



# Staff Report

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## Planning & Development Services – Development Engineering

**Report To:** COW-Operations\_Planning\_and\_Development\_Services  
**Meeting Date:** December 10, 2024  
**Report Number:** PDS.24.137  
**Title:** Assumption Report – Lora Bay Phase 4  
**Prepared by:** Larissa Pinkney, Development Engineering Reviewer

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### A. Recommendations

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THAT Council receive Staff Report PDS.24.137, entitled Assumption Report – Lora Bay Phase 4;

AND THAT Council enact a By-law to approve full acceptance and assumption of the public works constructed and installed within Registered Plan of Subdivision 16M-83; Including Blocks 40, 41.

AND THAT Council enact a By-law to assume the streets of Registered Plan 16M-83 for public use, namely West Ridge Drive and Sladden Court.

### B. Overview

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The Development Agreement between The Lora Bay Corporation and the Town for Lora Bay Subdivision dated March 10, 2021, provided for assumption of the subdivision, upon satisfaction of terms.

Upon review by Development Engineering staff, and by consultation with other Town departments, the agreement terms for Phase 4 have been satisfied. The Certificate of Final Acceptance was issued on November 5, 2024

### C. Background

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Development Engineering staff have determined that all developer obligations have been met, as noted in the Certificate of Final Acceptance, under the Subdivision Agreement for Lora Bay Phase 4 for Registered Plan 16M-83.

## D. Analysis

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Per section 3.10 of the March 10, 2021, Subdivision Agreement for Lora Bay Phase 4, after issuing a Certificate of Assumption for the public works in the subdivision, a written report shall be submitted to Town Council to confirm:

- The Public Works have been installed in accordance with the requirements in the Subdivision Agreement; and
- that all accounts in connection therewith have been paid; and
- that all financial requirements have been met or will be met on the passing of an Assumption By-Law; and
- that Public Works are in the required condition to be assumed.

Once fulfilled, the Town is to pass an Assumption By-Law for the Public Works to transfer ownership and responsibility of maintenance and operation from the developer to the Town.

Development Engineering confirms:

- The Certificate of Final Acceptance was issued November 5, 2024, in consultation with Operations (Water, Wastewater, Roads and Drainage), Finance, Community Services (Trails) and Building Services;
- the Town has received all approvals and documentation required for the Town to take over responsibility and operation of this infrastructure.
- all requirements of section 3.10 of the Subdivision Agreement (listed above) are satisfied;
- all works have been satisfactorily completed as set out on the attached Assumption Acceptance checklist (Attachment 2); and
- that 37 of the 37 homes (100%) have been issued full occupancy.

It is appropriate that the Town assumes the following Public Works, in the following approximate quantities:

- 780 meters (m) of watermain and appurtenances, including nine (7) hydrants
- 788 m of sanitary sewer, including fourteen (20) maintenance holes
- 809 m of storm sewer, including forty-three (32) maintenance hole/catch basin/ditch inlet structures
- One (1) Headwall
- 781 m of urban road, including curb
- 718 m of sidewalk and 19 decorative-style streetlights
- 140 m of Channel Maintenance Access Road

The Public Works are located within the Town-owned road right-of-way, blocks as described below and illustrated in Attachment 1.

A draft By-Law has been prepared to initiate the following and is provided as Attachment 4.

1. All the Public Works constructed and installed in accordance with the subdivision agreement for Registered Plan 16M-83; are hereby accepted and assumed.
2. West Ridge Drive and Sladden Court, as shown on Registered Plan 16M-83, are hereby assumed for public use.
3. That the Town Assumes all dedicated Blocks within Registered Plan 16M-83.

## **E. Strategic Priorities**

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### **1. Communication and Engagement**

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

### **2. Organizational Excellence**

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

### **3. Community**

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

### **4. Quality of Life**

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

## **F. Environmental Impacts**

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No adverse impacts are anticipated as a result of this report.

## **G. Financial Impacts**

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Subject to Council authorization and enactment of the requisite by-law, all other securities for this subdivision will be returned, excepting securities of \$25,000 for vegetation of the perimeter channel around the subdivision on golf course lands.

The Town will now become responsible for all operation, maintenance and ultimate replacement costs associated with the public works constructed and installed within Registered Plan of Subdivision Plan 16M-83. Maintenance of these assets will need to be considered in future Town budgets.

## **H. In Consultation With**

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Development Engineering has consulted with the following department heads or their staff regarding the assumption of this subdivision.

Alan Pacheco, Director of Operations

Ryan Gibbons, Director of Community Services

Adam Smith, Director of Planning and Development Services

Monica Quinlan, Director of Corporate and Financial Services / Treasurer

Lauren Potter, PDS Communications Coordinator

## **I. Public Engagement**

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This subdivision received Draft Plan Approval on October 10, 2019, and underwent a Public Meeting prior to this approval.

In accordance with the Subdivision Agreement, the assumption of the Public Works within this subdivision is not subject to any further public process, save and except this report to Council and enactment of the Assumption By-Law (Attachment 4). However, in advance of this Staff Report being brought to the Committee of the Whole, Development Engineering has provided a Notice of Assumption to residents within the developments being assumed. This Notice of Assumption and FAQ document is included as Attachment 3 and was mailed to residents on October 29, 2024.

Following the enactment of the Assumption By-Law, Town Staff will post the Notice of Assumption on the project page.

Attached:

1. Attachment 1 – Location Figure
2. Attachment 2 – Assumption Acceptance Checklist
3. Attachment 3 – Notification of Assumption & FAQ
4. Attachment 4 – Draft By-law

Respectfully submitted,

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**Report Approval Details**

Document Title:	PDS.24.137 Assumption Report - Lora Bay Phase 4.docx
Attachments:	- Attachment 1 Location Figure.pdf - Attachment 2 Assumption Acceptance Checklist.pdf - Attachment 3 Notification of Assumption and FAQ.pdf - Attachment 4 Draft Bylaw - Lora Bay Phase 4.pdf
Final Approval Date:	Nov 20, 2024

This report and all of its attachments were approved and signed as outlined below:

**Brian Worsley - Nov 6, 2024 - 11:04 AM**

**Adam Smith - Nov 20, 2024 - 4:44 PM**