

**The Corporation of the City of Kawartha Lakes**  
**Planning Advisory Committee**

**Report Number ENG2019-003**

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

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**Ward Community Identifier: 5**

**Title:** Assumption of Fairgrounds Centre (Lindsay) Inc. Subdivision

**Description:** Chadwin Drive, Lindsay

**Author and Title:** Christina Sisson, Supervisor, Development Engineering

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**Recommendation(s):**

**That** Report ENG2019-003, **Assumption of Fairgrounds Centre (Lindsay) Inc. Subdivision**, be received;

**That** the Assumption of Fairgrounds Centre (Lindsay) Inc. Subdivision, Geographic Town of Lindsay, City of Kawartha Lakes, be approved;

**That** an Assumption By-Law, substantially in the form attached as Appendix 'A' to Report ENG2019-003 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 City of Kawartha Lakes entered into a Subdivision Agreement with Fairgrounds Centre (Lindsay) Inc. for the redevelopment of the former Lindsay Fairgrounds into a subdivision, registered as Instrument KL12134, April 14, 2008. Further to a request from the current Consulting Engineer for the development, D.M. Wills Associates Limited, on behalf of the Owner, the Engineering & Corporate Assets Department is recommending formal assumption of the road, park, walkway and stormwater management facility and municipal water and sanitary infrastructure, within the Subdivision.

The servicing and the final lift of asphalt for the subdivisions were completed, deficiencies rectified, and inspected to the satisfaction of the Engineering Department. Security releases have occurred. A formal by-law is required for formal assumption.

The placement of top course asphalt and final repairs is subject to a minimum one year maintenance period in accordance with the registered Subdivision Agreements. The top course was placed in the fall of 2015 and a 2 year warranty period was placed based on the repairs required to be completed. Subsequent inspections have confirmed that in accordance with the registered Subdivision Agreement, all public services are eligible for assumption.

The City, pursuant to the Subdivision Agreement, is now obliged to assume the following under Plan 57M-782:

### **Assume as Right of Way:**

Chadwin Drive PIN: 63224-0183

Angeline Street North road widening, Block 19 PIN: 63224-0176

Angeline Street North road widening, Block 20 PIN: 63224-0177

Angeline Street North 0.3m reserve, Block 23 PIN: 63224-0180

Angeline Street North 0.3m reserve, Block 24 PIN: 63224-0181

Angeline Street North 0.3m reserve, Block 25 PIN: 63224-0182

Colborne Street West road widening, Block 21 PIN: 63224-0178

Colborne Street West 0.3m reserve, Block 22 PIN: 63224-0179

Park and Stormwater Management, Block 17 PIN: 63224-0174

Walkway Block 18 PIN: 63224-0175.

A copy of Plan 57M-782 has been attached as Appendix 'B'.

## **Rationale:**

The services in this development have been constructed and installed according to the plans and specifications as outlined in the Subdivision Agreement. Staff carried out inspections of this subdivision. To date, all deficiencies, with one exception, have been corrected, and the road is now in a condition to be assumed. A rear-yard catch basin storm pipe, on private property, was recently discovered to be damaged. The Owner is mobilizing a contractor for the repair and the City will retain a cash security deposit from the Owner, as per the contractor's quotation, to ensure the repair is completed.

The Owner has requested assumption of the Public Services. The Engineer has certified the Public Services.

## **Other Alternatives Considered:**

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

## **Financial/Operation Impacts:**

The security for this subdivision has been reduced in compliance with the previous statutory declarations and works completed to date as per the registered subdivision agreement. The Owner has posted on the Daily Commercial News (November 16<sup>th</sup>, 2018) to comply with the required 60 day notice for the standard statutory declaration and the Construction Act. The City will not reduce securities until the completion of the 60 days.

Upon assumption of the Subdivision, the City will be responsible for the general maintenance of the street, park, walkway, stormwater management facility and services (in addition to services already provided), 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 application aligns by offering new residents with the development of housing options that have connectivity and walkability. The stormwater management facility provides water quality control to protect the downstream receiver, the Scugog River.

## **Review of Accessibility Implications of Any Development or Policy:**

The Subdivision has been completed to the City's standards at the time of execution of the Agreement.

## **Servicing Implications:**

The Subdivision has been serviced in accordance with the approved design. This Subdivision consists of approximately 450 metres of 200 mm diameter PVC watermain, 469 metres of PVC sanitary sewer, 464 metres of concrete storm sewer, approximately 440 metres of asphalt road, and a subsurface stormwater management facility.

## **Consultations:**

Building Division  
Finance Division  
Parks, Recreation and Culture Division  
Planning Division  
Public Works Department

## **Attachments:**

Appendix A - Draft Assumption By-Law



2019-XXX Assume  
Fairgrounds Centre Li

Appendix B - Plan 57M-782 – Plan of Subdivision, Fairgrounds Centre (Lindsay)  
Inc. Subdivision



57M-782.PDF

**Department Head E-Mail:** jrojas@kawarthalakes.ca

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

**Department File:** D05-18-073