



**SUBJECT: Assumption of Multinational Five Investments Limited  
Phase 2B Subdivision (Registered Plan 20M-1110)**

**TO: Committee of the Whole**

**FROM: Capital Works**

Report Number: CW-35-19

Wards Affected: 6

File Numbers: 510-02/05-2B

Date to Committee: July 8, 2019

Date to Council: July 15, 2019

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**Recommendation:**

Assume the Multinational Five Investments Limited Phase 2B Subdivision, registered as Plan 20M-1110, File 510-02/05-2B; and

Accept all works and services under the jurisdiction of the city within the subdivision to become the property of the City of Burlington; and

Direct the City Clerk to notify the Region of Halton of this assumption; and

Release Subdivision Agreement Instrument Number HR1020308 from title save and except for the following conditions:

- Condition 25 a) to h) inclusive, affecting all lots and blocks; and

Authorize the City Solicitor to prepare any necessary documents and authorize the Mayor and City Clerk to sign them; and

Direct the City Clerk to present the necessary by-law to Council to accept all works and services of the said plan of subdivision and assume the following streets as public highways:

<u>STREET</u>	<u>PARCEL</u>	<u>PIN NUMBER</u>
Walkway Block 125	20M-1110	07202-3821

Velebit Park Boulevard	20M-1110	07202-3822
Adobe Gate	20M-1110	07202-3823
Ryan Lane	20M-1110	07202-3824; and

Authorize the City Solicitor or her designate, to amend the parcel designation in the by-law, if necessary, upon registration of the by-law.

### **Purpose:**

The purpose of this report is to recommend that Multinational Five Investments Limited Phase 2B Subdivision be assumed.

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### **Background and Discussion:**

This subdivision was registered as Plan 20M-1110 on May 29, 2012. The majority of the work in this subdivision has been completed for approximately three years.

This subdivision includes the following infrastructure that will be this city's future maintenance and reconstruction responsibility:

- 1.7 lane kilometres of road;
- 300 metres of storm sewers, along with catch basins and other appurtenances;
- 1,645 metres of curb and gutter;
- 1,980 metres of 1.5 metre wide sidewalk;
- 595 metres of 1.5 metre high black vinyl coated chain link fence;
- 5 metres of 1.2 metre high wood privacy fence;
- 195 metres of 1.8 metre high wood privacy fence;
- 105 boulevard trees;
- 107 shrubs;
- 370 square metres of sod;
- 25 street lights; and
- 95 metres of 3 metres wide concrete walkway.

All works in the Multinational Five Investments Limited Phase 2B Subdivision have been completed. The underground and aboveground services have been accepted. It therefore remains for Council to accept the works and services in the subdivision and relieve the developer of his obligations under the subdivision agreement.

Subdivision Agreement Instrument Number HR1020308 may be released from title save and except for the following conditions:

Condition 25 a), affecting Lots 1 to 15 inclusive, 34, 35 and 46 and Blocks 119 to 121 inclusive, advising purchasers/tenants that the dwellings have been fitted with a forced air heating system and the fan, ducts, etc. are sized to accommodate the installation of a central air conditioning system if it is found necessary by the owner/occupant at any time in the future. If the air conditioning is to be provided at a later date, the outdoor unit shall be located in a noise insensitive location. The final installation shall meet the Ministry of the Environment criteria in Publication NPC-216 and other applicable levels specified by the municipality.

Condition 25 b), affecting Lots 1 to 15 inclusive, advising purchasers/tenants that despite the inclusion of noise control features in the development and within the building units, sound levels due to the increasing road traffic on Dundas Street may on occasion interfere with some activities of the dwelling occupants as the sound levels exceeds the Municipality's and the Ministry of the Environment noise criteria.

Condition 25 c), affecting Lots 34, 35 and 46 and Blocks 119 to 120 inclusive, advising purchasers/tenants that despite the inclusion of noise control features in the development and within the building units, sound levels due to the increasing road traffic on Thomas Alton Boulevard may on occasion interfere with some activities of the dwelling occupants as the sound levels exceeds the Municipality's and the Ministry of the Environment noise criteria.

