



Staff Report

Planning & Building Services – Development Engineering

Report To: COW - Operations, Planning and Building Services
Meeting Date: October 28, 2025
Report Number: PBS.25.072
Title: Assumption Report- Windfall Phase 2C, 4A, 4B, and 5
Prepared by: Olivia Dinsmore, Development Engineering Reviewer

A. Recommendations

THAT Council receive Staff Report PBS.25.072, entitled “Assumption Report- Windfall Phase 2C, 4A, 4B, and 5”;

AND THAT Council enacts a By-law to approve full acceptance and assumption of the Public Works constructed and installed within Registered Plans of Subdivision 16M-57, 16M-71, 16M-78 and 16M-86 as well as within Registered Plan 16M-42 Blocks 38, 42 and 67.

AND THAT Council enact a By-law to assume the streets of Registered Plans 16M-57, 16M-71, 16M-78 and 16M-86 as well as within Registered Plan 16M-42 Blocks 38, 42 and 67, for public use, namely Crosswinds Boulevard from Yellow Birch Crescent to Second Nature, Courtland Street, Sycamore Street and Black Willow Crescent

B. Overview

The Development Agreements between Windfall Limited Partnership and the Town for Windfall Phase 2C, dated October 24, 2017, Windfall Phase 4A, dated December 6, 2019, Windfall Phase 4B, dated July 10, 2020, and Windfall Phase 5, dated August 6, 2021, provided for assumption of the subdivision, upon satisfaction of terms.

Upon review by Development Engineering staff, and by consultation with other Town departments, the agreement terms for Phases 2C, 4A, 4B, and 5 have been satisfied. The Certificates of Final Acceptance were issued on October 6, 2025.

C. Background

Development Engineering staff have determined that all developer obligations have been met, as noted in the Certificate of Final Acceptance, under the Subdivision Agreements for Windfall Phases 2C, 4A, 4B, and 5.

The Windfall Subdivision received Draft Plan Approval in 2011 and has been developed in six phases. Phases 1, 2A, 2B, and 3 have previously been assumed by the Town.

The majority of Phase 2C was assumed in 2021, however, a portion of Crosswinds Boulevard was excluded at that time as it was being used as a construction staging area. With construction now complete, the developer has requested that the remainder of Phase 2C be assumed. Phases 4A, 4B, and 5 have also reached the stage where all obligations under the Subdivision Agreements have been fulfilled.

Following assumption, staff will initiate the process to remove the barricades on Crosswinds Boulevard to permit through traffic in spring 2026 following the winter control period. Residents will be notified in advance of the road opening.

D. Analysis

Per the applicable sections of the Subdivision Agreements listed below,

- Phase 2C- Section 3.12
- Phase 4A- Section 3.12
- Phase 4B- Section 3.12
- Phase 5- Section 3.10

After issuing a Certificate of Assumption 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 Certificates of Final Acceptance were issued on October 6, 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 applicable sections of the Subdivision Agreements (listed above) are satisfied;
- all works have been satisfactorily completed as set out on the attached Assumption Acceptance checklist (Attachment 2); and
- that all homes in Phases 4A, 4B and 5 have been issued full occupancy.

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

Phase 2C

- 323.74 meters (m) of watermain and appurtenances, including one (1) hydrant
- 8.30 m of storm sewer, including one (1) maintenance hole structure
- 353.00 m of urban road, including curb
- 320.93 m of sidewalk and 9 decorative-style streetlights
- 383.85 m of public trails

Phase 4

- 1051.47 meters (m) of watermain and appurtenances, including nine (9) hydrants
- 922.20 m of sanitary sewer, including seventeen (17) maintenance holes
- 1086.55 m of storm sewer, including thirty-nine (39) maintenance hole/catch basin/ditch inlet structures
- 1018.00 m of urban road, including curb
- 1042.61 m of sidewalk and twenty-four (24) streetlights
- 882.84 m of public trails

Phase 5

- 792.74 meters (m) of watermain and appurtenances, including nine (9) hydrants
- 792.96 m of sanitary sewer, including eleven (11) maintenance holes
- 809.18 m of storm sewer, including twenty-four (24) maintenance hole/catch basin/ditch inlet structures
- 810.00 m of urban road, including curb
- 962.06 m of sidewalk and 18 decorative-style streetlights
- 33.33 m of public trails

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 Plans 16M-57, 16M-71, 16M-78 and 16M-86 as well as within Registered Plan 16M-42 Blocks 38, 42 and 67, are hereby accepted and assumed.

