



Staff Report

Planning & Building Services – Development Engineering

Report To: COW - Operations, Planning and Building Services
Meeting Date: October 28, 2025
Report Number: PBS.25.070
Title: Assumption Report – Clarksbury Phase 2
Prepared by: Evan Hancock, Engineering Reviewer

A. Recommendations

THAT Council receive Staff Report PBS.25.070, entitled Assumption Report – Clarksbury Phase 2;

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-87; Including Blocks 61.

AND THAT Council enact a By-law to assume the streets of Registered Plan 16M-87 for public use, namely Goldie Court.

B. Overview

The Development Agreement between the Bayside Development Group Inc. and the Town for Clarksbury Phase 2 dated March 11, 2022, provided for assumption of the subdivision, upon satisfaction of the terms.

C. Background

Phase 2 of Clarksbury was proposed to extend Goldie Court South (Clarksbury Phase 1), to the end of the cul-de-sac and provide 17 single family detached residential units. The proposed sanitary and storm sewer systems, roadways, and cul-de-sac within the site are intended to be public infrastructure. The water distribution system is also proposed to be public. The applicant did receive draft approval on June 14, 2018.

D. Analysis

Per section 3.10 of the March 11, 2022, Subdivision Agreement for Clarksbury Phase 2, 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.

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 September 22, 2025, 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 acceptably completed as set out on the attached Assumption Acceptance checklist (Attachment 2); and
- 100% of homes have been issued full occupancy.

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

- 135.2 meters (m) of watermain and appurtenances, including two (2) hydrants
- 112.1 m of sanitary sewer, including three (3) maintenance holes
- 103.6 m of storm sewer, including six (6) maintenance hole/catch basin/ditch inlet structures
- 102.56 m of urban road, including curb
- 117.64 m of sidewalk and 4 decorative-style streetlights
- 47.31 of trail

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-87; are hereby accepted and assumed.

2. Tekiah Road and Goldie Court, as shown on Registered Plan 16M-87, are hereby assumed for public use.
3. That the Town Assumes dedicated Block 18 within Registered Plan 16M-87.

E. Strategic Priorities

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

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

G. Financial Impacts

Upon assumption, The Town will become responsible for all operation, maintenance and ultimate replacement costs associated with public works within Registered Plan 16M-87. Future Town budgets will make allowance for these costs.

H. In Consultation With

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

Tim Murawsky, Director of Planning and Development Services

Monica Quinlan, Director of Corporate and Financial Services / Treasurer

Lauren Potter, PDS Communications Coordinator

I. Public Engagement

The development was Draft Plan Approved on June 14, 2018 and underwent public consultation and engagement through the draft plan approval process.

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 posted on the website on October 1, 2025.

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

Any comments regarding this report should be submitted to Development Engineering at developmentengineering@thebluemountains.ca.

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,

Evan Hancock
Development Engineering Reviewer

Brian Worsley
Manager of Development Engineering

For more information, please contact:
Brian Worsley, Manager Development Engineering
developmentengineering@thebluemountains.ca
519-599-3131 extension 220

Report Approval Details

Document Title:	PBS.25.070 Assumption Report - Clarksbury Phase 2.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 Clarksbury Phase 2.pdf
Final Approval Date:	Oct 16, 2025