Condition 25 d), affecting Lots 15 to 38 inclusive and Block 124, advising purchasers/tenants that notwithstanding By-law 2020, as amended, as per the policies of Conservation Halton, no buildings or building additions will be permitted within 7.5 metres of the Creek Block without the prior approval of Conservation Halton. Furthermore, the area within 3 metres of the Creek Block shall only be used as an unoccupied area of land that is to be used for the growth, maintenance, and conservation of grass, flowers, trees, shrubs or similar landscaping. Accordingly, no building or structures including but not limited to building additions, swimming pools, decks, sheds, gazebos, paved areas, are permitted within 3 metres of the Creek Block. These setbacks are intended to help ensure the protection of life and property from flooding and erosion hazards and the protection of water quality, quantity and fish habitat. Purchasers/tenants are further advised that the creek block abutting the property has been vegetated to create a natural setting. Be advised that the City will not carry out routine

maintenance such as grass and weed cutting for areas that are developed by the City for public walkways and trails.

Condition 25 e), affecting Lots 1, 34, 35 and 46 and Blocks 107, 108 and 119 to 121 inclusive, advising purchasers/tenants that Thomas Alton Boulevard and Tim Dobbie Drive are to be used as future transit routes and that bus stops and passenger shelters may be located adjacent to any property along these routes.

Conditions 25 f), affecting Lots 1 to 21 inclusive, 68 to 84 inclusive, 91 to 106 inclusive and Blocks 107 to 110 inclusive, advising purchasers/tenants that the park will be an active park and will have facilities such as sports and lighting. Additional facilities may be considered such as a skateboard park and a leash-free dog park.

Condition 25 g), affecting Lots 14 to 38 inclusive and Block 124, advising purchasers/tenants that the Creek Block and Walkway Block will be used for general active and passive recreation and leisure uses, including walkways and bikeways.

Condition 25 h) i), affecting all lots and blocks, advising purchasers/tenants that a 1.5 to 2 metre wide sidewalk may be constructed along the street adjacent to the property line and that this will limit the parking space in front of the unit to one vehicle in the driveway between the garage and the sidewalk.

Condition 25 h) ii), affecting all lots and blocks, advising purchasers/tenants that there may be aboveground utility facilities

Condition 25 h) iii), affecting all lots and blocks, advising purchasers/tenants that a drainage swale may existing across the rear of the property and that the drainage swale as indicated on the approved engineering drawings is not to be altered or blocked in any way, nor are any structures, sheds, etc. (fencing excepted) to be erected within the drainage swale area without the prior approval of the City of Burlington.

Condition 25 h) iv), affecting all lots and blocks, advising purchasers/tenants that due to limited on street parking, the City of Burlington will not issue driveway curb cut widening permits.

Condition 25 h) v), affecting all lots and blocks, advising purchasers/tenants that the City of Burlington Zoning By-law standards for Alton Community require a

minimum of two parking spaces to be provided per dwelling units, one of which may be provided in the garage. Furthermore, the City of Burlington Parking By-law limits on street parking to 5 hours.

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### **Financial Matters:**

It is the understanding of staff that a condition of the agreement of purchase and sale between the builder and homeowner was that the builder collected grading deposits from their purchasers which would not be returned until the subdivision was assumed. Assumption of this subdivision would begin the process of returning those grading deposits to the original purchasers.

Once Council approves the assumption of this subdivision, grading deposits, securities and inspection fees deposited with the City by the developer will also be released.

### **Total Financial Impact**

The estimated annual maintenance cost for the assumed infrastructure and urban forestry assets within this subdivision is \$16,600 per year, based on 2019 operating budget projected costs. The costs of maintaining additional roadway assets are included annually in the Roads, Parks and Forestry Department's current budget proposal.

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### **Conclusion:**

Staff has confirmed with all City departments, Region of Halton, Conservation Halton, public utilities (including Burlington Hydro Inc.), and the Halton School Boards that all subdivision agreement requirements have been fulfilled. It is therefore recommended that this subdivision be assumed.

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Respectfully submitted,

Jeff McIsaac

Senior Engineering Technologist

905-335-7600 ext. 7834

**Appendices:**

A. Detail Sketch – Sketch No. 1

**Notifications:** (after Council decision)

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**Report Approval:**

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.