2. Crosswinds Boulevard from Yellow Birch Crescent to Second Nature, Courtland Street, Sycamore Street and Black Willow Crescent, as shown on Registered Plans 16M-57, 16M-71, 16M-78 and 16M-86 as well as within Registered Plan 16M-42 Blocks 38, 42 and 67, are hereby assumed for public use.
3. That the Town Assumes all dedicated Blocks within Registered Plans 16M-57, 16M-71, 16M-78 and 16M-86 as well as within Registered Plan 16M-42 Blocks 38, 42 and 67.

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 the public works constructed and installed within Registered Plans of Subdivision 16M-57, 16M-71, 16M-78 and 16M-86 as well as within Registered Plan 16M-42 Blocks 38, 42 and 67. Maintenance of these assets will need to be considered in future Town budgets.

Subject to Council authorization and enactment of the requisite by-law, all securities for this subdivision will be returned excepting securities retained for minor deficiencies within Phase 5 to be completed by November 28, 2025.

H. In Consultation With

Tim Murawsky, Acting Director of Planning and Development Services

Alan Pacheco, Director of Operations

Jim McCannell, Manager of Roads & Drainage

Allison Kershaw, Manager of Water & Wastewater Services

Terry Green, Manager of Parks & Trails

Brenna Agnew, Accounting Analyst

Lauren Potter, PBS Communications Coordinator

I. Public Engagement

The Windfall development was Draft Plan Approved by the County of Grey on November 15, 2011, 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 September 29, 2025.

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,

Olivia Dinsmore
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:	PDS.25.072 Assumption Report - Windfall Phase 2C, 4, and 5.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 - Windfall Phase 2C, 4, and 5.pdf
Final Approval Date:	Oct 17, 2025

