

Report to Council

Report Title: Barry's Construction Additional Request for Extension on Draft Plan Approval

Prepared By: Fiona Hamilton, Director of Legislative and Legal Services (Clerk)

Department: Planning

Date: August 9, 2022

Report Number: PLN2022-04 **File Number:** C11PLN, D12BA

Attachments: Letter from Monica Walker-Bolton

Recommendation:

That the Council of the Municipality of Brockton hereby approves Report Number PLN2022-04 – Barry's Construction Additional Request for Extension on Draft Plan Approval, prepared by Fiona Hamilton, Director of Legislative and Legal Services (Clerk) and supports the Request for Draft Plan Extension submitted by Barry's Construction and Insulation and directs staff to waive the payment of \$10,000.00 outlined in By-law

Report:

Background:

In 2020 and 2021, a representative from Barry's Construction and Insulation Ltd. ("Barry's") requested Council's support for a Request for Draft Plan Extension to allow Barry's to file a redlined revision to the original plans submitted in 1991.

In 2020 Council supported the extension request and entered into a Payment Extension Agreement, which was amended in 2021, setting out that Barry's would pay Brockton the sum of \$10,000.00 if the redlined revision plan was not approved by September 12, 2022. At the time, Council expressed strong encouragement for Barry's to finalize the plan and begin construction to assist in providing much needed housing options to individuals in Brockton.

Barry's is again requesting that the lapsing date for the draft plan of subdivision be extended to September 12, 2024. However, Barry's has filed an Application and supporting documentation for the redlined revision of the Draft Plan of Subdivision (pending complete review by planning staff). The documents were filed on July 19, 2022, and will not be able to be approved prior to the September 12, 2022 due to the planning act timelines.

Analysis:

While the documents associated with the redlined revision will still need to be reviewed by staff and circulated to various agencies, the fact that they have been filed (with accompanying reports and studies) is a strong demonstration on the part of Barry’s that the subdivision will proceed in a timely manner.

It should also be noted that some of the lands involved in the redlined revision (the townhouse lands that are covered by the Agreement of Purchase and Sale between Brockton and Barry’s) were included in the MZO application. Barry’s would not have been able to finalize all the plans and requirements to receive the approval of the revised draft plan of subdivision until such time as Brockton has received a response on the MZO application.

Given the fact that the redlined revision application has been filed and that both Brockton and Barry’s are still waiting on the response to the MZO application, municipal staff recommend waiving the \$10,000.00 payment to Brockton. In the future, Brockton will work closely with Barry’s staff in finalizing agreements related to the road construction, contribution to the stormwater management pond and the subdivision agreement, and waiving this payment would continue to promote the positive and collaborative relationship that exists between the parties at this time.

Staff also recommend formally supporting Barry’s Request for Draft Plan Extension as outlined in the attached letter from Monica Walker-Bolton, Senior Planner with Bruce County.

Strategic Action Plan Checklist:


What aspect of the Brockton Strategic Action Plan does the content/recommendations in this report help advance?		
• Recommendations help move the Municipality closer to its Vision		N/A
• Recommendations contribute to achieving Heritage, Culture, and Community		N/A
• Recommendations contribute to achieving Quality of Life		N/A
• Recommendations contribute to achieving Land Use Planning and the Natural Environment		Yes
• Recommendations contribute to achieving Economic Development		Yes
• Recommendations contribute to achieving Municipal Governance		N/A

Financial Impacts/Source of Funding:

- Do the recommendations represent a sound financial investment from a sustainability perspective? Yes

The 2022 Municipal Budget did not include any payment from Barry’s.

Reviewed By:



Trish Serratore, Chief Financial Officer

Respectfully Submitted by:

A handwritten signature in dark ink, appearing to be 'Fiona Hamilton', written in a cursive style.

Fiona Hamilton, Director of Legislative and Legal Services (Clerk)

Reviewed By:

A handwritten signature in dark ink, appearing to be 'Sonya Watson', written in a cursive style.

Sonya Watson, Chief Administrative Officer