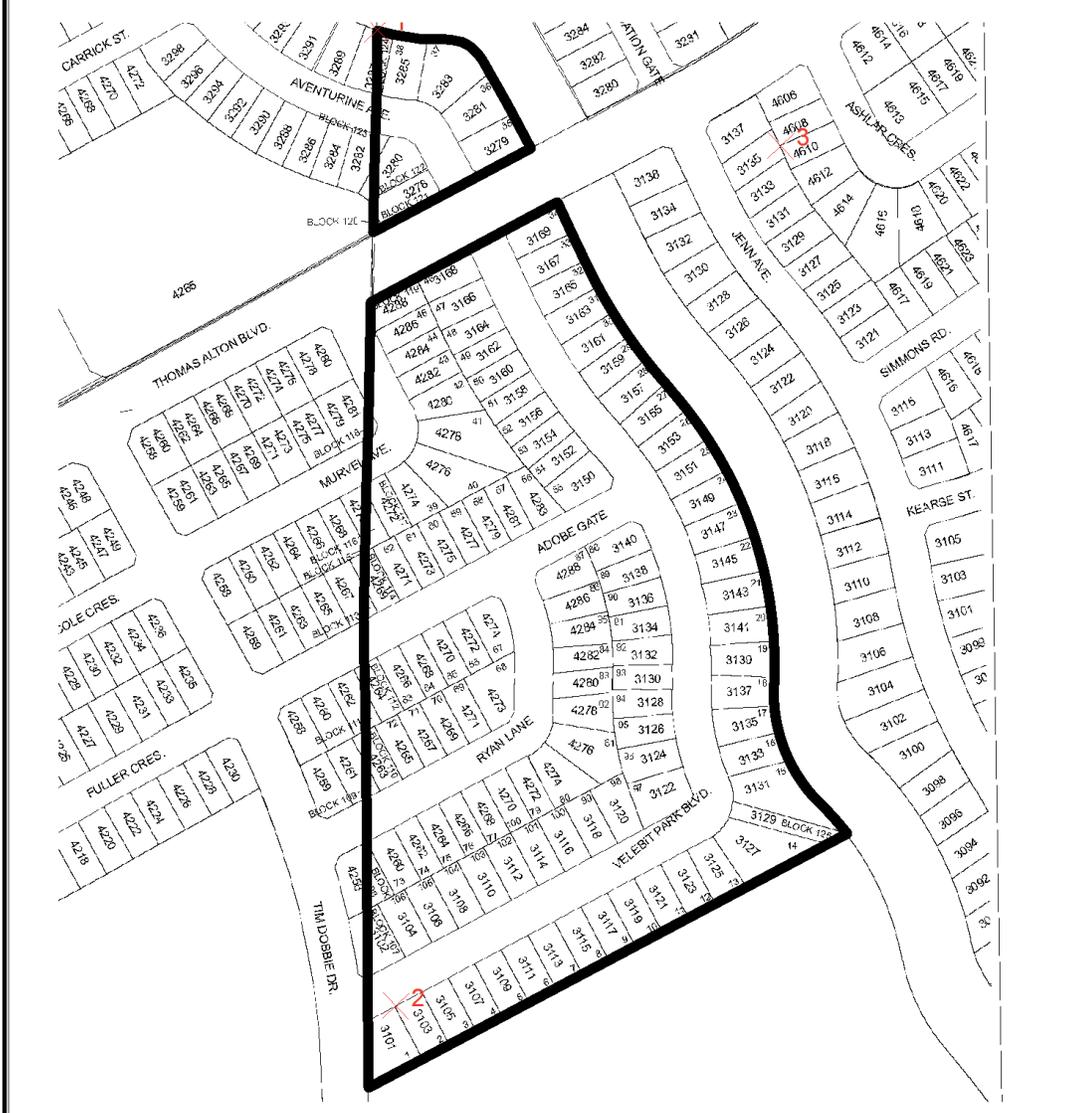
Sketch No. 1  
DETAIL SKETCH

Multinational Five Investments Limited (20M-1110)



 SUBJECT PROPERTY

FILE No. 510-02/05-2B



DATE: May 17, 2019  
Capital Works Department  
Development and Infrastructure Division

