

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

**Report Number ENG2019-024**

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**Date:** December 4<sup>th</sup>, 2019

**Time:** 1:00 p.m.

**Place:** Council Chambers

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**Ward Community Identifier: 5**

**Title:** Assumption of Liam Street, Newton Avenue, and Half of Maloney Street, Lindsay

**Description:** Springdale Gardens Subdivision – Phase 2

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

**Recommendation(s):**

**That** Report ENG2019-0, **Assumption of Liam Street, Newton Avenue, and Half of Maloney Street, Lindsay**, be received;

**That** the Assumption of Liam Street, Newton Avenue, and Half of Maloney Street, Springdale Gardens Subdivision – Phase 2, Geographic Town of Lindsay, City of Kawartha Lakes, be approved;

**That** an Assumption By-Law, including requisite road dedication, substantially in the form attached as Appendix 'A' to Report ENG2019-024 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:**

This property has been subject to several agreements since October 1959 (1969, 1974, and 1977) with the former Township of Ops and the County of Victoria. In 2012, the Owners, Springdale Gardens Properties Inc. entered into a Development Agreement with the City for Phase 2 to refine the number of lots, servicing locations and engineering design to match the road pattern established in earlier agreements. The cul-de-sac at the east end of Liam Street was made wider to accommodate servicing and operational needs of the City.

Further to a request from the Owners for the development, 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. 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 Development Agreement. The top course was placed in the fall of 2018, and a one year warranty period was placed. Subsequent inspections have confirmed that in accordance with the registered Development Agreement, all public services are eligible for assumption.

Phase 2 of Springdale Gardens Subdivision included the construction and installation of infrastructure on Liam Street, Newton Avenue, and Maloney Street.

The City, pursuant to the Development Agreements, is now obliged to assume the roads shown as Liam Street and Newton Avenue, Plan 383.

In addition, the dedication and assumption is required for Blocks A and B, Plan 383, the widenings of Angeline Street and the corresponding 0.3 metre reserves, the widenings of Liam Street, Plan 383, and Maloney Street and associated 0.3 metre reserve, Plan 383.

This development pre-dates the M-plan process, and the attached location plan is provided for reference as Appendix 'B'.

## **Assume as Highway:**

Liam Street, PIN: 63205-0528  
Newton Avenue, PIN: 63205-0536

### **Dedicate and Assume as Highway:**

Angeline Street Road Widenings, PINs: 63205-0861 and 63205-0864  
Angeline Street Road Widenings associated 0.3 metre reserves, PINs: 63205-0492 and 63205-0830  
Liam Street Road Widenings, PINs: 63205-0841, 63205-0843, 63205-0845, 63205-0847, 63205-0849, 63205-0851, and 63205-0853  
Maloney Street, PINs: 63205-0855, 63205-0857, and 63205-0859  
Maloney Street associated 0.3 metre reserve, PIN: 63205-0856

In addition, the City will be assuming the operation and maintenance of the Stormwater Management Facility (Oil and Grit Separator) located within an easement at the east end of the cul-de-sac of Liam Street.

### **Rationale:**

The services in this development have been constructed and installed according to the plans and specifications as outlined in the Development Agreement and all financial requirements have been met. Staff carried out inspections of this subdivision. To date, all servicing deficiencies have been corrected, and the road is now in a condition to be assumed.

There are two remaining grading deficiencies related to swales between adjoining lots. The Owner has provided a cheque for the total of \$6000.00 for the correction of grading, in accordance with the Development Agreement.

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 Development 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 development agreement. The Owner has posted on the Daily Commercial News to comply with the required 60 day notice for the standard statutory declaration and the Construction Act.

Upon assumption of the Subdivision, the City will be responsible for the general maintenance of the street, underground servicing, and stormwater management

facility (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, Jennings Creek and ultimately, 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 411 metres of 150 mm diameter PVC watermain, 78 metres of 50 mm diameter watermain, 442 metres of 200 mm diameter PVC sanitary sewer, 299.4 metres of PVC storm sewer, 106 metres of concrete storm sewer, 502 metres of asphalt road, 374 metres of concrete sidewalk, and one STC-6000, an oil and grit separator (stormwater management facility).

### **Consultations:**

Finance Division

### **Attachments:**

Appendix A - Draft Assumption By-Law



Appendix 'A' - Draft  
Assumption By-Law.d

Appendix B - Plan— Plan of Subdivision, Springdale Gardens Subdivision –  
Phase 2



Plan - Springdale  
Gardens - Phase 2.pc

**Department Head E-Mail:** [jrojas@kawarthalakes.ca](mailto:jrojas@kawarthalakes.ca)

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

**Department File:** D05-18