

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

**Planning Committee Report**

**Report Number ENG2017-029**

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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:** 9

**Subject:** Assumption Report for Springdale Gardens Subdivision - Phases 1a) and 1b), Geographic Township of Ops, City of Kawartha Lakes

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

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**Recommendation(s):**

**RESOLVED THAT** Report ENG2017-029, “**Assumption Report for Springdale Gardens Subdivision – Phases 1a) and 1b), Geographic Township of Ops, City of Kawartha Lakes**”, be received;

**THAT** the Assumption of Springdale Gardens Subdivision – Phases 1a) and 1b), 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 ENG2017-029 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:**

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 2005, the Owners, Springdale Gardens Properties Inc. entered into a Development Agreement with the City for Phase 1a) to refine the number of lots, servicing locations and design to match the road pattern established in earlier agreements. A similar Development Agreement for Phase 1b) was entered into in 2009.

Overall stormwater management, primarily quantity control, was mentioned through the submissions of designs and reports with these agreements. The stormwater management has been addressed for these phases and a subsequent phase (Phase 2 currently under construction). Assumption of the stormwater management facilities is not being requested or recommended at this time.

In addition, there are three lots on Springdale Drive that have been used throughout the developing of Phases 1a), 1b), and 2 for a temporary sediment and erosion control pond. The temporary pond will have to be decommissioned in accordance with provincial and municipal guidelines, sediment removed and disposed of appropriately, and filled prior to any construction of homes on the lots. Phases 3 and 4 to the north will require a separate plan and design for temporary sediment and erosion control.

Further to various meetings, inspections, and discussions with representatives of Springdale Gardens Properties Inc. over the last six years about the completed Public Services for Phases 1a) and 1b), the Engineering & Corporate Assets Department is recommending formal assumption of the roads within Phases 1a) and 1b) of Springdale Gardens Subdivision. A formal by-law is required for formal assumption.

Phases 1a) and 1b) of Springdale Gardens Subdivision included the construction and installation of infrastructure on Springdale Drive, Lamb Avenue, and Lawson Avenue to full urban standards with all urban services.

The City, pursuant to the Development Agreements, is now obliged to assume the roads shown as Springdale Drive, Registered Plan 383, PIN: 63205-0527(LT), Lamb Street, Registered Plan 383, (PIN to be confirmed with the completed road through Phase 1a)), and Lawson Avenue, Registered Plan 383, (PIN to be confirmed with the completed road through Phase 1b)). This development pre-dates the M-plan process and the attached location plan is provided as Appendix 'B'.

## **Rationale:**

The services in this development have been constructed and installed according to the plans and specifications as outlined in the Development Agreements. Staff carried out multiple inspections of this subdivision to confirm the underground and servicing deficiencies have been rectified.

The top course of asphalt was placed in July 2014. The placement of top course asphalt is subject to a minimum one year maintenance in accordance with the registered Development Agreements. Repairs have not been conducted on this top course asphalt. There are longitudinal cracks in the surface that through investigation have been present since the top was placed. The geotechnical review conducted this fall recommended crack sealing. This month, the inspections have confirmed the deficiencies have been rectified. Given the length of time it has taken to have the deficiencies rectified and the winter season approaching, it is considered prudent to assume the roads at this time. The Owner has committed verbally to providing the cost of the crack sealing for the City to initiate in 2018.

To date, the deficiencies have been corrected, save and except the top course asphalt cracks and intersection deficiencies with Phase 2. The Owner has requested assumption of the Public Services in these two phases and has committed to completion of the outstanding works through Phase 2.

## **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 Development Agreements previously supported and is therefore, not recommended or supported by staff.

## **Financial Considerations:**

The City is holding approximately \$200,000.00 security for each of the phases proposed for assumption. The Owners have verbally committed to providing a payment of \$1500.00 to the City to permit the City to have the cracks in the top course asphalt sealed and for an additional application should the first attempt fail. They have provided an estimate of \$675.00 for 2018 from Royel Paving (attached as Appendix 'C').

In addition, the City will continue to hold the security until receipt of a statutory declaration that confirms the completion of the 45 day notification in the Daily Commercial News as per the Construction Lien Act. The City will release the remaining security upon confirmation that all of the parties who have completed the recent repairs have been paid.

Upon assumption of the streets in 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 City holds approximately \$500,000.00 for Phase 2 and will not release any security until such time as the deficiencies in Phase 2 and at the intersection of Springdale Drive and Newton Avenue are rectified. All items listed as deficiencies will be documented, resolved, and certified through the consulting engineer.

### **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 and connectivity to existing parkland.

### **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 Agreements 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. These phases of the Subdivision consist of approximately 886 metres of 200 mm diameter PVC watermain, 73 metres of 150 mm diameter PVC watermain, 91.5 metres of 250 mm diameter PVC storm sewer, 112 metres of 300 mm diameter PVC storm sewer, 33 metres of 375 mm diameter PVC storm sewer, 143.7 meters of 450 mm diameter PVC storm sewer, 177.5 metres of 600 mm diameter storm sewer, 54 metres of 675 mm diameter PVC storm sewer, 56 metres of 975 mm diameter PVC storm sewer, 643.5 metres of 200 mm diameter PVC sanitary sewer, and approximately 706 metres of asphalt road.

### **Consultations:**

Finance Division  
Planning Division  
Public Works Department

## Attachments:

Appendix 'A' - Draft Assumption By-Law



2017-XXX DRAFT  
By-Law to Assume Spr

Appendix 'B' - Springdale Gardens Subdivision- Phase 1a) and 1b)



Location Plan -  
Springdale Gardens Pl

Appendix 'C' – Springdale Gardens – Royel Crack Sealing Quote



20171113 - Royel  
Paving Quote - Crack !

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

**Department File: D05-33-010**