



Staff Report

Planning & Development Services – Development Engineering

Report To: Committee of the Whole Meeting
Meeting Date: October 19, 2021
Report Number: PDS.21.111
Title: Assumption Bannerman (School House Court) Subdivision
Prepared by: Shaquille Cousins, Development Engineering Reviewer

A. Recommendations

THAT Council receive Staff Report PDS.21.111, entitled “Assumption of Bannerman Subdivision”;

AND THAT the alternative trail alignment described in Attachment 4, be endorsed by Council;

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-43.,

B. Overview

The subdivision agreement of September 23, 2014, between the Bannerman School House Court Subdivision developer (William Bannerman) and the Town, provided for assumption of the subdivision, upon satisfaction of terms.

Upon review by Development Engineering staff, and by consultation with other Town departments, and subject to Council’s approval of an alternative trail alignment, the agreement terms have been satisfied. The Certificate of Final Acceptance was issued November 30, 2020.

C. Background

The Bannerman Subdivision is a 10-lot plan of subdivision located southeast of Grey Road 19 and Highway 26. The 10 lots are serviced by a new public street accessed off Lakeshore Road East. The Subdivision included a proposed municipal trail linkage behind Lots 4 to 7. The trail was intended to provide linkage ultimately from Grey Road 19, eastward through the subject lands, and into the adjacent Parkbridge lands, where the municipal trail network would continue eastward. The trail would ultimately require a crossing of Grey Sauble Conservation Authority Watercourse #10. The trail behind Lots 4 to 7 was also intended to serve as a maintenance access platform for the ditch located at the southern edge of Block 1, however the ditch can also be accessed from the Subdivision water quality Bio-swale. The proposed trail behind lots 4 to 7 is shown on both Attachments 4 and 5.

A resident deputation made to the Committee of the Whole, on September 30th, 2019, resulted in a Council resolution requiring staff to report back on alternative trail alignments. For reference, please see Attachment 6 including the Council resolution.

Site investigations by Town Staff and discussions with the Developer of the Bannerman Subdivision in 2020 determined a viable alternative trail alignment was not possible within the Bannerman Subdivision, due to the limits and constraints of municipal land within the subdivision.

Town Staff subsequently reviewed the Local Planning Appeal Tribunal (LPAT) decision of Draft Plan Approval of the adjacent site to the east (i.e. Parkbridge) for trail connectivity requirements in the Parkbridge/Bannerman development area. We verified that an alternate trail alignment will be achievable through the Parkbridge site, as LPAT imposed Condition #10 requires *“a north-south public trail between Grey Road 19 and the Georgian Trail”*.

This required municipal trail within the Parkbridge site will provide a similar connectivity function as the trail proposed in the Bannerman subdivision (ie: linkage from Grey Road 19 to Parkbridge lands). This alternative trail alignment eliminates the need for a crossing of a mapped Grey Sauble Conservation Authority watercourse and its associated maintenance costs that would be incurred by the Town. Staff are working with Parkbridge during our review of their detailed design to confirm the precise trail routes.

Pending Council approval, the Town owed land (Block 1) behind lots 4 to 7 is no longer required for a Public Trail, however, the lands should be retained by the Town to provide a second maintenance access point to the ditch also contained within Block 1.

D. Analysis

The alternative trail alignment described on Attachment 4 eliminates the need and associated maintenance costs of a Grey Sauble Conservation Authority watercourse trail crossing, and a steep municipal connection (stairs) to connect the trail behind Lots 4 to 7 up to Grey Road 19 (at an unpreferred location).

If Council approves the alternative trail alignment, discussed above, Developer obligations pertaining to the trail within the Bannerman subdivision will be deemed to have been satisfied.

Per section 3.12 of the September 23, 2014, subdivision agreement, after issuing a Certificate of Final Acceptance 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; and

- that the alternative trail alignment (through the Parkbridge lands) be authorized by Council

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 30, 2020
- the Town has received all approvals and documentation required for the Town to take over responsibility and operation of this infrastructure; and
- all requirements of section 3.12 of the subdivision agreement (listed above) are satisfied; and
- that all works have been satisfactorily completed as set out on the attached Acceptance / Assumption checklist (Attachment 2).

