

The Corporation of the City of Kawartha Lakes

Planning Committee Report

Report Number ENG2017-019

Date: October 11th, 2017

Time: 1:00 p.m.

Place: Council Chambers

Ward Community Identifier: 6

Subject: Assumption Report for Northern Colours Inc. Subdivision,
Deane Street, Fenelon Falls, City of Kawartha Lakes

Author/Title: Christina Sisson, Supervisor Development Engineering

Recommendation(s):

RESOLVED THAT Report ENG2017-019, “**Assumption Report for Northern Colours Inc. Subdivision, Deane Street, Fenelon Falls, City of Kawartha Lakes**”, be received;

THAT the Assumption of Deane Street, Fenelon Falls, City of Kawartha Lakes, be approved;

THAT an Assumption By-Law, substantially in the form attached as Appendix “A” to Report ENG2017-019 be approved and adopted by Council; and

THAT the Mayor and 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 Northern Colours Inc. for the subdivision known as Deane Street in Fenelon Falls in March 2007. Further to a request from Mr. Paul Barber, President of Northern Colours Inc., the Engineering & Corporate Assets Department is recommending formal assumption of Deane Street.

The servicing and the final lift of asphalt for the development were completed and inspected to the satisfaction of the Engineering Division, and security releases have occurred.

The mandatory maintenance period has lapsed and in accordance with the registered Subdivision Agreement, all public services are eligible for assumption.

The Northern Colours Inc. Subdivision included the construction of Deane Street to full urban standards with all urban services.

The City, pursuant to the Subdivision Agreement, is now obliged to assume the road shown as Deane Street, Plan 57M-774 (PIN: 63148-0166(LT) and PIN: 63148-0013(LT)) and 0.3 metre reserve, Plan 57M-774 (PIN: 63148-0011(LT)). A copy of Plan 57M-774 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 and that a land transfer be accepted for an additional block of land required for external drainage. The Engineer has certified the Public Services and grading.

Other Alternatives Considered:

Council could decide not to proceed with assumption of Deane Street in Fenelon Falls; however, this would not be consistent with our commitment through the Subdivision Agreements previously supported and is therefore, not recommended or supported by staff.

Financial Considerations:

A reduction in security will be processed following the passing of an Assumption By-Law. A statutory declaration dated has been received confirming that all items in relation to the construction and services provided for in the Subdivision have been paid for in full. A copy of the statutory declaration is attached as Appendix 'C'.

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 associated funds will need to be allocated in future budgets.

The request for a transfer of land facilitating the external drainage is being proposed at the cost of the Owner and no cost to the City. In addition, the Owner has committed to preparing any necessary documents at no cost to the City. The request letter is attached as Appendix 'D'.

Relationship of Recommendation(s) To Strategy Map:

The City's Strategy Map outlines Council's Vision of a Community Pursuing Prosperity, Quality of Life and a Healthy Environment. This application aligns with the prosperity priorities in that new residents will be attracted to the City with the development of housing options that have connectivity to retail services and parks and open space.

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 Comments:

The Subdivision has been serviced in accordance with the approved design. This Subdivision consists of approximately 210 metres of 200 mm diameter PVC sanitary sewer, 210 metres of 900 mm diameter concrete storm sewer, 40 metres of 825 mm diameter concrete storm sewer, 9 metres of 300 mm diameter PVC storm sewer, 226 metres of 150 mm diameter PVC watermain, and 225 metres of asphalt road.

Consultations:

Building Division

Finance Division
Public Works Department

Attachments:

Appendix 'A' - Draft Assumption By-Law



Appendix A Draft
By-Law to Assume De:

Appendix 'B' - Plan 57M-774 – Plan of Subdivision, Northern Colours Inc., Deane Street



M-Plan.pdf

Appendix 'C' – Request for Assumption and Statutory Declaration



Appendix C Request
for Assumption and St

Appendix 'D' – Request for Land Transfer



Appendix D Request
for Land Transfer.pdf

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Department Head: Juan Rojas, Director of Engineering & Corporate Assets

Department File:D05