SUBJECT: 28 Lynden Avenue, Dundas - Servicing Agreement (PED06025) (Ward 13)

RECOMMENDATION:

(a) That the City enter into a Servicing Agreement with Rosa Macaluso and Salvatore Macaluso, owners of the property located at 28 Lynden Avenue, Dundas, to construct a municipal sewer from the intersection of Lynden Avenue and Little John Road to 28 Lynden Avenue, as shown on Appendix “A” to Report PED06025.

(b) That the Mayor and Clerk be authorized and directed to execute the Agreement referred to in Recommendation (a) above, in a form satisfactory to the City Solicitor.

Lee Ann Coveyduck
General Manager
Planning and Economic Development Department

EXECUTIVE SUMMARY:

Council approval is required in order for the City to enter into an agreement with a land owner to construct municipal services.
BACKGROUND:

The owner of 28 Lynden Avenue purchased this un-serviced lot, which was previously owned by Hydro. The existing zoning permits residential development.

There are no sanitary sewers presently available to service the subject property. All new development within the Urban Policy Area is required to be connected to, and serviced by, a sanitary sewer system. Therefore, the lot cannot be developed until the sanitary sewer is extended to the front of the lot within the road allowance. The City requires that a developer enter into an agreement whenever municipal services are to be constructed by a private developer. Therefore, it would be appropriate for the City to enter into a service agreement with Rosa and Salvatore Macaluso for the extension of the sanitary sewer within the Lynden Avenue road allowance to facilitate the development of the subject lot.

ANALYSIS/RATIONALE:

Not applicable.

ALTERNATIVES FOR CONSIDERATION:

Should Council not approve the Servicing Agreement, development of the lot for single detached residential at 28 Lynden Avenue cannot proceed.

Extending a private drain to the existing manhole east of the proposed lot on the Lynden Avenue road allowance is not feasible because of the existing sewer elevation.

Therefore, extending the sanitary sewer from the west on Lynden Avenue is recommended. The owner has agreed to enter into an agreement with the City to construct a municipal sewer to service their lands.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – There are no financial implications to the City as the municipal sewer will be paid, in full, by the developing land owner.

Staffing – Not Applicable.

Legal – The City has authority under the Municipal Act to enter into an Agreement with a property owner for the purpose of providing municipal services.

POLICIES AFFECTING PROPOSAL:

Not applicable.
RELEVANT CONSULTATION:

- Building and Licensing Division, Planning and Economic Development Department.

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes  ☐ No
Public services and programs are delivered in an equitable manner, coordinated, efficient, effective and easily accessible to all citizens.

Environmental Well-Being is enhanced. ☑ Yes  ☐ No
Consumption of all natural resources is reduced.

Economic Well-Being is enhanced. ☑ Yes  ☐ No
Infrastructure and compact, mixed use development minimize land consumption and servicing costs.

Does the option you are recommending create value across all three bottom lines? ☑ Yes  ☐ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☐ Yes  ☑ No

:MTT
Attach. (1)
Appendix “A” to Report PED06025

Location Map

Planning and Economic Development Department

File Name/Number: S726-499
Date: December 01, 2005
Appendix “A”

Scale: N.T.S
Planner/Technician: MT/LM

Subject Property
28 Lynden Avenue, Dundas
Proposed installation of municipal services

Ward 13
Keymap

T&C File Name: