



SUBJECT: Assumption of Forest Creek Estates Subdivision

TO: Environment, Infrastructure & Community Services Cttee.

FROM: Engineering Services Department

Report Number: ES-22-21

Wards Affected: 3

File Numbers: 510-07/02

Date to Committee: June 10, 2021

Date to Council: June 22, 2021

Recommendation:

Assume the Forest Creek Estates Subdivision, registered as Plan 20M-1074, File 510-07/02; 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 HR844413 from title save and except for the following conditions:

- Conditions 3 and 4 bb) i) to iv) inclusive, affecting all lots and blocks; and
- Condition 4 bb) v, affecting Lot 9; and

Authorize the Executive Director of Legal Services & Corporation Counsel 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>
Willowgrove Trail	20M-1074	07208-0303

Harvestmoon Lane

20M-1074

07208-0304

Authorize the Executive Director of Legal Services & Corporation Counsel 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 Forest Creek Estates Subdivision be assumed.

Background and Discussion:

This subdivision was registered as Plan 20M-1074 on May 14, 2010. Most of the work in this subdivision has been completed for approximately two years.

This subdivision includes the three open space blocks (Blocks 11 to 13, inclusive) and an access (between Lots 5 and 6) that will be owned by Conservation Halton.

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

- 1.6 lane kilometers of road;
- 3000 metres of sodded ditch;
- 10 driveway culverts;
- 30 metres of steel beam guide rail;
- 3 decorative bollards;
- 85 boulevard trees; and
- 24 street lights.

All works in the Forest Creek Estates 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 HR844413 may be released from title save and except for the following conditions:

Condition 3, affecting all lots, advising the purchasers/tenants that while availability of water for normal household purposes is expected to be adequate,

water supplies from individual wells might not be sufficient for high-demand water uses including but not limited to swimming pool. Purchasers/tenants are further advised that due to potential limitations in availability of groundwater, owners are encouraged to plant drought resistant ground cover.

Condition 4 bb) i), affecting all lots, advising purchasers/tenants that within the subdivision Conservation Halton will own the watercourse/open space blocks, as well as the access between Lots 5 and 6.

Condition 4 bb) ii), affecting all lots, advising purchasers/tenants that the watercourse/open space blocks abutting the property is intended to remain in its natural setting and routine maintenance, such as grass and weed cutting, will not be carried out by the City or Conservation Halton.

Condition 4 bb) iii), affecting all lots, advising purchasers/tenants that within the subdivision Conservation Halton requires the installation of permanent fencing along mutual property lines between residential lots and the watercourse/open space blocks and this fencing is owned by Conservation Halton and shall not be altered.

Condition 4 bb) iv), affecting all lots, advising purchasers/tenants that within this subdivision Conservation Halton will carry out maintenance to remove hazard/dead trees, as necessary, in the watercourse/open space blocks and that any other cutting or removal of trees by the public is not permitted within these blocks.

Condition 4 bb) v), affecting Lot 9, advising purchasers/tenants that there are endangered Butternut trees within the hedgerow on the western/northwestern portion of the lot and that the Ontario Ministry of Natural Resources must be contacted prior to undertaking any works on the lot in the vicinity of the aforementioned hedgerow, as this endangered species is listed as Endangered by both the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) and the Ontario Ministry of Natural Resources (OMNR), and is listed on Schedule 1 of the Federal Species at Risk Act.

Financial Matters:

Condition 2 a) of the Subdivision Agreement required the Owner to deposit a \$15,000 payment for the construction of a granular path along Britannia Road, from the Willowgrove Trail to the east limit of the subject property, and a \$25,000 payment

towards the lighting of Britannia Road, from Willowgrove Trail to Guelph Line, and/or the extension of the granular path to Guelph Line. Condition 2 a) further requires that these payments be refunded by the City to the Owner, if such granular path was not constructed by the City prior to assuming the subdivision. Due to the City's estimated costs for construction of the path and the associated lighting, the City will not be completing such construction. Assumption of this subdivision would begin the process of returning those payments to the Owner.

Once Council approves the assumption of this subdivision, 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 \$11,900 per year, based on 2021 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.

Climate Implications

Not applicable

Engagement Matters:

Not applicable

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.

