned with the long-term vision defined in the Official Plan. The 2019-2022 Corporate Strategic Plan aims to ensure staff initiatives focus on current Term of Council priorities in support of the Township's long-term vision to 2031.

This report is in alignment with the CSP's Priority Area(s), associated Objective(s) and/or Key Action(s):



**Service Delivery
Excellence and
Innovation**

Developing Innovative “King-Centric” Policy Frameworks

- Respond to Emerging Municipal Trends and Pressures

The Township processed thirty-six (36) pool permits in both 2018 and 2019. Since the onset of the Covid pandemic the Township has processed two hundred and eighty-seven (287) pool permit applications. To improve the pool permit process within un-assumed subdivisions, staff is recommending a pilot project with Fandor Homes in the Via Moto Phase 1 subdivision.

CONCLUSION:

Staff is recommending Council endorse the proposed pilot project with Fandor Homes to change the pool permit process during the two (2) year maintenance/warranty period in the Via Moto Phase 1 subdivision, and approval to execute a subsequent Amending Subdivision Agreement.

ATTACHMENTS:

Not Applicable

Prepared By:

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Manager of Development Services

Recommended By:

Samantha Fraser
Director of Public Works

Approved for Submission By:

Daniel Kostopoulos
Chief Administrative Officer