

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

STAFF REPORT

DATE: January 31, 2023

TO: Committee of the Whole

FROM: Cory Smith, Director of Public Works

SUBJECT: Final Acceptance and Assumption of Roadways – Mill Run

RECOMMENDATION:

THAT Committee of the Whole recommend that Council authorize final acceptance for the finalized portions of plan of subdivision 27M-75 Mill Run, Phases 2A, 2B, and 2C, to be known as Phase 2, in accordance with Section 15 of the subdivision agreement with Menzie Almonte Inc.;

AND THAT Committee of the Whole recommend that Council authorize final acceptance for the finalized portion of plan of subdivision 27M-84 Mill Run, Phases 3B, to be known as Phase 3B, in accordance with Section 15 of the subdivision agreement with Menzie Almonte Inc.;

AND THAT Staff Prepare an Assumption By-law for the roads and associated infrastructure works constructed with the development of the Subdivision 27M-75, to be known as Phase 2 and with the development of the portion of subdivision 27M-84 to be known as Phase 3B.

BACKGROUND:

On November 2, 2016, The Municipality of Mississippi Mills entered into a subdivision agreement with Menzie Almonte Inc. for the development of Mill Run Phase 2. The subdivision which was registered, included townhouse blocks, lands for stormwater management purposes and deeded sections of Horton Street, McKenny Street, Honeyborne Street and McCabe Street. A copy of the plan of subdivision 27M-75 has been included for reference. In addition, on May 30, 2018, the Municipality of Mississippi Mills entered into a subdivision agreement with Menzie Almonte Inc. for the development of Mill Run Phase 3B. The subdivision which was registered, included townhouse blocks, lands for stormwater management purposes and deeded sections of Horton Street. A copy of plan of subdivision 27M-84 has been included for reference.

Section 15 states:

“When the Director of Roads and Public Works is satisfied that the Works set out in this agreement or any part thereof and any other Works which may have been required have been executed in accordance with this agreement and the Town standards and specifications and requirements, and has also been satisfied that all Town accounts have been paid, and maintenance requirements met, the Director of Roads and Public Works will forthwith present a report to the Council of the Town stating that the work or any part thereof has been completed satisfactorily and the roads are in the required condition for them to be assumed by the Town. Acceptance of any of the Works or any part thereof shall be evidenced by By-law of Council.

Upon the said By-law being passed the ownership of the Works, except house numbers and sodding beyond the road boundary, shall vest in the Town and the Owner shall have no claim or rights thereto, other than those accruing to it as Owner of the land abutting streets on which the Works were installed.”

All the works prescribed within the subdivision agreement(s) for the part(s) of Mill Run Phases 2A, 2B, 2C and 3B, have met all conditions for final acceptance and the mandatory one year maintenance (warranty) period has now expired and required works have completed to the Satisfaction of the Director of Public Works with all required certifications being submitted and accepted.

DISCUSSION:

The Municipality completed a final inspection of Mill Run Phases 2A, 2B, 2C and 3B to mark the end of the mandatory one year maintenance period for the subdivision. The Developer has satisfied all obligations of the subdivision agreement. Staff is therefore recommending that final acceptance be issued pursuant to Section 15 of the agreement for Phases 2A, 2B, 2C and 3B of Mill Run.

In addition, staff is recommending that the required assumption by-law be prepared in accordance with Section 22.1 of the agreement.

OPTIONS:

1. Accept the recommendations of Staff for Final Acceptance and Assumption
2. Do not Accept the recommendations of Staff for Final Acceptance and Assumption

FINANCIAL IMPLICATIONS:

There are no financial implications related to this report.

SUMMARY:

The Phase 2 and 3B portions of Mill Run subdivision (Plan 27M-75 and Plan 27M-84) concluded the mandatory one year maintenance period for works constructed as part of the subdivision agreement. The developer, Almonte Menzie Inc., has completed all works to the satisfaction of the Director of Roads and Public Works. It is recommended that the Municipality move forward with final acceptance and the preparation of the necessary by-law governing assumption of the works.

Respectfully submitted by,

Reviewed by:

Cory Smith,
Director of Public Works

Ken Kelly,
CAO

ATTACHMENTS:

1. Plan 27M-75 and Plan 27M-84