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

Brian Worsley - Oct 6, 2025 - 3:40 PM

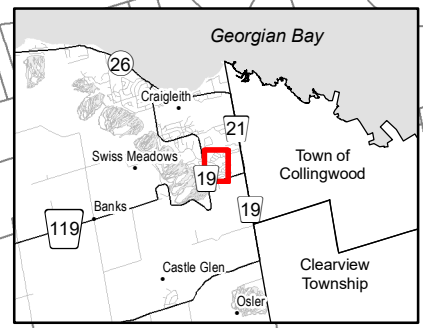
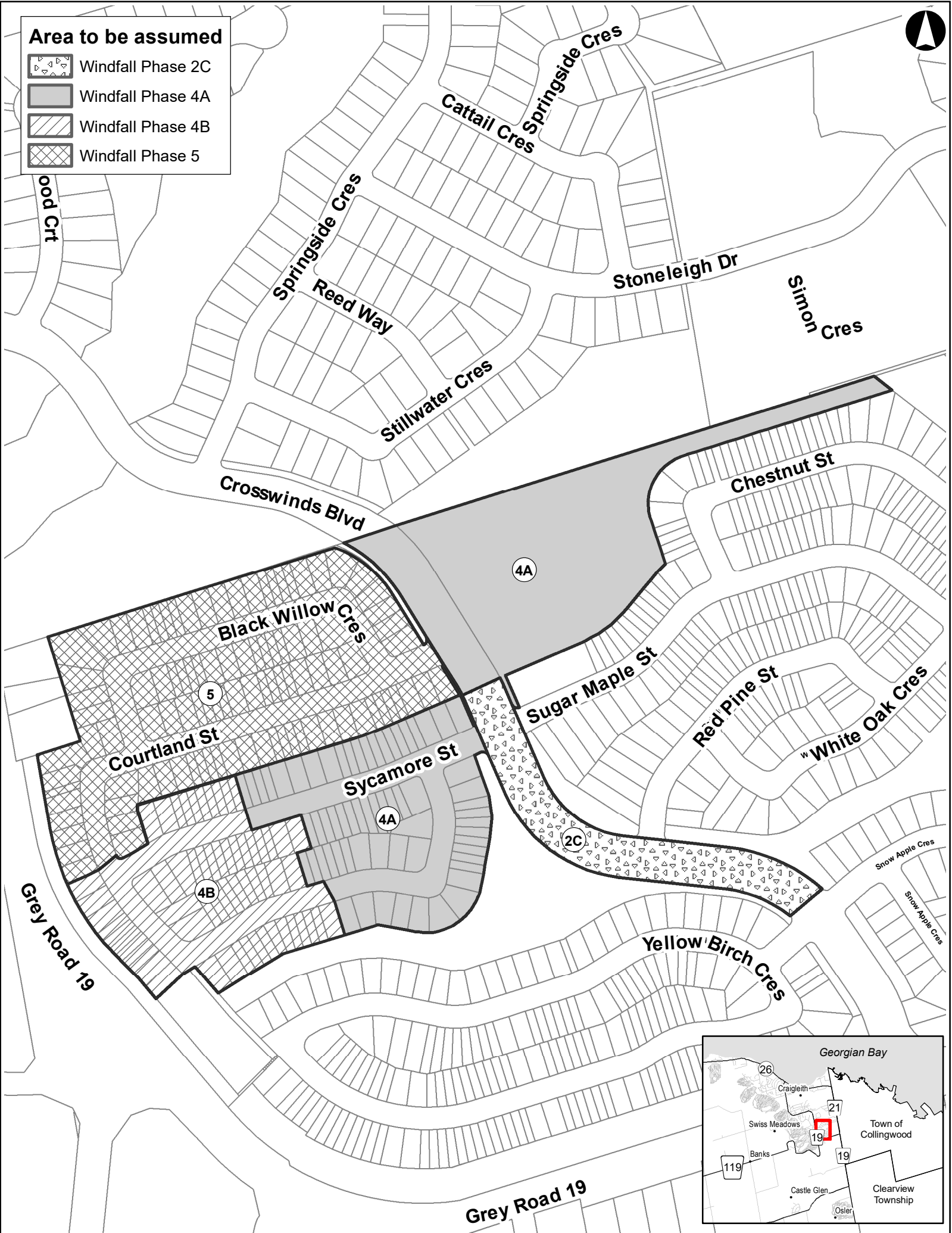
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Tim Murawsky - Oct 7, 2025 - 8:33 AM

Adam Smith - Oct 17, 2025 - 11:01 AM

Area to be assumed

- Windfall Phase 2C
- Windfall Phase 4A
- Windfall Phase 4B
- Windfall Phase 5



Subdivision Internal Checks - Final Acceptance / Assumption

Development Name: Windfall Phase 2C, 4A, 4B & 5
M Plan(s): 16M-57, 16M-71, 16M-78, 16M-86, 16M-42

Developer: Windfall GP Inc.

Date of Applicable Agreement(s): October 24, 2017, December 6, 2019, July 10, 2020, August 6, 2021

Development Engineering Reviewer: Olivia Dinsmore

Final Acceptance		
	Description	Date
x	Sweeping of asphalt road/pathways and concrete curb/gutters, as applicable	May 2025
x	Sanitary and storm sewers/facilities flushed/cleaned, prior to CCTV	October 2024
x	Sanitary and storm sewers/facilities inspected with CCTV	October 2024
x	Engineering Consultant review of CCTV, with any deficiencies identified and remedial works recommended to satisfaction of the Town	November 2024
x	CCTV reviewed by Town and satisfied	July 2025
☐	Stormwater management facilities clean out, if warranted	Not required
☐	Any special testing required for LIDs, etc, to verify adequate performance	Not required
x	Sanitary and storm sewers/facilities deficiencies rectified	August 2025
x	Town Inspection for Final Acceptance	June 2025
x	Deficiency list compiled by the Engineering Consultant following the inspection with the Town, and sent to Town for acceptance	June 2025
x	Confirmation all deficiency list items have been complete, with reinspection by Town where warranted	September 2025
x	Certification from Consulting Engineer for all Works and Grading	September 2025
x	Maintenance Periods, all expired? 1. Road Maintenance Period 2. Landscape	Surface Asphalt Maintenance Period Ph 2C- expired in 2021 Ph 4- expires November 6, 2025 Ph 5-expires November 6, 2025 Tree Maintenance Period Ph 2C- expired in 2021 Ph 4- expires December 2026 Ph 5-

