



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: NOVEMBER 2, 2020

FROM: Development Engineering Department

DATE: October 21, 2020

SUBJECT: **Partial assumption of Carterra Subdivision 20M-1171 - By-law 2020-121**

LOCATION: Iron Oak Way

WARD: 6

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RECOMMENDATION:

1. That the partial assumption of Registered Plan 20M-1171 be approved.
2. That By-law 2020-121 a by-law to partially assume completed public works and streets within Plan 20M-1171 be passed

KEY FACTS:

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

- All public works being recommended for acceptance through this assumption have been inspected and deemed acceptable.
- All required works, undertakings and obligations set out in the subdivision agreement have been completed, save and except:
 - The completion of monitoring requirements of the storm water management pond
- All agreement conditions, and sufficient financial securities pertaining to save and except items referenced above will be remain in force and effect and in place until these works are completed and assumed.
- All securities pertaining to fulfilled obligations will be released.

BACKGROUND:

Subdivision Plan 20M-1164 consists of 4 commercial/ employment land blocks, a storm water management pond block, and a new public roadway: Ironoak Way.

The plan was registered on February 22, 2016. Appendix A identifies the location of the plan subject to this partial assumption. Appendix B shows the legal plan.

As set out in the subdivision agreement, when the obligations of the Owner have been fulfilled (fully or substantially), the developer may request the Town to assume

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those public elements that have been completed. In this case the developer has requested an assumption of the complete public works within this plan, save and except the storm water management pond (thus a partial assumption). This request has prompted this report to Council.

COMMENT/OPTIONS:

The request for partial assumption was circulated to the standard commenting departments and external agencies. While the developer has fulfilled nearly all the obligations set out in the agreement, a limited number of matters (as set out below) remain outstanding, thus the developer is only seeking a partial assumption of the public works and streets within subdivision. The matters set out below remain In-complete and therefore are not subject to assumption at this point in time:

1. The developer is obligated to monitor the effectiveness of the storm water management facilities for a period of two (2) years following the complete build out of the subdivision plan. This assumption proposal excludes the storm water management pond, which will be subject to a later assumption report.

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 save and except for \$ 504,000.00 for the storm water management pond.

(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

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APPENDICES:

Appendix A – Location Plan

Appendix B- Legal Plan

Appendix C- By-law 2020-121

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