

## Staff Report

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<b>Report To:</b>	<b>General Government Committee</b>		
<b>Date of Meeting:</b>	October 7, 2024	<b>Report Number:</b>	PDS-038-24
<b>Authored by:</b>	<b>Karen Richardson</b>		
<b>Submitted By:</b>	Carlos Salazar, Deputy CAO, Planning and Development Services		
<b>Reviewed By:</b>	Rob Maciver, Deputy CAO/Solicitor		
<b>By-law Number:</b>	<b>Resolution Number:</b>		
<b>File Number:</b>	<b>S-C 2014-0002</b>		
<b>Report Subject:</b>	Bowmanville Village Plan 40M-2657 Assumption By-Law		

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### Recommendation:

1. That Report PDS-038-24, 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-2657;
3. That the draft By-law (Attachment 2) to Report PDS-038-24, be approved; and
4. That all interested parties listed in Report PDS-038-24 and any delegations be advised of Council's decision

## **Report Overview**

This report concerns Bowmanville Village. It requests Council's permission to approve a by-law to assume certain streets within Plan 40M-2657 as public highways.

# **1. Background**

## **The Subdivision Agreement**

- 1.1 The Corporation of the Municipality of Clarington entered into a Subdivision Agreement registered on April 29, 2019, with Bowmanville Village Inc. to develop lands by plan of subdivision, located in Darlington and described as Plan 40M-2657 (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

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 September 1<sup>st</sup>, 2023. This initiated a one (1) year maintenance period, which expired on September 1<sup>st</sup>, 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-2657 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 respectfully 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.

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

Richard Tang, Bowmanville Village Inc.