

The Corporation of the City of Kawartha Lakes

Planning Committee Report

Report Number ENG2017-027

Date: December 6th, 2017

Time: 1:00 p.m.

Place: Council Chambers

Ward Community Identifier: 11

Subject: Assumption Report for Trails of the Kawarthas Subdivision – Phases 3 and 4, Geographic Township of Ops, City of Kawartha Lakes

Author/Title: Christina Sisson, Supervisor Development Engineering

Recommendation(s):

RESOLVED THAT Report ENG2017-027, “**Assumption Report for Trails of the Kawarthas Subdivision – Phases 3 and 4, Geographic Township of Ops, City of Kawartha Lakes**”, be received;

THAT the Assumption of Trails of the Kawarthas Subdivision – Phases 3 and 4, Geographic Township of Ops, City of Kawartha Lakes, be approved;

THAT an Assumption By-Law, substantially in the form attached as Appendix ‘A’ to Report ENG2017-027 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 1523561 Ontario Inc. for the subdivision known as Trails of the Kawarthas – Phase 3 in November 2007 and for the subdivision known as Trails of the Kawarthas – Phase 4 in July 2011. Further to a request from Mr. Greg DeFreitas, President of 1523561 Ontario Inc., the Engineering & Corporate Assets Department is recommending formal assumption of the roads within Phases 3 and 4 of the Trails of the Kawarthas 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 2013 and a 2 year warranty period was placed based on the repairs required to be completed. Subsequent inspections in 2016 and 2017 have confirmed that in accordance with the registered Subdivision Agreement, all public services are eligible for assumption.

Phases 3 and 4 of the Trails of the Kawarthas Subdivision included the construction of Cook Street, Power Court, and McQuarrie Road to full urban standards with all urban services.

The City, pursuant to the Subdivision Agreement, is now obliged to assume the roads shown as Cook Street, Plan 57M-779, PIN: 63237-1285(LT) and, 57M-793, PIN: 63237-1614(LT), Power Court, Plan 57M-779, PIN: 63237-1287(LT), and McQuarrie Road, Plan 57M-779, PIN: 63237-1288(LT) and PIN:63237-1289. A copy of Plan 57M-779 has been attached as Appendix 'B', and Plan 57M-793 is attached as Appendix 'C'.

In addition, the trail extended through Phases 3 and 4 of the Trails of the Kawarthas Subdivision will be assumed and was dedicated as Blocks 52 through 55, Plan 57M-779 for Phase 3 and Blocks 16 and 17, Plan 57M-793 for Phase 4. The trail sections and corresponding 0.3 metre reserves are listed below:

Phase 3, Plan 57M-779:

Trail: Block 52, PIN: 63237-1274(LT), Block 53, PIN: 63237-1275(LT), Block 54, PIN: 63237-1276(LT), and Block 55, PIN: 63237-1277(LT)

0.3 Metre Reserves: Block 56, PIN: 63237-1278(LT), Block 57, PIN: 63237-1279(LT), Block 58, PIN: 63237-1280(LT), Block 59, PIN: 63237-1281(LT),

Block 60, PIN: 63237-1282(LT), Block 61, PIN: 63237-1283(LT), and Block 62, PIN: 63237-1284(LT)

Phase 4, Plan 57M-793:

Trail: Block 16, PIN: 63237-1610(LT) and Block 17, PIN: 63237-1611(LT)

0.3 Metre Reserves: Block 18, PIN: 63237-1612(LT) and Block 19, PIN: 63237-1613

The stormwater management pond block dedicated through the first phase of the subdivision will remain unassumed until such time as the Owner/Engineer finalizes all of the requirements for the assumption, operations and maintenance, and Ministry of the Environment and Climate Change requirements.

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 roads are now in a condition to be assumed. The Owner has requested assumption of the Public Services. The Engineer has certified the Public Services and grading.

There is an outstanding planning matter with respect to the zoning and the construction of decks that occurred through the build out of homes. The site specific zoning being considered for creation is “to permit an open uncovered deck structure equal to or greater than 0.6 metres in height with a maximum height of 3.0 metres to extend not more than 4.25 metres into a rear yard setback”. The grading has been certified, and there are no further engineering issues related to the zoning requirement.

Other Alternatives Considered:

Council could decide not to proceed with assumption of the roads identified; 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:

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. Currently, the City holds approximately

\$145,000.00 in security for Phase 3 and \$35,000.00 for Phase 4 and a further \$10,000.00 for the stormwater management pond. The City will retain a total of \$25,000.00 for the pond to ensure compliance with the Certificate of Approval requirements and conditions issued by the Ministry of the Environment and to ensure the technical operations and maintenance package is submitted to the City for ultimate assumption of the stormwater management pond.

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.

Relationship of Recommendation(s) To Strategy Map:

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 pond provides water quality control to protect the downstream receiver, the Scugog.

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 and to the accessibility standards required at the time of implementation of the sidewalk completion following the Ontario Provincial Standard.

Servicing Comments:

The Subdivision has been serviced in accordance with the approved design. This Subdivision consists of approximately 38.4 metres of 300 mm diameter PVC storm sewer, 170.1 metres of 375 mm diameter PVC storm sewer, 100 metres of 450 mm diameter PVC storm sewer, 96.4 metres of 525 mm diameter PVC storm sewer, and 159.9 metres of 600 mm diameter PVC storm sewer, 560.7 metres of 200 mm diameter PVC sanitary sewer, 523 metres of 200 mm diameter watermain, 138 metres of 50 mm diameter watermain, and approximately 489 metres of asphalt road.

Consultations:

Building Division
Finance Division

Parks, Recreation and Culture Division
Planning Division
Public Works Department

Attachments:

Appendix 'A' - Draft Assumption By-Law



DRAFT2017-XXX To
Assume Cook Street P

Appendix 'B' - Plan 57M-779 – Plan of Subdivision, Trails of the Kawarthas –
Phase 3



2007.12.19 -
57M-779 Registered a

Appendix 'C' – Plan 57M-793 – Plan of Subdivision, Trails of the Kawarthas –
Phase 4



2011.07.21 -
57M-793 Registered a

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

Department File: D05-18-071