

**The Corporation of the City of Kawartha Lakes**

**Planning Committee Report**

**Report Number ENG2017-028**

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**Date:** December 6<sup>th</sup>, 2017

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

**Place:** Council Chambers

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**Ward Community Identifier:** 11

**Subject:** Assumption Report for Arbour Way Subdivision, Geographic Town of Lindsay, City of Kawartha Lakes

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

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**Recommendation(s):**

**RESOLVED THAT** Report ENG2017-028, “Assumption Report for Arbour Way Subdivision, Geographic Town of Lindsay, City of Kawartha Lakes”, be received;

**THAT** the Assumption of Arbour Way Subdivision, 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 ENG2017-028 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:**

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**Legal / Other:**

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**Chief Administrative Officer:**

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## **Background:**

The City of Kawartha Lakes entered into a Subdivision Agreement with Wilson Developments (Lindsay) Inc. for the subdivision known as Arbour Way in Lindsay in October 2009. Further to a request from Mr. Mark Wilson, the Engineering & Corporate Assets Department is recommending formal assumption of the road known as Green Arbour Way within the Arbour Way Subdivision.

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. 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 July 2014, and repairs were conducted following an inspection in February 2016. Following the repairs and confirmation of the works, the maintenance period ends in December 2017. The latest inspections this fall have confirmed the road and public services are eligible for assumption.

The Arbour Way Subdivision included the construction of Green Arbour Way to full urban standards with all urban services and a stormwater management pond (Block 21, Plan 57M-788). The pond will not be assumed at this time.

The City, pursuant to the Subdivision Agreement, is now obliged to assume the road shown as Green Arbour Way, Plan 57M-788, PINs: 63236-0119(LT), 63236-0197(LT), and 63236-0120(LT). A copy of Plan 57M-788 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 and grading.

The Owner is not requesting assumption of the stormwater management pond at this time, as the plan is to use the existing pond for additional temporary sediment and erosion control during additional development of the condominium block and the lands to the north of Green Arbour Way. The Owner will be providing an update on the pond maintenance and monitoring as required

through the approval with the Ministry of the Environment prior to the City assuming the pond.

### **Other Alternatives Considered:**

Council could decide not to proceed with assumption of the road 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 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. The Owner has posted on the Daily Commercial News to comply with the required 45 day notice for the standard statutory declaration and the Construction Lien Act. The City will not reduce securities until the completion of the 45 days.

The City will continue to hold \$25,000.00 for security for the stormwater management pond block until such time as all works proposed to drain to the pond during construction are completed, and the Owner/Engineer has complied with all of the requirements for assumption, operation and maintenance, and Ministry of the Environment and Climate Change conditions.

Upon assumption of the Subdivision, the City will be responsible for the general maintenance of the street 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 updates.

### **Servicing Comments:**

The Subdivision has been serviced in accordance with the approved design. This Subdivision consists of approximately 395 metres of 150 mm diameter PVC watermain, 370 metres of 200 mm diameter PVC sanitary sewer, 331 metres of 900 mm diameter concrete storm sewer, 43 metres of 600 mm diameter concrete storm sewer, and approximately 370 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



2017-XXX DRAFT  
By-Law to Assume Gre

Appendix 'B' - Plan 57M-788 – Plan of Subdivision, Arbour Way Subdivision



2009.10.30 -  
57M-788 Registered a

Appendix 'C' – Assumption Request



2017 Request for  
Assumption - Arbour \

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

**Department File: D05-18-072**