



Staff Report

Planning & Building Services – Development Engineering

Report To: COW - Operations, Planning and Building Services
Meeting Date: October 28, 2025
Report Number: PBS.25.071
Title: Assumption Report – Tyrolean Village Phase 3
Prepared by: Evan Hancock, Development Engineering Reviewer

A. Recommendations

THAT Council receive Staff Report PBS.25.071, entitled Assumption Report – Tyrolean Village Phase 3;

AND THAT Council enact a By-law to approve full acceptance and assumption of Public Works constructed and installed within Registered Plan of Subdivision 1107 including blocks 87.

AND THAT Council enact a By-law to assume the streets of Registered Plan 1107 for public use, namely Arlberg Crescent.

B. Overview

The subdivision agreement of June 19, 2017 between Tyrolean Village Resorts Limited and the Town, provided for assumption of the subdivision, upon satisfaction of the terms of the Subdivision Agreement.

C. Background

Originally part of a Development called St. Anton's Resort that went through the Planning process approximately 30 years ago and was registered as Plan 1107. Phase 3 began construction in 2017 with all works completed in July of 2025.

D. Analysis

Per section 3.12 of the June 19, 2017, Subdivision Agreement for Tyrolean Village Phase 3, 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 May 2, 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 3.12 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
- 5 of the 17 lots have been occupied.

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

- 516.23 meters (m) of watermain and appurtenances, including five (5) hydrants
- 517.18 m of road
- 200.3 m of CSP culverts
- 11 Streetlights
- 113.68 m of Trail

The Public Works are located within the Town-owned road right-of-way, 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 1107; are hereby accepted and assumed.

2. Arlberg Crescent, as shown on Registered Plan 1107, are hereby assumed for public use.

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 1107. Future Town budgets will consider 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, Acting 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 subject to previous public consultation and engagement through the zoning by-law amendment and plan of subdivision review 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.

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 Development Engineering

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

Report Approval Details

Document Title:	PBS.25.071 Assumption Report - Tyrolean Village Resorts Phase 3.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 Tyrolean Village Resorts Phase 3.pdf
Final Approval Date:	Oct 16, 2025

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

Brian Worsley - Oct 8, 2025 - 10:11 AM

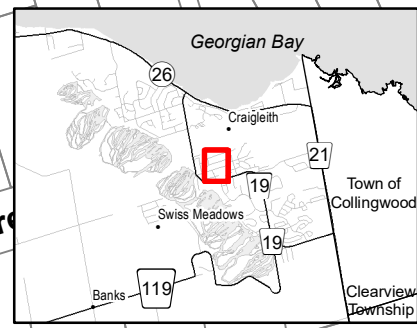
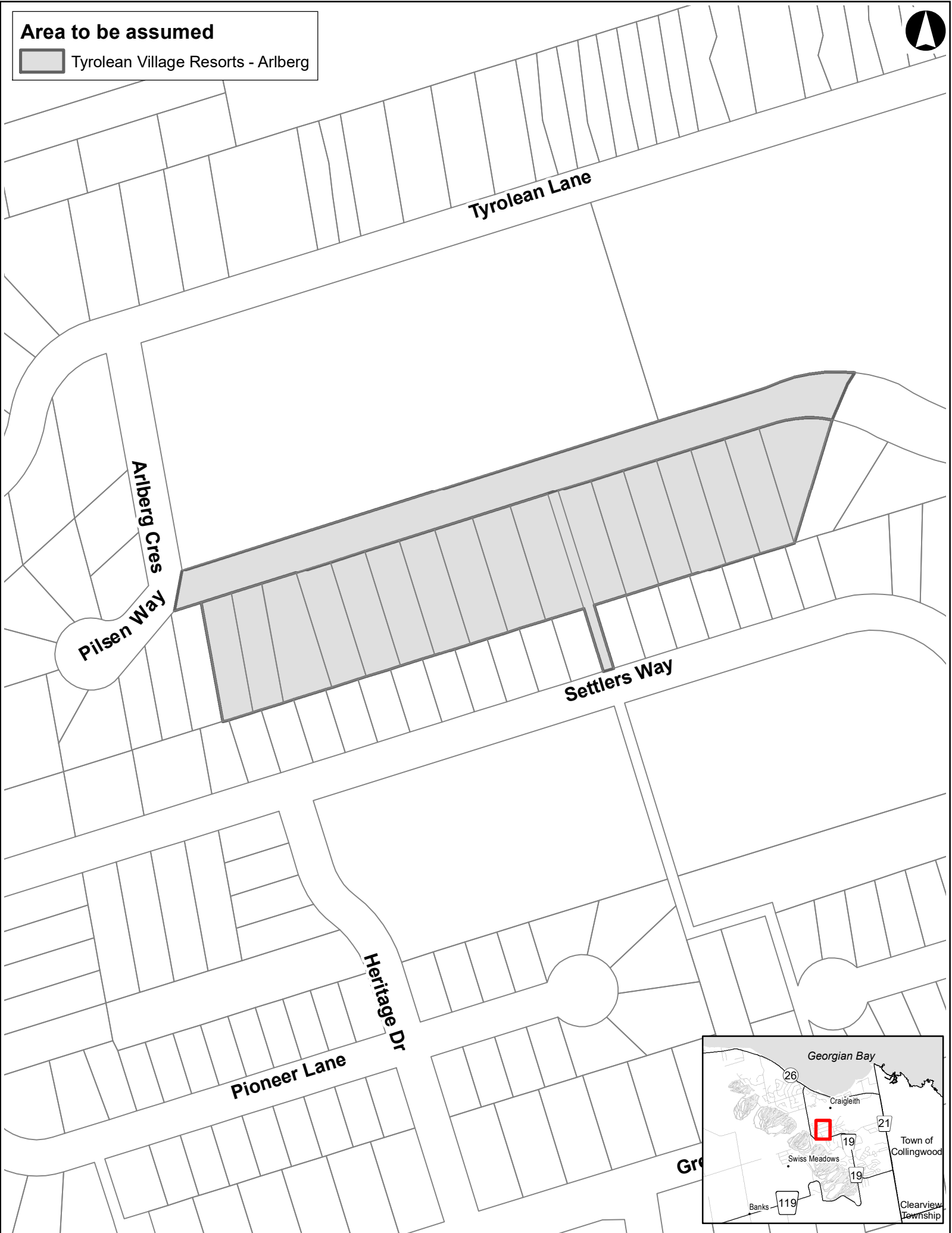
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Tim Murawsky - Oct 8, 2025 - 4:30 PM

