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**To:** Mayor and Council

**From:** Christine Taggart, Development Implementation Technologist

**Date:** March 11, 2024

**Subject:** Report PW-007-2024 – Assumption of Ridgeview Estates Phase 1

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## Recommendation

Be It Resolved that Council of the Township of Clearview hereby receive report PW-007-2024 (Assumption of Ridgeview Estates Phase 1) dated March 11, 2024; and,

- 1) That Council authorize staff to proceed with the assumption of the municipal services within the Ridgeview Estates Subdivision Phase 1, Registered Plan 51M943 File No. 2008-002-SD, Project File No. 0000-011A; and,
- 2) That By-Law 24-19 to assume the municipal services within the Ridgeview Estates Subdivision Phase 1 Lands be presented to Council at the March 11, 2024, meeting; and,
- 3) That Council authorize releasing to the developer the remaining securities and 10% warranty holdback, which ended on October 28, 2023, along with any remaining deposits.

## Background

Phase 1 of the Ridgeview Estates Subdivision was registered on October 28, 2009. The Plan, 51M943, consists of Lots 89 to 101 (total of 13 residential lots), and Stormwater Management Blocks 102 & 11. The Plan is attached as Schedule "A". The subdivision is located south-west of the Stayner Community Arena.

The Township is in receipt of a letter and certification forms from Owner's Engineers, Pinestone Engineering Ltd., dated January 9<sup>th</sup>, 2024, confirming that all works are complete and are functioning as designed. The letter requests the release of the remaining securities, and the 10% warranty holdback, in the amount of \$164,440.25.

R.J. Burnside & Associates has provided the Township with their certificate for assumption of works which confirms they have reviewed the Owner's Engineer's certificate, and conducted a site inspection of works which assumption is being applied for (Phase 1 Lands).

R.J. Burnside & Associates have also provided their letter of recommendation dated February 23<sup>rd</sup>, 2024, confirming the request is satisfactory to proceed with assumption. The release of securities and holdback has been completed in accordance with the Subdivision Agreement.

All the residential lots have had dwellings constructed on them; lot grading and landscaping has been completed; and all lot grading certifications have been received for the Phase 1 Lands.

### **Comments and Analysis**

The Subdivision Agreement, Schedule “O” sets out the conditions and requirements for Assumption of Works coupled with the Assumption checklist. All the conditions have been fulfilled and obligations met. A By-Law must be passed by the Municipality to assume the municipal services within the Phase 1 Lands. A draft by-law is attached as Schedule “B”, which has been reviewed by the Clerk.

This phase of the subdivision has been completely built out and all works completed. Therefore, it is recommended that Council proceed to assume the municipal services by by-law.

### **Clearview’s Strategic Plan**

The above initiative supports the following strategic pillars:

- Growth and Development

### **Financial Implications**

There are no financial implications to the Township on this proposal as the Owner/Developer is responsible for all costs associated with their development including the cost for registration of the assumption by-law.

### **Report Appendices**

Schedule “A” – Ridgeview Estates Phase 1 – Plan 51M943

### **Approvals**

<b>Submitted by:</b>	Christine Taggart, Development Implementation Technologist
<b>Reviewed by:</b>	Patti Kennedy, C.E.T., Manager of Engineering
<b>Financial Implications Reviewed by:</b>	Treasurer

## Approvals

**Submitted by:** Christine Taggart, Development Implementation  
Technologist

**Approved by:** CAO



## SCHEDULE “B” – DRAFT BY-LAW

### By-law Number 24-XX

#### The Corporation of the Township of Clearview

#### Being a By-law to assume the municipal services within Phase 1 of the Ridgeview Estates residential plan of subdivision registered as Plan 51M-943 for public use

(Assumption of Ridgeview Estates Subdivision Phase 1)

**Whereas** Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues;

**And Whereas** Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides municipalities with the authority to provide for any service or thing that the municipality considers necessary or desirable for the public;

**And Whereas** a Subdivision Agreement was entered into for the development of the land described within Registered Plan 51M-943, Township of Clearview, County of Simcoe;

**And Whereas** the Council of the Corporation of the Township of Clearview deems it expedient to assume the municipal services within the Phase 1 Lands, within Plan 51M-943, Township of Clearview, County of Simcoe;

**Now Therefore** Council of the Corporation of the Township of Clearview hereby enacts as follows:

1. That the municipal services within Centre Street, within the limits of the Phase 1 Lands on Plan 51M-943, Township of Clearview, County of Simcoe, be assumed for public use.
2. That this by-law shall come into force and effect on the date of its passing.

**By-law Number 24-XX read a first, second and third time and finally passed this 11<sup>th</sup> day of March, 2024.**

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Douglas Measures, Mayor

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Sasha HelmKay, Director of Legislative Services/Clerk