

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

Report Number ENG2020-017

Meeting Date: November 4th, 2020

Regular Meeting

Title: Assumption of Gilson Point Subdivision, Mariposa

Description: Assumption of Gilson Street and Wall Street, Mariposa

Ward Number: 4

Author and Title: Christina Sisson, Supervisor, Development Engineering

Recommendations:

That Report ENG2020-017, **Assumption of Gilson Point Subdivision, Mariposa**, be received;

That the Assumption of Gilson Point Subdivision, Geographic Township of Mariposa, be approved;

That an Assumption By-Law, substantially in the form attached as Appendix 'A', to Report ENG2020-017 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: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

The City of Kawartha Lakes entered into a Subdivision Agreement with 860168 Ontario Limited for the subdivision known as Gilson Point Subdivision in November 2005. Further to the request from the Engineer of Record, D.M. Wills Associates Limited on behalf of the current Owners, Mr. Len Wall and Mr. Gary Marquis, the Engineering & Corporate Assets Department is recommending formal assumption of the road and pond block within the subdivision.

The stormwater management pond has been cleaned out and certified. The Ministry of the Environment, Conservation and Parks has issued a current Environmental Compliance Approval for this pond and cross culverts throughout the subdivision.

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 2019, and a one year warranty period was placed. Subsequent inspections have confirmed that in accordance with the registered Subdivision Agreement, all public services are eligible for assumption.

Docking facilities were contemplated when this subdivision was designed. As part of the submission to the City in support of assumption, the Owners' legal representation have provided letters confirming that the proposed docking facilities are no longer permitted. This is as a result of the naturalization of the shoreline of the Scugog and water levels. Therefore, these letters, attached as Appendix 'B' and Appendix 'C', will be kept on file with this subdivision to ensure any future lot owners are aware of the revision to these lands.

The City is working with the Owner's legal representation to work through the conveyance of lands utilized for a temporary turnaround. The land will be conveyed to the adjacent lots which will facilitate the build out.

The services in this development have been constructed and installed according to the registered subdivision agreement.

The City, pursuant to the Subdivision Agreement, is now obliged to assume the roads and stormwater management pond under Plan 57M-764 as follows:

Assume as Right of Way:

- Gilson Street, Plan 57M-764PIN: 63195-0150
- Wall Street, Plan 57M-764PIN: 63195-0143 and the associated 0.3 metre reserve, Block 25, Plan 57M-764, PIN: 63195-0144

- Two 0.3 metre reserves on Gilson Point Road, Block 23, Plan 57M-764
PIN: 63195-0122 and Block 24, Plan 57M-764, PIN: 63195-0149

Assume as Pond:

- Stormwater Management Pond Block, Block 26, Plan 57M-764, PIN:
63195-0137

A copy of Plan 57M-764 has been attached as Appendix 'D'.

Rationale:

The services in this development have been constructed and installed according to the plans and specifications as outlined in the registered subdivision agreement. Staff carried out inspections of this subdivision. To date, all deficiencies have been corrected, and the roads and pond block are 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 roads and pond identified; however, this would not be consistent with our commitment through the subdivision agreement. In addition, the current Owners have worked diligently with their development team to complete the required services.

Financial/Operation Impacts:

The Owners have ensured the work has been completed and have posted in the Daily Commercial News to comply with the required 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 streets and services (in addition to services already provided), and the stormwater management pond. Associated funds will need to be allocated in future budgets for operation and life cycle replacement.

Relationship of Recommendation(s) To The 2020-2023 Strategic Plan:

The assumption of this residential subdivision provides the residents with a community which aligns with the City's Strategic Priorities:

- A Vibrant and Growing Economy – new housing opportunities
- An Exceptional Quality of Life – rural living near the waterfront

- A Healthy Environment - rural ditching and stormwater management pond for water quality and quantity control for the Scugog
- Good Government – confirmed assumption for predictable operation and maintenance in the long term

Review of Accessibility Implications of Any Development or Policy:

Not applicable

Servicing Comments:

The subdivision was serviced in accordance with the approved design. For the Gilson Point Subdivision, the following assets are eligible for assumption:

The services in the subdivision include:

- 430 metres of asphalt road (with corresponding roadside ditches)
- 150 metres of entrance culverts (CSP)
- 40 metres of cross culverts (CSP)
- One stormwater management pond (ECA NUMBER 8507-BFEHL5)

Consultations:

Finance Division
Public Works Department
Realty Services

Attachments:

Appendix 'A' – draft by-law



2020-XXX By-Law to
Assume Gilson Stree

Appendix 'B' – legal letter



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Agreement Legal Let

Appendix 'C' – legal letter



Signed ltr to
Christina-Jun18,2020

Appendix 'D' – 57M-764



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(Mariposa(CKL)).pdf

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