Adam Smith - Oct 16, 2025 - 10:52 AM

Area to be assumed

 Tyrolean Village Resorts - Arlberg



Subdivision Internal Checks - Final Acceptance / Assumption

Development Name: Tyrolean Village

M Plan: 1107

Developer: Tyrolean Village Resorts Limited

Date of Applicable Agreement(s): June 19, 2017

Development Engineering Reviewer: Evan Hancock

Final Acceptance		
	Description	Date
x	Sweeping of asphalt road/pathways and concrete curb/gutters, as applicable	Sept. 23, 2024
x	Sanitary and storm sewers/facilities flushed/cleaned, prior to CCTV	Feb. 18, 2018
x	Sanitary and storm sewers/facilities inspected with CCTV	Feb. 18, 2018
x	Engineering Consultant review of CCTV, with any deficiencies identified and remedial works recommended to satisfaction of the Town	Feb. 18, 2018
x	CCTV reviewed by Town and satisfied	Feb 24, 2018
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	May. 20, 2025
x	Deficiency list compiled by the Engineering Consultant following the inspection with the Town, and sent to Town for acceptance	Nov. 24, 2020
x	Confirmation all deficiency list items have been complete, with reinspection by Town where warranted	Aug. 2025
x	Certification from Consulting Engineer for all Works and Grading	May. 5, 2025
x	Maintenance Periods, all expired?	All Maintenance periods Expired.
x	Ontario Land Surveyor Certification confirming site reviewed and property bars found or replaced	Sept. 22 2021
x	Statutory declaration confirming all contractors and sub-contractors have been paid	Sept. 24 2024
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	Oct. 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
x	Record Drawings (saved on Corporate drive)	Feb.6 2023
Assumption		
x	Form 1 for water system received	Aug. 13, 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	April 18, 2018
x	All documents for ownership, operation and maintenance of infrastructure by Town once Assumed saved on Corporate drive (\\FS\Corporate\SCANNED IMAGES\ASSUMPTIONS)	Not required
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.	Not required
x	Staff report prepared for circulation to internal departments, COW, Council	October 1, 2025
x	By-law drafted for Council to enact for Assumption	September 29, 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

Tyrolean Village Resorts Phase 3

The Town of The Blue Mountains would like to inform residents of Arlberg Crescent that the Tyrolean Village Resorts Phase 3 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.

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

Tyrolean Village Resorts Phase 3

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

Tyrolean Village Resorts Phase 3

The Corporation of the Town of The Blue Mountains

By-Law Number 2025 – _____

Being a By-law to accept and assume public works in Arlberg Crescent, Registered Plan 1107.

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 1107, 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 1107, are hereby accepted and assumed.
2. That Arlberg Crescent as shown on Registered Plan 1107 are hereby assumed for public use.
3. That the Town Assumes all Dedicated Blocks within Registered Plan 1107, Including Block 87.

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