



Subject: Port Robinson Estates (Legacy) Phase 3, Stage 1 Pre-Servicing Agreement

Report to: Thorold City Council

Recommendations

1. That Council **APPROVE** the terms and conditions of a Pre-Servicing Agreement with Legacy Communities (Thorold) Inc. for the Port Robinson Estates (Legacy) Phase 3, Stage 1 Plan of Subdivision, and,
2. That the Mayor and Clerk **BE AUTHORIZED** to execute the necessary documents.

Key Facts

- The pre-servicing agreement allows the Developer to begin site servicing work before the final subdivision agreement is approved, ensuring construction can proceed during favourable weather conditions.
- The agreement includes provisions for the City's enhanced rights of entry, compliance with construction standards through qualified engineering inspections, and addresses deviations in construction practices.
- The Developer has provided a letter of credit in the amount \$1,257,541.13 to the City to guarantee compliance with the terms of the agreement.

Budgetary Status

N/A

Analysis

The developer and the City are working towards the subdivision agreement approval. While the subdivision agreement is being finalized, expected before year-end, the Developer seeks to commence pre-servicing this summer. The pre-servicing agreement allows the developer to start work, securing the City's rights and ensuring compliance with construction practices through qualified engineering inspection. The Developer has paid a deposit of \$1,257,541.13 to the City. The agreement, vetted by both parties', does not provide final subdivision approval.

Impact on the Environment, Climate Change

Environmental Impact Study (EIS) was submitted to the City in 2019, and concludes that the proposed development complies with policies associated with development in the area.

Alternatives Reviewed

Option 1 – Wait for the approval of a subdivision agreement. The developer will miss the construction season, delaying the construction.

Option 2 – Approve the pre-servicing agreement prior to the subdivision agreement and complete the primary services before the winter season.

Relationship to Strategic Plan

- Sustainability
 - Sustainable Infrastructure

Other Pertinent Reports

N/A

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Approved and Submitted by:

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Chief Administrative Officer

This report was prepared in consultation with Sean Dunsmore, Manager, Engineering, and reviewed by Geoff Holman, Director, Public Works and Community Services.

Appendices

Appendix 1 Pre-Servicing Agreement