



Staff Report

Planning and Development Services

Report To: Committee of The Whole
Meeting Date: January 8, 2018
Report Number: PDS.18.05
Subject: Assumption of Works - Block 29, Registered Plan 16M-23, Peaks Bay East
Prepared by: Brian Worsley, Manager of Development Engineering

A. Recommendations

THAT Council receive Staff Report PDS.18.05, "Assumption of Works - Block 29, Registered Plan 16M-23, Peaks Bay East";

AND THAT Council enact a By-law to assume the Works constructed and installed within Block 29, Registered Plan Registered Plan 16M-23, being lands in the Peaks Bay East Plan of Subdivision.

B. Overview

The purpose of this Report is to provide information related to the status and related acceptance of the Works in Block 29, Plan 16M-23, Peaks Bay East; and, for Council to consider the assumption of these Works by the enactment of a related By-law.

C. Background

PB Holdings Limited has requested that the Town assume the Works and lands within Block 29, Plan 16M-23, Peaks Bay East Plan of Subdivision. Block 29 is comprised of a drainage channel, storm sewer, headwall and outlet, accessway and the shorefront within Peaks Bay East. Plan 16M-23, with Block 29 highlighted, is included as Attachment "1" to this report.

The Development Agreement between PB Holdings Limited and the Town was executed in 2008 and was subsequently amended earlier this year to align with the assumption provisions of the current Subdivision Agreement Template, and to allow for the issuance of a Certificate of Final Acceptance for Block 29, Plan 16M-23 subject to certain conditions being met. The Development Agreement was registered on December 16, 2008, and the Certificate of Basic Services was issued in 2009. Currently there are 11 homes occupied (Lots 1-8, 13, 21, 22), 2 homes under construction (Lots 11 & 17) and 2 further homes that will commence soon (Lots 23 & 24).

With respect to Block 29, Crozier and Associates, the Developer's Engineer, has provided the necessary documents/information to allow for the consideration of the assumption of Block 29. The Development Engineering Division of the Planning & Development Services Department reviewed the Works and determined that the Works are complete and deficiency free.

D. Analysis

The Development Agreement, as amended on July 18, 2017, provides for the issuance of a Certificate of Final Acceptance for Block 29 subject to the requirements of certain provisions in the Agreement. The Works in Block 29 were constructed in 2008 and are principally limited to storm drainage works including an overland drainage channel, storm sewer and a headwall with a storm sewer outlet comprised of a duckbill valve. All of these works are contained within the portion of the Block giving access to the shoreline from Ellis Drive. These requirements have been fulfilled by the Developer with confirmation that the works are performing as designed received from Crozier and Associates, the developer's Engineer of Record. These works have also been assessed by Development Engineering staff and have found to be acceptable for assumption.

As Council may recall, Block 29 also provides for pedestrian access to and along the shoreline. The matter of pedestrian access to and along the shoreline, amongst other open space and connectivity matters, are currently being reviewed by way of the Town's Delphi Park ANSI Parks Management Plan. Acceptance of the Works by the Town and the related enactment of an Assumption By-law will not inhibit or impede this Town initiative. A draft of the Assumption By-law for Block 29 is included as Attachment "2" to this report.

E. The Blue Mountains Strategic Plan

Goal 3: Support Healthy Lifestyles

Objective 3: Manage Growth and Promote Smart Growth

Goal 5: Ensure that our Infrastructure is Sustainable

Objective 4. Ensure That Infrastructure Is Available to Support Development

F. Environmental Impacts

Not applicable.

G. Financial Impact

With the Town's acceptance of the Works within Block 29 the Town will become responsible for the operation, maintenance and ultimate replacement costs associated with the Works. The Town's Capital Replacement Program and future Town budgets will make allowance for these matters/costs.