Respectfully submitted,

Jeff McIsaac

Senior Engineering Technologist

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Appendices: (if none delete section)

A. Sketch No. 1 – Detail Sketch

Notifications: (if none delete section)

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Report Approval:

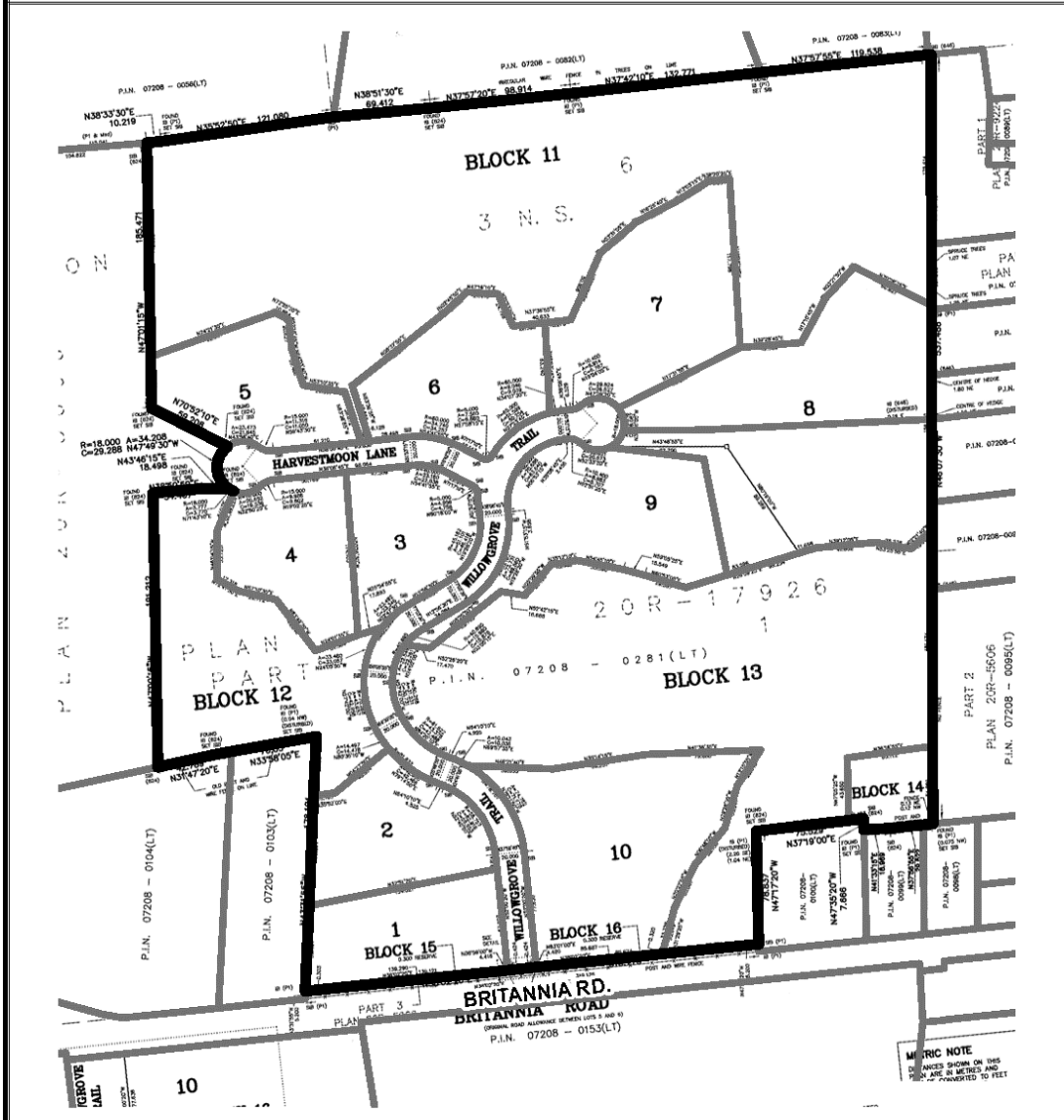
All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.

Sketch No. 1
DETAIL SKETCH
Forest Creek Estates (20M-1074)



 SUBJECT PROPERTY

FILE No. 510-07/02



DATE: April 7, 2021
GEOMATICS | Engineering Services | City of Burlington

