

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: JANUARY 13, 2020

FROM: Development Engineering Department

DATE: December 18, 2019

SUBJECT: **Partial Assumption of Silwell Developments Subdivision 20M-1032, By-law 2020-002**

LOCATION: South of Dundas Street, West of Trafalgar Road

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RECOMMENDATION:

1. That the partial assumption of Registered Plan 20M-1032 be approved.
2. That By-law 2020-002 a by-law to partially assume completed public works and streets within Plan 20M-1032 be passed

KEY FACTS:

The following are key points for consideration with respect to this report:

- Plan 20M-1032 consisted of four (4) development blocks supported by a public roadway grid. One (1) of the four (4) blocks has been developed.
- The public works (public roadways) have been constructed and are eligible for acceptance through this partial assumption. These works have been inspected and deemed acceptable.
- This assumption request is only a “partial assumption” as the boulevard works abutting the undeveloped blocks – remain incomplete.
- It is reasonable and desirable to have the boulevard works completed in conjunction with the development of the private land blocks. This will allow for the coordination of entrance points, tree, streetlight, and street furniture locations.
- The undeveloped blocks within this plan of subdivision will progress through Site Plan control wherein the developer of the block(s) will be obliged through a Site Plan agreement to complete the outstanding boulevard works.
- Until the boulevard works obligation is set out within these future Site Plan agreements, the clauses pertaining to this boulevard work within the existing subdivision agreement will remain in force and effect.
- Approval of this “partial assumption” simply transfers those identified completed elements (public roads) into the Town’s full control.

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BACKGROUND:

As a requirement of the subdivision agreement, when the obligations of the Owner have been fulfilled (or partially fulfilled), a request may be made to the Town for assumption or partial assumption (where appropriate and reasonable) of the works and streets within the plan of subdivision.

Plan 20M-1032 consists 4 development blocks supported by a grid of public roadways. Block 1 is a Halton Regional Police location (20 Division). The remaining 3 blocks are currently undeveloped

The plan was registered on April 28, 2008. Appendix A identifies the location of the plan and the roads within the plan. Appendix B shows the legal plan for this subdivision.

The request for partial assumption was circulated to all required commenting departments and external agencies and no concerns were expressed and all clearances have been received for a partial assumption.

COMMENT/OPTIONS:

While the majority of the required public assets (roads, sewers, partial boulevard works, etc) have been constructed and inspected, the obligations of boulevard works along the public roads has not yet been satisfied. This outstanding obligation will be satisfied when the remaining development blocks move forward with their development plans.

It is reasonable and desirable to have the boulevard works completed in conjunction with the development of the private land blocks. This will allow for the coordination of entrance points, tree, streetlight, and street furniture locations. The undeveloped blocks within this plan of subdivision will progress through Site Plan control wherein the developer of the block(s) will be obliged through a Site Plan agreement to complete the outstanding boulevard works. Until the boulevard works obligation is set out within these future Site Plan agreements, the clauses pertaining to this boulevard work within the existing subdivision agreement will remain in force and effect.

Staff have no concerns with recommending a partial assumption (assumption of the works completed) noting that the subdivision agreement will remain in force and effect with respect to the outstanding boulevard works. Should Council support the partial assumption request, securities held pertaining to the works completed will be released. Sufficient securities will be held for the outstanding boulevard works. As the development blocks progress through Site Plan approval, the subdivision agreement securities related to these boulevard works may be released to the Subdivision developer if/when a Site Plan agreement is secured for these works (i.e.

these obligations are transferred to the block developer within a Site Plan agreement.

CONSIDERATIONS:

(A) PUBLIC

Not applicable

(B) FINANCIAL

In accordance with the terms and conditions of the subdivision agreement, the balance of subdivision securities can be released upon assumption of the public infrastructure.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

All affected Departments (Engineering and Construction, Parks and Open Space, Legal Services, Finance and Development Engineering) have been circulated

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- be accountable in everything we do

(E) COMMUNITY SUSTAINABILITY

The final assumption ensures that the development has been constructed in accordance with the sustainability objectives of the draft approval.

APPENDICES:

Appendix A – Location Plan

Appendix B- Legal Plan

Appendix C- By-law 2020-002

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