



OAKVILLE

## REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: DECEMBER 04, 2017

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**FROM:** Development Engineering Department

**DATE:** November 6, 2017

**SUBJECT:** Assumption of part of Plan 20M-657 - Silwell Phase 1 (Oakpark) - By-law 2017-121

**LOCATION:** South of Dundas, West of Trafalgar Road

**WARD:** 5

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**RECOMMENDATION:**

1. That the assumption of a portion of Registered Plan 20M-657 be approved; and
2. That By-law 2017-121, a By-law to assume Oak Park Boulevard, the Stormwater Management Pond and Memorial Park within Plan 20M-657, be approved.

**KEY FACTS:**

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

- All public works being accepted by the Town through this assumption have been inspected and deemed acceptable.
- This report recommends the assumption of the following public elements only:
  - Oak Park Boulevard (Dundas Street to Taunton Road)
  - Memorial Park and the stormwater management pond
- Boulevard areas abutting undeveloped blocks are excluded from this assumption. The undeveloped blocks are in the ownership of the developer. These boulevard area obligations will remain with the developer until the obligations are either:
  - Conditioned within a Site Plan agreement OR
  - Completed by the Developer
- The asphalt walkway in front of the Memorial Park will be improved by the developer to a concrete sidewalk in the spring of 2018 as these works are being coordinated with the abutting construction works on Hayes Boulevard.

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- The balance of the subdivision agreement will remain in place until the balance of the agreement obligations are fulfilled or amended.

**BACKGROUND:**

Plan 20M-657, registered on April 25<sup>th</sup> 1997, represents the original phase of development within the Uptown Core. This plan consists of the major roads within the area (Oak Park Boulevard, Central Park Drive, Sawgrass Drive and a portion of Taunton Road), Memorial Park (including the stormwater management pond supporting the development of the entire Uptown Core) and a large commercial development block. The commercial block, currently supports several commercial/retail developments (e.g. Walmart, Real Canadian Superstore, CIBC, etc) and is intended to redevelop over time.

As a requirement of the subdivision agreement, when obligations of the Owner have been fulfilled the developer can request the Town to assume the completed public infrastructure within the plan of subdivision. At the request of the developer, the Town assumed Central Park Drive and Sawgrass Drive earlier in October 2011.

The developer has now requested the assumption of Oak Park Boulevard (save and except the noted boulevard areas discussed below), the stormwater management pond and Memorial Park.

Appendix A identifies the limits of the plan and the areas subject to this assumption request.

Staff acknowledges that some boulevard areas along this section of roadway remain incomplete. The outstanding boulevard work areas abut undeveloped blocks, save and except the Park Blocks. Appendix B depicts the boulevard areas to remain un-assumed. These outstanding boulevard works should be undertaken with the development of the adjoining blocks to ensure the proper coordination of grading, tree spacing, light pole adjustments and hardscaping elements. These boulevard area obligations will remain with the developer until the obligations are either:

- Conditioned within a Site Plan agreement with the abutting lands  
OR
- Completed by the Developer

The asphalt walkway in front of the Memorial Park will be improved by the developer to a concrete sidewalk in the spring of 2018 as these works are being coordinated with the abutting construction works on Hayes Boulevard.

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On July 10, 2017, staff were delegated the authority to negotiate and finalize amendments to this subdivision agreement (20M-657) in order to resolve several matters of interest to the Town. As an update on that matter, the original developer (Silwell) has confirmed its satisfaction with terms of revisions to the subdivision agreement related to parkland credits. While there is agreement in principle with the related company and current owner of Block 4 (Silgold) with respect to revisions to the obligations related to the future road network within the commercial block, details with respect to those issues remain subject to negotiation.

**COMMENT/OPTIONS:**

The request for assumption of Oak Park Boulevard, Memorial Park and the stormwater management pond was circulated to all required commenting departments and external agencies and no concerns were expressed and all clearances have been received.

As noted by staff, the required replacement of the asphalt walkway with a concrete sidewalk along Oak Park Boulevard in front of the Memorial Park will be completed in the spring of 2018 and coordinated with developer's construction of Hayes Boulevard. Sufficient securities will remain in place within the agreement (which remains active) to ensure these works are completed. Once completed, the associated securities will be released.

Staff recommend assumption of the requested public elements within this plan of subdivision.

**CONSIDERATIONS:**

**(A) PUBLIC**

Not applicable

**(B) FINANCIAL**

In accordance with the terms and conditions of the subdivision agreement, securities will be released according to the works which are complete and assumed. Securities will remain in place for those obligations remaining unfulfilled.

**(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.

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**(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS**

This report addresses the corporate strategic goal to:

- Be accountable

**(E) COMMUNITY SUSTAINABILITY**

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

**APPENDICES:**

Appendix A - Legal Plan 20M-657

Appendix B – Plan depicting un-assumed boulevard areas

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