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

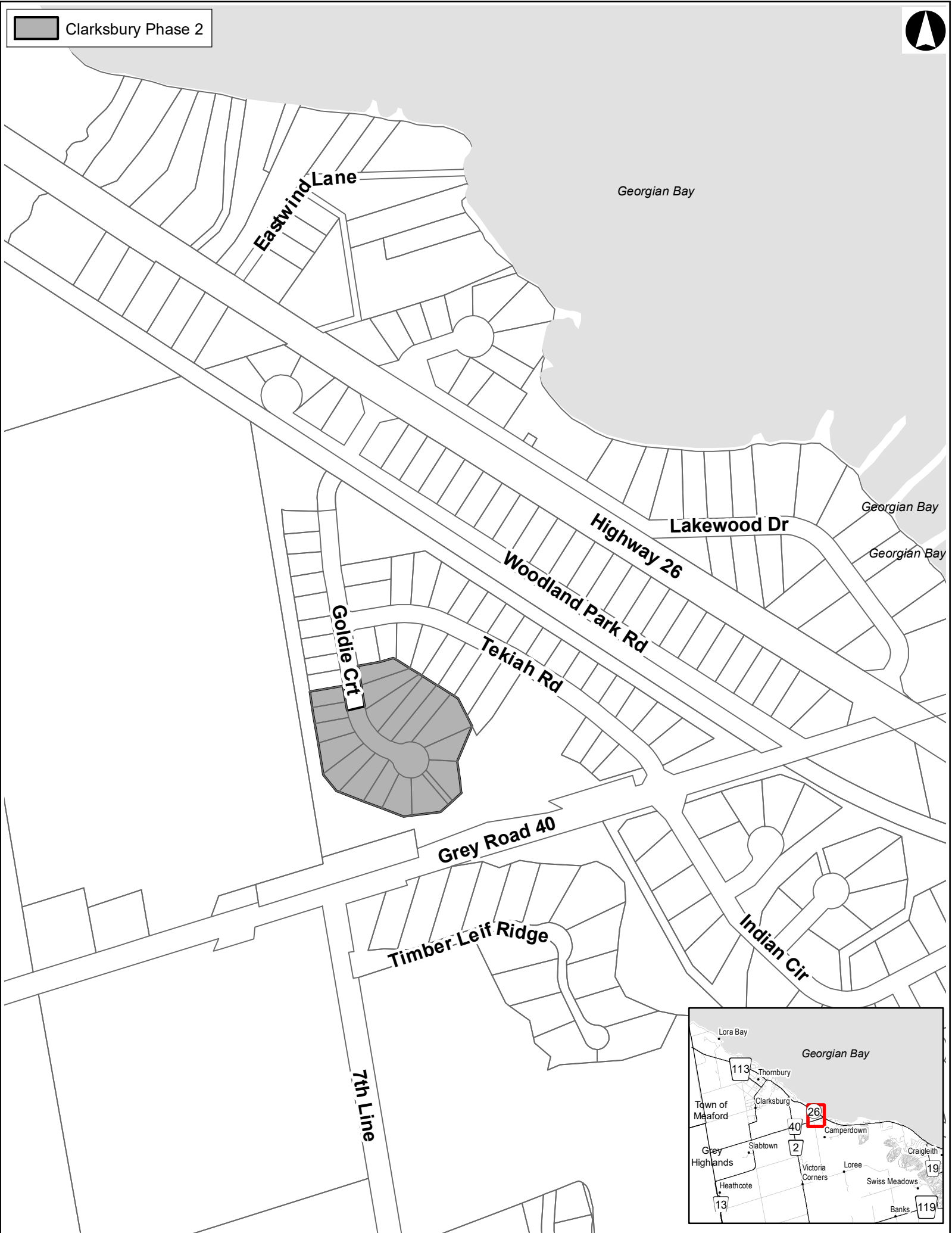
Brian Worsley - Oct 6, 2025 - 1:53 PM

No Signature found

Tim Murawsky - Oct 6, 2025 - 2:27 PM

Adam Smith - Oct 16, 2025 - 9:12 AM

Clarksbury Phase 2



Subdivision Internal Checks - Final Acceptance / Assumption

Development Name: Clarksbury Phase 2

M Plan:16M-74

Developer: Bayside Development Group INC.

Date of Applicable Agreement(s): March 11, 2022

Development Engineering Reviewer: Evan Hancock

Final Acceptance		
	Description	Date
x	Sweeping of asphalt road/pathways and concrete curb/gutters, as applicable	Sept. 1, 2025
x	Sanitary and storm sewers/facilities flushed/cleaned, prior to CCTV	May 27, 2024
x	Sanitary and storm sewers/facilities inspected with CCTV	May 27, 2024
x	Engineering Consultant review of CCTV, with any deficiencies identified and remedial works recommended to satisfaction of the Town	May. 27, 2024
x	CCTV reviewed by Town and satisfied	July. 18, 2024
x	Stormwater management facilities clean out, if warranted	Not required
x	Any special testing required for LIDs, etc, to verify adequate performance	Not required
x	Sanitary and storm sewers/facilities deficiencies rectified	Not required
x	Town Inspection for Final Acceptance	Sept. 24, 2025
x	Deficiency list compiled by the Engineering Consultant following the inspection with the Town, and sent to Town for acceptance	Sept. 4 2025
x	Confirmation all deficiency list items have been complete, with reinspection by Town where warranted	Sept. 19, 2025
x	Certification from Consulting Engineer for all Works and Grading	May. 5, 2025
x	Maintenance Periods, all expired?	Not required
x	Ontario Land Surveyor Certification confirming site reviewed and property bars found or replaced	Aug. 29 2025
x	Statutory declaration confirming all contractors and sub-contractors have been paid	Sept. 2 2025
x	Confirmation from Finance Department if any funds owing with regards to street light account	Sept. 2025
x	Confirmation from Finance Department if any funds owing with regards to any other accounts (snow plowing, emergency repairs, etc.)	Sept. 2025
x	Streetlights checked at night and in good working order	Aug. 20, 2025
x	All driveway and entrances installed to correct width	July 21, 2025
x	Other conditions/requirements for Assumption per Development Agreement:	May 5, 2025