H. In consultation with

David Finbow Land Development, Planning & Building Code Consulting, agent of PB Holdings
Senior Management Team
Development Engineering Division Staff

I. Attached

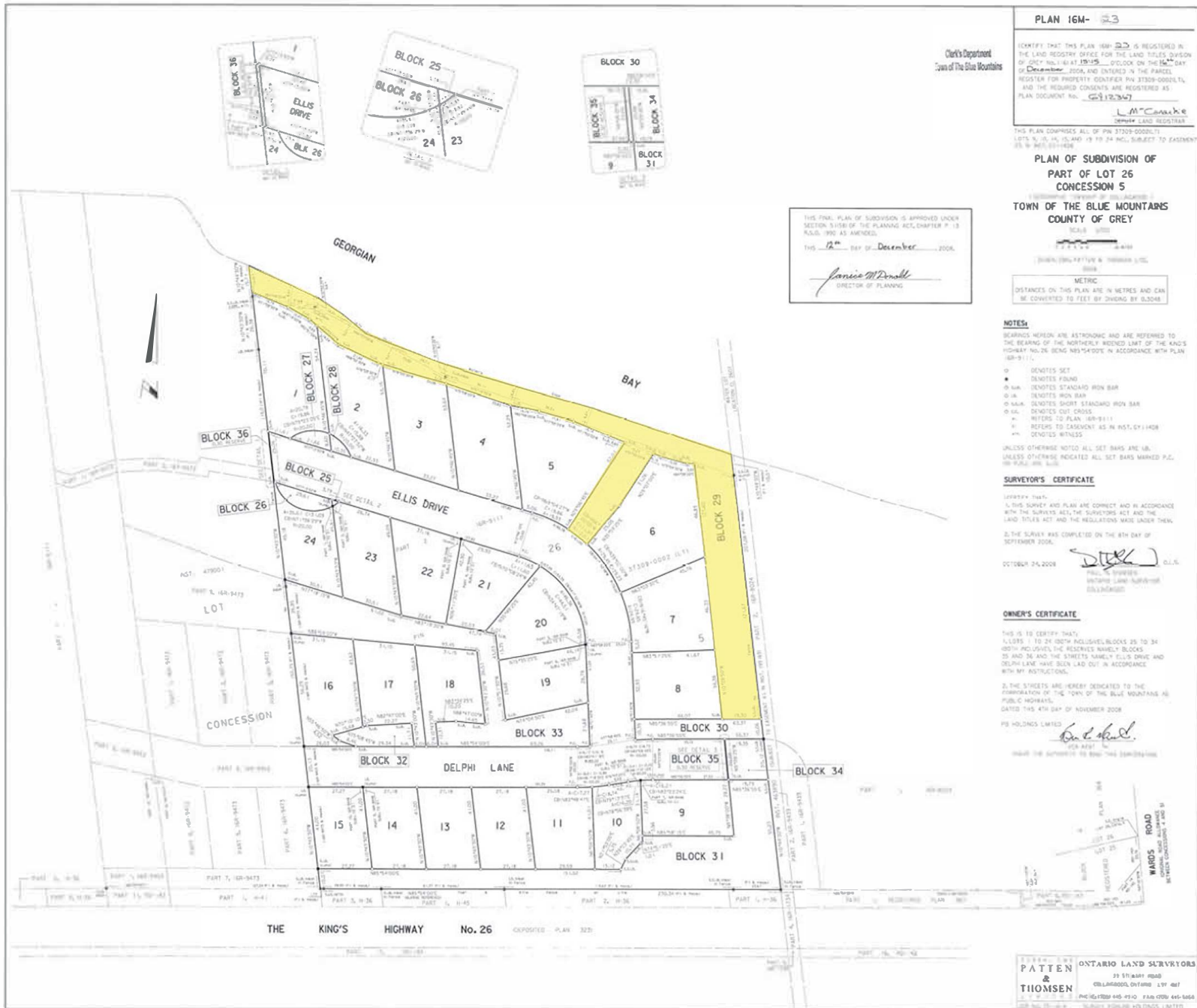
1. Plan 16M-23 Peaks Bay East
2. Draft Assumption By-law

Respectfully Submitted,

Brian Worsley, P.Eng, MICE, PMP
Manager of Development Engineering

Michael Benner, MCIP RPP
Director of Planning and Development Services

For more information, please contact:
Brian Worsley, Manager of Development Engineering
planning@thebluemountainins.ca
519-599-3131 extension 224



PLAN 16M-23

CLERK'S DEPARTMENT
Town of the Blue Mountains

IDENTIFY THAT THIS PLAN 16M-23 IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF ONTARIO No. 148 AT 19:45 O'CLOCK ON THE 16th DAY OF December 2008, AND ENTERED IN THE PARCEL REGISTER FOR PROPERTY IDENTIFIER PW 37309-0002(1) AND THE REQUIRED CONSENTS ARE REGISTERED AS PLAN DOCUMENT No. G-12347

