

The Corporation of the City of Kawartha Lakes
Planning Advisory Committee

Report Number ENG2019-001

Date: February 6th, 2019
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: 1

Title: Assumption of Lytle Lane, Geographic Township of Bexley, City of Kawartha Lakes

Description:

Author and Title: Christina Sisson, Supervisor, Development Engineering

Recommendation(s):

RESOLVED THAT Report ENG2019-001, “**Assumption Report for Lytle Lane, Geographic Township of Bexley, City of Kawartha Lakes**”, be received;

THAT the Assumption of Lytle Lane, Geographic Township of Bexley, City of Kawartha Lakes, be approved;

THAT an Assumption By-Law, substantially in the form attached as Appendix ‘A’ to Report ENG2019-001 be approved and adopted by Council; and

THAT the Mayor and City Clerk be authorized to execute any documents and agreements required by the approval of this application.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

The Owner of a property fronting on a City of Kawartha Lakes unassumed road allowance, identified in Appendix B, approached the City with a request to construct one house on the property. In order to achieve zoning compliance with the Township of Bexley Zoning By-Law, the construction of a new municipal road to the engineering standard to permit assumption by the City, was required. The City did not have a forecasted capital project and had not identified a municipal roads need in this area. Therefore, the Owner was advised to enter into a Development Agreement with the City to permit the construction of the road and facilitate the building of a house (compliance with the zoning).

At the Council Meeting of November 22, 2016, Council adopted the following resolution:

ENG2016-035

Juan Rojas, Director, Engineering and Corporate Assets
Development Agreement - Glenn Lothian - Lytle Lane

CR2016-1138

RESOLVED THAT Report ENG2016-035, **Development Agreement – Glenn Lothian – Lytle Lane**, be received;

THAT the Development Agreement between Glenn Lothian and the Corporation of the City of Kawartha Lakes, attached as Appendix C to Report ENG2016-035, be approved; and

THAT the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this agreement.

CARRIED

The City and the Owners entered into a Development Agreement, Registered as Instrument KL121361, December 23, 2016, for the construction of Lytle Lane for ultimate assumption of the road by the City. The Owners have completed the work as per the terms of the Development Agreement.

This report addresses the City's obligation to assume the road known at Lytle Lane, PINs: 63117-0850, 63117-0851, and Part of PIN: 63117-0729 (LT), being Parts 1, 2, and 3 on Plan 57R-10564, attached as Appendix C.

Rationale:

The Owner has completed the works as per the Development Agreement, including the construction of the road, drainage ditching, and signage. The maintenance period has been met, and the works are confirmed to be completed through inspection by Engineering staff.

Other Alternatives Considered:

Council could decide not to proceed with assumption of the road identified; however, this would not be consistent with our commitment through the Development Agreement previously supported and is therefore, not recommended or supported by staff.

Financial/Operation Impacts:

The Owner has provided the Statutory Declaration and confirmed posting in the Daily Commercial News as per the Construction Act. Upon the registration of the Assumption By-Law, all remaining securities will be released to the Owner.

Upon assumption of Lytle Lane, the City will be responsible for the maintenance of the road, and associated funds will need to be allocated in future budgets.

Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:

The City's 2016-2019 Strategic Plan outlines the strategic goals of a vibrant and growing community, an exceptional quality of life, and a healthy environment. This process has ensured that the municipal infrastructure is efficient and meets the City's standards for the asset management plan and aligns with the strategic enablers.

Review of Accessibility Implications of Any Development or Policy:

Not applicable.

Servicing Implications:

The Development Agreement has created approximately 100 metres of gravel road with a cul-de-sac for operations and maintenance.

Consultations:

Building Division
Planning Division
Public Works Department

Attachments:

Appendix A – Draft Assumption By-Law



2019-XXX Assume
Fairgrounds Centre Li

Appendix B – General Location Plan



Gen Location Plan,
Lytle Lane.jpg

Appendix C – Plan 57R-10564



57R-10564.pdf

Department Head E-Mail: jrojas@kawarthalakes.ca

Department Head: Juan Rojas, P.Eng., PMP

Department File: L04