	1. Lot Grading Certificates all received	
x	Special Provisions of the Agreement all satisfied, if applicable	EA expiry 2027 (lot 6)
x	Record Drawings (saved on Corporate drive)	Feb.6 2023
Assumption		
x	Form 1 for water system received	Aug. 10, 2021
x	Environmental Compliance Approvals (ECA) for all applicable systems received: Sanitary & Storm Sewers: 9869-BSNQR4	March 16, 2019
x	If any MECP approvals are in Developer's name, Town requires an Authorization Letter from developer permitting the Town to transfer the approval into the Town's name, once the development is assumed.	Aug. 13 2021
x	Operation & Maintenance Manual provided by Engineering Consultant for any stormwater management facilities, sewage pumping stations, etc, as applicable	Not required
x	Copies of MECP compliance/reporting documents, if required by ECA, for storm/sanitary systems while in the care of the developer (commencement of operation to Assumption).	Aug. 13, 2021
x	Structural Report provided by Engineering Consultant for bridges spanning > 3 m etc, as applicable	Not required
x	Streetlight ESA certificate provided	Jan. 13, 2023
x	All documents for ownership, operation and maintenance of infrastructure by Town once Assumed saved on Corporate drive (\\FS\Corporate\SCANNED IMAGES\ASSUMPTIONS)	Oct. 2025
x	AutoCAD of infrastructure entered in Town GIS and reviewed by Development Engineering for completeness (and ready for exporting for Operations to assign benchmark costing and Finance to then use for Financial Statements).	Oct. 2025
x	Confirmation easements in favor of the Town exist on title(s) Instrument number(s): Reference Plan #: Instrument number(s): Reference Plan #:	Not required
x	Road Guarantee calculation provided by the Consulting Engineer, if applicable per the Development Agreement: Yes applies, funds will be held from Security Reduction that follows Assumption	Not required
x	Staff report prepared for circulation to internal departments, COW, Council	Oct. 2025
x	By-law drafted for Council to enact for Assumption	Oct. 2025
Immediately Following Assumption		
☐	Transfer any ECAs to Town name	
☐	GIS to export subdivision infrastructure report from GIS and provide to Dev Eng	
☐	Review of infrastructure report of subdivision by Dev Eng	
☐	Dev Eng provide infrastructure report of subdivision to Operations for asset management/benchmark costing, such that it can be provided by Operations to Finance	



Notification of Assumption & FAQ

Clarksbury Phase 1 & Phase 2

The Town of The Blue Mountains would like to inform residents of Clarksbury Phase 1 and Phase 2 that the subdivision is scheduled for assumption by the Town.

Town Staff will bring the Assumption Report to the Committee of the Whole meeting on October 28, 2025. Following this meeting, a By-law will be brought forward to the November 10, 2025, Council Meeting to be signed by the Mayor, finalizing the assumption of the subdivision. To view the Staff Report, visit the Agendas, Minutes and Reports page or the Clarksbury Development webpage on the Town's website.

Within this notice, we have provided information and answered common questions related to assumption. Contact information for each department listed within this letter is included on the final page.

Q: WHAT DOES ASSUMPTION OF A NEW SUBDIVISION MEAN?

A: Assumption of a new subdivision means the Town has assumed responsibility for the maintenance of all municipal services for the subdivision from the developer. A development is brought forward for Assumption once it has been inspected and certified by professional engineers to ensure all contractual obligations with the Town have been met according to the Subdivision Agreement.