		Black Willow Crescent- expires November 2025 Courtland Street- expires November 2026
x	Ontario Land Surveyor Certification confirming site reviewed and property bars found or replaced	Ph 2C- July 15, 2025 Ph 4A, 4B- August 21, 2025 Ph 5- July 15, 2025
x	Statutory declaration confirming all contractors and sub-contractors have been paid	Ph 2C- August 21, 2025 Ph 4A & 4B- August 21, 2025 Ph 5- August 21, 2025
x	Confirmation from Finance Department if any funds owing with regards to street light account	September 2025
x	Confirmation from Finance Department if any funds owing with regards to any other accounts (snow plowing, emergency repairs, etc.)	September 2025
x	Streetlights checked at night and in good working order	August 2025
x	All driveway and entrances installed to correct width	July 2025
x	Other conditions/requirements for Assumption per Development Agreement: 1. Lot Grading Certificates all received	September 2025
x	Special Provisions of the Agreement all satisfied, if applicable	September 2025
x	Record Drawings (saved on Corporate drive)	August 2025
Assumption		
x	Form 1 for water system received	Ph 2C- January 26, 2017 Ph 4A, 4B-August 23, 2019 Ph 5-March 22, 2021
x	Environmental Compliance Approvals (ECA) for all applicable systems received: Sanitary & Storm Sewers: 9869-BSNQR4	Ph 2C- July 9, 2015 Ph 4A, 4B- March 26, 2020 Ph 5- August 20, 2021
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.	October 2025
☐	Operation & Maintenance Manual provided by Engineering Consultant for any stormwater management facilities, sewage pumping stations, etc, as applicable	Not required
☐	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).	Not required

☐	Structural Report provided by Engineering Consultant for bridges spanning > 3 m etc, as applicable	Not required
x	Streetlight ESA certificate provided	Ph 2C- March 27, 2019 Ph 4A, 4B- June 17, 2020 Ph 5- December 8, 2021
x	All documents for ownership, operation and maintenance of infrastructure by Town once Assumed saved on Corporate drive (\\FS\Corporate\SCANNED IMAGES\ASSUMPTIONS)	September 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).	September 2025
☐	Confirmation easements in favor of the Town exist on title(s) Instrument number(s): Reference Plan #: Instrument number(s): Reference Plan #:	Not required
☐	Road Guarantee calculation provided by the Consulting Engineer, if applicable per the Development Agreement	Not required - No Road Guarantee
x	Staff report prepared for circulation to internal departments, COW, Council	September 2025
x	By-law drafted for Council to enact for Assumption	September 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

Windfall Phase 2C, 4 & 5

The Town of The Blue Mountains would like to inform residents of Windfall Phase 4 & 5 that the subdivisions are scheduled for assumption by the Town, including the remaining section of Crosswinds Blvd.

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 Windfall Phase 4 and Windfall Phase 5 webpages 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

