

The Corporation of the City of Kawartha Lakes

Planning Advisory Committee

Report Number ENG2019-009

Date: June 5th, 2019

Time: 1:00 p.m.

Place: Council Chambers

Ward Community Identifier: 5

Title: Assumption of Lisbeth Crescent and Tina Court, Lindsay

Description: Rexton Subdivision – Phase 2

Author and Title: Christina Sisson, Supervisor, Development Engineering

Recommendation(s):

That Report ENG2019-003, **Assumption of Lisbeth Crescent and Tina Court, Lindsay**, be received;

That the Assumption of Lisbeth Crescent and Tina Court, Lindsay, Rexton Subdivision – Phase 2, 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 ENG2019-009 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 Rexton Developments Inc. for the subdivision, registered as Instrument KL11197, March 4th, 2008. Further to a request from the current Consulting Engineer for the development, Condeland Engineering Ltd., on behalf of the Owner, the Engineering & Corporate Assets Department is recommending formal assumption of the road 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 Agreement. The top course was placed in the fall of 2015, and a one 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-780:

Assume as Right of Way:

Lisbeth Crescent PIN: 63236-0173

Lisbeth Crescent 0.3 m reserve at Adelaide Street, PIN: 63236-0116

Tina Court, PIN: 63236-0174

In addition, the City will be assuming the operation and maintenance of the Stormwater Management Facility (Oil and Grit Separator) located within the existing unassumed George Street right-of-way at Albert Street.

A copy of Plan 57M-780 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 have been corrected, and the road is now in a condition to be assumed.

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 (April 3, 2019) 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 and 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 oil and grit separator provides for some water quality control to protect the ultimate 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 345.7 metres of 200 mm diameter PVC watermain, 350.1 metres of 200 mm diameter PVC sanitary sewer, 451.6 metres of concrete storm sewer, approximately 3539 square metres of asphalt road, and one 1500 mm diameter STC-5000, an oil and grit separator (stormwater management facility).

Consultations:

Building Division
Finance Division
Public Works Department

Attachments:

Appendix A - Draft Assumption By-Law



Draft Assumption
By-Law for Lisbeth Cr

Appendix B - Plan 57M-780 – Plan of Subdivision, Rexton Developments –
Phase 2



ENG2019-009
Appendix B.pdf

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

Department File: D05-18-070