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

- 176 metres (m) of watermain and appurtenances, including two (2) hydrants and one (1) auto-flusher
- 171.9 m of sanitary sewer, including three (3) maintenance holes
- 296.7 m of storm sewer, including 8 maintenance hole/catchbasin/ditch inlet structures
- 1140 m of swales of varying widths
- 715m of 2.0m wide bio-swale
- Stormwater management facility, consisting of one (1) oil-grit separator
- 145 m of urban road, including curb and cul-de-sac

The Public Works are located within the Town owned road right-of-way, Block 11 and Block 12, as described below:

- Schoolhouse Court 20 m wide road right-of-way and 30 m diameter cul-de-sac right-of-way
- Block 11, for other institutional purposes
- Block 12, for open space and trails

A draft by-law has been prepared to initiate the following and is provided as Attachment 3.

1. All the Public Works constructed and installed in accordance with the subdivision agreements for Registered Plan 16M-43 are hereby accepted and assumed.
2. Schoolhouse Court, as shown on Registered Plan 16M-43, is hereby assumed for public use.
3. Block 11, for institutional purposes, within Registered Plan 16M-43, is hereby assumed for public use.
4. Block 12, which includes open space and trails, within Registered Plan 16M-43, is hereby assumed for public use.

Staff recommends Council enact this by-law.

E. Strategic Priorities

1. Communications 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.

F. Environmental Impacts

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

G. Financial Impact

Subject to Council authorization and enactment of the requisite by-law, all securities for this subdivision will be returned as there are no outstanding costs or deficiencies.

The Town will now become responsible for all operation, maintenance and ultimate replacement costs associated with public works within Registered Plan 16M-43. Future Town budgets will make allowance for these costs.

H. In Consultation With

The subject matter of this report was discussed with Legal and Community Services staff during 2020, in addition, a draft of this report was circulated to the following department heads on August 31, 2021, requesting comments be brought to the attention of Development Engineering by September 7, 2021. All concerns identified were addressed during the comment period.

Shawn Carey, Director of Operations

Ryan Gibbons, Director of Community Services

Ruth Prince, Director of Finance and IT Services/Treasurer

Steve Conn, Fire Chief

Will Thompson, Director of Legal Services

I. Public Engagement

This subdivision was Draft Plan Approved on September 29, 2014 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 in Attachment 3.

Comments regarding this report should be submitted to Brian Worsley,
developmentengineering@thebluemountains.ca

J. Attached

1. Assumption Figure Bannerman Schoolhouse Court Subdivision
2. Acceptance / Assumption Checklist
3. Draft By-Law Bannerman Schoolhouse Court Subdivision
4. Alternative Trail Alignment Figure
5. Original Trail Alignment Figure
6. Council Resolution

Respectfully submitted,

Shaquille Cousins, C.E.T.
Development Engineering Reviewer

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

Nathan Westendorp, RPP, MCIP
Director of Planning and Development
Services

For more information, please contact:
Brian Worsley
developmentengineering@thebluemountains.ca
519-599-3131 extension 224

Report Approval Details

Document Title:	PDS.21.111 Assumption Bannerman Subdivision.docx
Attachments:	<ul style="list-style-type: none">- Attachment 3 Draft By-Law Bannerman School House Court.pdf- Attachment 1 Site Map.pdf- Attachment 2 Subdivision Internal Check.pdf- Attachment 5 Original Trail Alignment.pdf- Attachment 6 September 30th Resolution.pdf- Attachment 4 Revised Trail Alignment.pdf
Final Approval Date:	Oct 8, 2021

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

No Signature - Task assigned to Brian Worsley was completed by assistant Sherry Steadman

Brian Worsley - Oct 8, 2021 - 3:58 PM

No Signature - Task assigned to Nathan Westendorp was completed by delegate Deanna Vickery

Nathan Westendorp - Oct 8, 2021 - 4:05 PM