

Staff Report

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Report To: **General Government Committee**

Date of Meeting: October 7, 2024 **Report Number:** PDS-039-24

Authored by: Karen Richardson, Manager

Submitted By: Carlos Salazar, Deputy CAO, Planning and Infrastructure

Reviewed By: Rob Maciver, Deputy CAO/Solicitor

By-law Number: _____ **Resolution Number:** _____

File Number: 40M-2610

Report Subject: Northglen West Phase 8, Plan 40M-2610 Assumption By-law

Recommendations:

1. That Report PDS-039-24, and any related delegations or communication items, be received;
2. That the Deputy CAO of Planning and Infrastructure Services be authorized to issue a 'Certificate of Acceptance' for the Surface Works, which includes final stage roads and other related works constructed within Plan 40M-2610;
3. That the draft By-law (Attachment 2) to Report PDS-039-24, be approved; and
4. That all interested parties listed in Report PDS-039-24 and any delegations be advised of Council's decision.

Report Overview

This report concerns Northglen West Phase 8. It requests Council's permission to approve a by-law to assume certain streets within Plan 40M-2610 and Plan 40M-2579 as public highways.

1. Background

The Subdivision Agreement

- 1.1 The Corporation of the Municipality of Clarington entered into a Subdivision Agreement registered on August 12, 2017, with 2084165 Ontario Limited. to develop lands by plan of subdivision, located in Darlington and described as Plan 40M-2610 (Attachment 1). The agreement required the developer to construct all roadworks, including hot-mix paving, street trees, a storm drainage system, a storm drainage facility, 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

'Certificate of Completion' dated March 1st, 2023. This initiated a one (1) year maintenance period, which expires on March 1st, 2025. The works will be re-inspected at that time, to address any deficiencies to the satisfaction of 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, and boulevard works, were issued a 'Certificate of Completion' dated March 1st, 2023. This initiated a one (1) year maintenance period, which expired on March 1st, 2024. 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-2610 and Plan 40M-2579 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

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

Hannu Halminen – 2084165 Ontario Limited