L.M. COLLIER
DEPUTY LAND REGISTRAR

THIS PLAN COMPRISES ALL OF PW 37309-0002(1) LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 INCLUDING EASTMENT 25.9 METRES (85 FEET)

PLAN OF SUBDIVISION OF
PART OF LOT 26
CONCESSION 5
TOWNSHIP OF THE BLUE MOUNTAINS
COUNTY OF GREY

SCALE 1:1000

DATE 12th DAY OF DECEMBER 2008

METRIC
DISTANCES ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVING BY 0.3048

THIS FINAL PLAN OF SUBDIVISION IS APPROVED UNDER SECTION 5(1)(B) OF THE PLANNING ACT, CHAPTER P 13 R.S.O. 1990 AS AMENDED.

THIS 12th DAY OF DECEMBER 2008.

James McDonald
DIRECTOR OF PLANNING

NOTES

BEARINGS HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE BEARING OF THE NORTHERLY MERIDIAN OF THE KING'S HIGHWAY NO. 26 BEING N85°54'00" W IN ACCORDANCE WITH PLAN 16B-111.

- ⊙ DENOTES SET
- ⊙ DENOTES FOUND
- ⊙ DENOTES STANDARD IRON BAR
- ⊙ DENOTES IRON BAR
- ⊙ DENOTES SHORT STANDARD IRON BAR
- ⊙ DENOTES CUT CROSS
- ⊙ REFERS TO PLAN 16B-9111
- ⊙ REFERS TO CASSINOY AS IN R.O.S. 114/108
- ⊙ DENOTES WITNESS

UNLESS OTHERWISE NOTED ALL SET BARS ARE 100 MM UNLESS OTHERWISE INDICATED ALL SET BARS MARKED P.L. 100 P.L. 100

SURVEYOR'S CERTIFICATE

I, THE SURVEYOR, CERTIFY THAT THIS PLAN AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SUBDIVISION ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

THE SURVEY WAS COMPLETED ON THE 8TH DAY OF SEPTEMBER 2008.

October 24, 2008

D. J. PATTEN
D.L.S.

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT LOTS 1 TO 24 (BOTH INCLUSIVE) BLOCKS 25 TO 34 (BOTH INCLUSIVE) THE RESERVES NAMELY BLOCKS 25 AND 34 AND THE STREETS NAMELY ELLIS DRIVE AND DELPHI LANE HAVE BEEN LAD OUT IN ACCORDANCE WITH MY INSTRUCTIONS.

THE STREETS ARE HEREBY DEDICATED TO THE FURNISHMENT OF THE TOWN OF THE BLUE MOUNTAINS ALL PUBLIC HIGHWAYS.

DATED THIS 4TH DAY OF NOVEMBER 2008

P.S. HOLDINGS LIMITED

FOR ASST. SURVEYOR

FOR THE SURVEYOR OR AS SURVEYOR

PATTEN & THOMSEN
ONTARIO LAND SURVEYORS
29 STAMPT ROAD
COLLINGSWOOD, ONTARIO L9Y 6M7
PHONE: (519) 845-4710 FAX: (519) 845-5858
WWW.PATTEN-THOMSEN.COM SURVEY FOR THE FUTURE

The Corporation of the Town of The Blue Mountains

By-Law Number 2018 –

Being a By-law to accept and assume works in Block 29 of the Peaks Bay East Plan of Subdivision, Registered Plan 16M-23

Whereas all of the public works in Block 29 of the Peaks Bay East Plan of Subdivision, Registered Plan 16M-23 have been constructed and installed in accordance with the subdivision agreement for this Plan;

Now Therefore Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. All of the public works constructed and installed in accordance with the subdivision agreement for Block 29 of the Peaks Bay East Plan of Subdivision, Registered Plan 16M-23 are hereby accepted and assumed.

Enacted and passed this ____ day of _____, 2018

John McKean, Mayor

Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2018-____ as enacted by the Council of The Corporation of the Town of The Blue Mountains on the ____ day of _____, 2018.

Dated at the Town of The Blue Mountains, this ____ day of _____, 2018.

Corrina Giles, Clerk