Windfall Phase 2C, 4 & 5

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

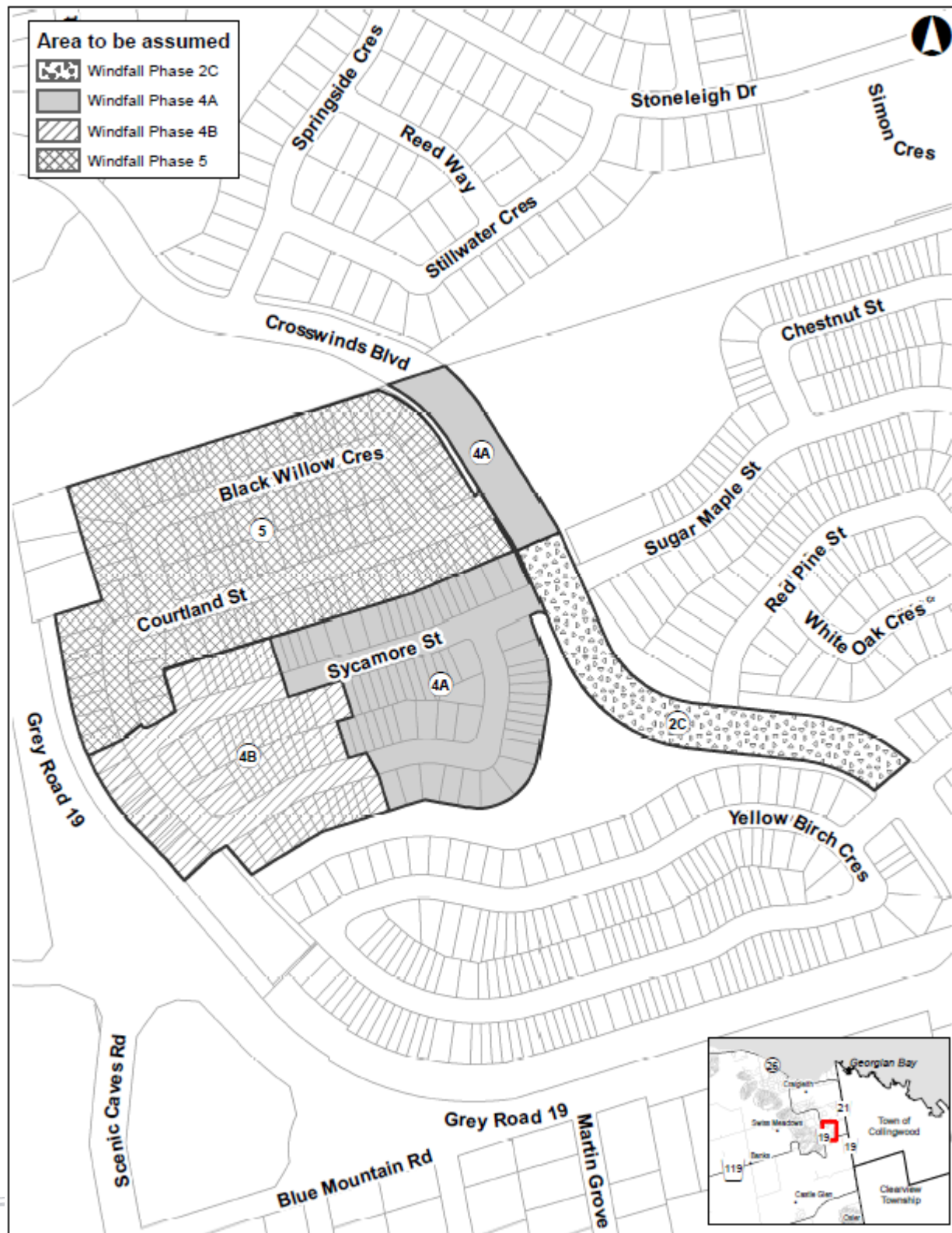
(519) 599-3131 ext. 239

build@thebluemountains.ca



Notification of Assumption & FAQ

Windfall Phase 2C, 4 & 5



The Corporation of the Town of The Blue Mountains

By-Law Number 2025 – _____

Being a By-law to accept and assume public works in Windfall Phase 4, Registered Plans 16M-57, 16M-71, 16M-78 and 16M-86 as well as within Registered Plan 16M-42 Blocks 38, 42 and 67.

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 Plans of Subdivision 16M-57, 16M-71, 16M-78 and 16M-86 as well as within Registered Plan 16M-42 Blocks 38, 42 and 67 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 2C, 4, and 5 Subdivision Agreements for Registered Plans of Subdivision 16M-57, 16M-71, 16M-78 and 16M-86 as well as within Registered Plan 16M-42 Blocks 38, 42 and 67, are hereby accepted and assumed.
2. That Crosswind Boulevard from Yellow Birch Crescent to Second Nature, Courtland Street, Sycamore Street, and Black Willow Crescent as shown on Registered Plans of Subdivision 16M-57, 16M-71, 16M-78 and 16M-86 as well as within Registered Plan 16M-42 Blocks 38, 42 and 67.
3. That the Town Assumes all Dedicated Blocks within Registered Plans of Subdivision 16M-57, 16M-71, 16M-78 and 16M-86 as well as within Registered Plan 16M-42 Blocks 38, 42 and 67.

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