Q: IF I HAVE FUTURE QUESTIONS, WHO DO I DIRECT THEM TO?

A: Once the Town assumes a subdivision, questions and concerns can be directed to the Operations Department, which includes water and wastewater services, roads and drainage and waste collection.

Q: WHAT SERVICE LEVEL CAN I EXPECT FROM THE TOWN?

A: The Town strives to achieve a high level of service. Residents can expect to see improvements in services and winter maintenance following Assumption. However, service levels may differ across the municipality, adherent to the service standards set by Council. Please contact the Town's Operations Department to learn more.

Q: WHO WILL BE RESPONSIBLE FOR SNOW CLEARING?

A: Snow clearing services are provided by the Town's Operations Department once the subdivision is assumed. The Town is committed to keeping all roads and sidewalks safe for vehicles and pedestrians during the winter months. For more information, visit the Resident Services – Winter Maintenance page on the Town's website.

Q: THERE IS A DAMAGED OR DYING TREE ON TOWN LAND IN MY ASSUMED SUBDIVISION, WHO DO I CONTACT?

A: Trees located on Town land in a new subdivision may be under a warranty period. Contact the Town's Operations Department to report a damaged or dying tree.

Q: WHO IS RESPONSIBLE FOR ENSURING PROPER PROPERTY DRAINAGE?

A: A professional engineer has reviewed and approved drainage plans for every development. Drainage concerns on private property are a civil matter and outside the Town's authority. Please contact the Town's Operations Department to report a drainage concern on municipally owned land.



Notification of Assumption & FAQ

Clarksbury Phase 1 & Phase 2

Q: THERE IS A LANDSCAPED POND IN MY SUBDIVISION, WHAT IS ITS PURPOSE?

A: Many new subdivisions use a landscaped pond as a stormwater management facility. These are designed to collect, treat and control runoff after storms before being discharged into local waterways. The developer maintains these ponds until Assumption, at which point the Town takes responsibility.

Q: WHO DO I CONTACT REGARDING CONSTRUCTION NUISANCES?

A: Once a subdivision is assumed, there may still be ongoing residential construction activities. Please contact the Town's Building Department with any concerns.

Q: WHO IS RESPONSIBLE FOR CLEANING AND MAINTAINING ROADS DURING CONSTRUCTION?

A: The builder is responsible for maintaining clean and safe roads in the case of remaining residential construction after Assumption. If you have further questions, contact the Town's Development Engineering Department.

Q: HOW WILL ASSUMPTION AFFECT MY WASTE COLLECTION?

A: Typically, the Town has taken on waste collection prior to Assumption. Once the subdivision has been assumed, the Town will continue weekly waste and recycling collection. Please visit the Resident Services page on the Town's website for additional details.

Q: WHO DO I CALL IF STREETLIGHTS ARE NOT WORKING?

A: Please contact the Town's Operations Department for issues regarding streetlights.

For assistance or information prior to Assumption, please contact:

Development Engineering Department

(519) 599-3131 ext. 220

developmentengineering@thebluemountains.ca

For assistance or information after Assumption, please contact:

Operations Department

(519) 599-3131 ext. 276

operationsinfo@thebluemountains.ca

For assistance or information related to building or construction activities, please contact:

Building Department

(519) 599-3131 ext. 239

build@thebluemountains.ca



Notification of Assumption & FAQ

Clarksbury Phase 1 & Phase 2



The Corporation of the Town of The Blue Mountains

By-Law Number 2025 – _____

Being a By-law to accept and assume public works in Clarksbury Phase 2, Registered Plan 16M-87.

Whereas sections 11 and 31 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, enables the council of a municipality to pass by-laws to establish and assume highways for public use

And Whereas all of the public works in Registered Plan 16M-87, have been constructed and installed in accordance with the subdivision agreement for this Plan;

Now Therefore Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. That the public works constructed and installed in accordance with the Phase 3 subdivision agreement for Registered Plan 16M-87, are hereby accepted and assumed.
2. That Goldie Court as shown on Registered Plan 16M-87 are hereby assumed for public use.
3. That the Town Assumes all Dedicated Blocks within Registered Plan 16M-87, Including Blocks 18

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this ____ day of _____, 2025

Andrea Matrosovs, Mayor

Corrina Giles, Clerk