

Report Overview

This report concerns Bowmanville Village. It requests Council's permission to approve a by-law to assume certain streets within Plan 40M-2633 and Plan 40M-2497 as public highways.

1. Background

The Subdivision Agreement

- 1.1 The Corporation of the Municipality of Clarington entered into a Subdivision Agreement registered on October 27th, 2017, with 2265719 Ontario Inc. to develop lands by plan of subdivision, located in Darlington and described as Plan 40M-2633 (Attachment 1). The agreement required the developer to construct all roadworks, including hot-mix paving, street trees, a storm drainage system, and streetlights. These works were completed and accepted by the Deputy CAO of Planning and Infrastructure Services through provisions in the Subdivision Agreement.

The Subdivision Agreement provides for:

1.2 Base Works

These works were issued a 'Certificate of Completion' and a subsequent 'Certificate of Acceptance' by the Deputy CAO of Planning and Infrastructure Services.

1.3 Street Lighting System

These works were issued a "Certificate of Completion" and subsequent 'Certificate of Acceptance' by the Deputy CAO of Planning and Infrastructure Services.

1.4 Storm Water Management System

Not Applicable

1.5 Surface Works

These works, which include all surface works such as curb and gutter, sidewalk, hot mix paving, boulevard works, were issued a 'Certificate of Completion' dated May 1st, 2022. This initiated a one (1) year maintenance period, which expired on May 1st, 2023. The Works were re-inspected at that time, and all deficiencies have now been rectified to the satisfaction of the Deputy CAO of Planning and Infrastructure Services.

2. Proposal

- 2.1 A by-law is required to permit the Municipality to assume certain streets within Plan 40M-2633 and Plan 40M-2497 as public highways. The proposed by-law may be found as Attachment 2 to this report.

3. Financial Considerations

- 3.1 Upon assumption of the subdivision, the Municipality will assume the infrastructure assets. Once the assets are assumed by the Municipality, the repair, maintenance, and replacement are the responsibility of the Municipality of Clarington.
- 3.2 The operational costs including winter control will be included in the Municipality's operating budgets.

4. Strategic Plan

- 4.1 The recommendation of this report aligns with Clarington's Strategic Plan to Grow Responsibly: to promote responsible and balanced growth.

5. Climate Change

- 5.1 Not Applicable.

6. Concurrence

- 6.1 Not Applicable.

7. Conclusion

- 7.1 It is recommended that the Council pass the by-law found as Attachment 2 to this report. Following its passage, the Municipal Solicitor will register it in the Land Registry Office.

Staff Contact: Karen Richardson, Manager, Development Engineering 905-623-3379 ext. 2327 or krichardson@clarington.net.

Attachments:

Attachment 1 – Key Map

Attachment 2 - By-law

Interested Parties:

The following interested parties will be notified of Council's decision:

Hannu Halminen – 2265719 Ontario Inc