



*A People Place, A Change of Pace*  
**SHELBURNE**  
ONTARIO, CANADA

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<b>Meeting Date:</b>	Monday, February 24, 2025
<b>To:</b>	Mayor Mills and Members of Council
<b>From:</b>	Steve Wever, MCIP, RPP, Town Planner
<b>Report:</b>	P2025-01
<b>Subject:</b>	<b>Shelburne Towns (Scone) Subdivision Final Acceptance of Town Works</b>

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### Recommendation

Be it Resolved that Council of the Town of Shelburne receives Report P2025-01 regarding final acceptance of the Town Works related to the Shelburne Towns (Scone Developments Inc.) Subdivision; and

Be it Resolved that By-law 06-2025, being a By-law to authorize final acceptance of the Town Works completed as part of the Shelburne Towns (Scone Developments Inc.) Subdivision (Plans 7M-80 and 7M-81), be read a first, second and third time and finally passed, authorizing staff to issue the final acceptance certificate.

### Background

The Town entered into a subdivision agreement with Scone Developments Inc. in December 2021 for the Shelburne Towns plan of subdivision located at the west end of First Avenue West and Second Avenue West along the east side of the former rail corridor, and registered as Plans 7M-80 and 7M-81. The agreement provides for municipal assumption of the "Town Works" completed by the developer within the existing municipal rights-of-way including First Avenue West, Second Avenue West, Gordon Street and John Street, in accordance with the terms of the agreement for final acceptance. The Town Works include modifications to the existing roadway, sidewalks and watermain along First and Second Avenue, the stop signs and bars at the intersection of First Avenue and Gordon Street, and the stormwater management outfall and

swale along John Street. Works within the Gordon Street and Main Street West rights-of-way related to the Block 7 development are not included as part of the current final acceptance recommendation, as the Block 7 development is ongoing.

Under the subdivision agreement, the "Condominium Works" within the limits of the development are not subject to final acceptance requirements as these works are owned and required to be maintained by the condominium corporation (Dufferin Common Elements Condominium Plan No. 44) in perpetuity. This includes the internal private roadway, underground services, stormwater management and drainage facilities, street trees and landscaping, fencing, retaining walls, and street lighting. Additionally, this includes the external storm sewer and stormwater outlet which are located within easements across the County-owned former rail corridor and the property at 5 John Street.

### Analysis

The Town Works related to the Scone subdivision development have been completed and certified by the developer's engineer and inspected and accepted by the Town Engineer. All of the works to be assumed by the Town for this development are located within existing municipal rights-of-way and there are no new roads to be designated as public highways.

As the maintenance period has been fulfilled, final inspections have been completed for the works to be assumed by the Town and these works have been satisfactorily completed by the developer in accordance with the subdivision agreement and Town standards, a final acceptance by-law and certificate have been prepared and are ready for consideration by Council.

### Financial Impact

Upon issuance of the final acceptance certificate, the developer is released from the subdivision agreement and the Town is required to release the remaining securities for the Town Works. As some components of the Condominium Works remain under the required maintenance period, including the landscaping and work within Block 7, a portion of the security for these works will be retained by the Town until all requirements under the Subdivision Agreement have been fulfilled.

### Policies & Implications (if any) Affecting Proposal

N/A

## Consultation and Communications

Agency and public notification and consultation was completed for the draft plan and related planning approvals, in accordance with the Planning Act.

## Council Strategic Priorities

Council's Strategic Priorities has three Goals - Sustainable, Engaged and Livable. There are a total of 12 targets with the three Goals. This report aligns with the Sustainable Goals within the Target:

SP2: Invest in critical infrastructure and services for the future.

SP3 Promote balanced growth

## Supporting Documentation

By-law 06-2025

Respectfully Submitted:

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Steve Wever, MCIP, RPP, Town Planner

Reviewed by:

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Denyse Morrissey, CAO

**CORPORATION OF THE TOWN OF SHELBURNE**

**BY-LAW NUMBER 06-2025**

**Shelburne Towns  
Plan 7M-80 and Plan 7M-81 – Town Works  
Final Acceptance**

**WHEREAS** the Council of The Corporation of the Town of Shelburne entered into a subdivision agreement with Scone Developments Inc., registered as DC243202 on May 12, 2022;

**WHEREAS** Scone Developments Inc. has completed all the “Town Works” as defined and required pursuant to the subdivision agreement, and has requested a Certificate of Final Acceptance;

**AND WHEREAS** the Council of The Corporation of the Town of Shelburne deems it expedient to accept the Town Works completed within the lands described in Schedule "A" attached hereto;

**NOW THEREFORE THE CORPORATION OF THE TOWN OF SHELBURNE BY THE MUNICIPAL COUNCIL THEREOF ENACTS AS FOLLOWS:**

1. That Certificate of Final Acceptance, substantially in the form attached hereto as Schedule “B” be issued by the Town Clerk.
2. That the “Town Works” as defined by and constructed pursuant to the subdivision agreement are hereby assumed as public services, save and except those services reserved on the Certificate of Final Acceptance.
3. That the balance of the “Town Works” security held pursuant to the subdivision agreement be released, after the payment of the Town’s expenses to date, including those associated with the Final Acceptance.

**BY-LAW READ A FIRST AND SECOND TIME THIS 24TH DAY OF FEBRUARY, 2025.**

**BY-LAW READ A THIRD TIME AND ENACTED THIS 24TH DAY OF FEBRUARY, 2025.**

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MAYOR

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CLERK

## **SCHEDULE "A"**

### **BY-LAW NUMBER 06-2025**

All and Singular those certain parcels or tracts of land and premises situate, lying and being in the Town of Shelburne, in the County of Dufferin, and being composed of:

Registered Plan No. 5A – Elizabeth Street, known as First Avenue, from the west limit of Gordon Street to the easterly limit of Plan 7M-81

Registered Plan No. 5A – Station Street, known as Second Avenue, from the west limit of Gordon Street to the easterly limit of Plan 7M-80

Registered Plan No. 5A – Gordon Street at either side of and through its intersection with First Avenue.

John Street – from Main Street West to its northerly limit.

**SCHEDULE "B"**

**BY-LAW NUMBER 06-2025**

The Corporation of the Town of Shelburne

Certificate of Final Acceptance

**Shelburne Towns  
Plan 7M-80 and Plan 7M-81 – Town Works**

This Certificate of Final Acceptance is issued pursuant to a Subdivision Agreement between The Corporation of the Town of Shelburne ("Municipality") and Scone Developments Inc. ("Owner").

The following are the facts upon which this Certificate was issued:

1. The Municipality and the Owner entered into an agreement with respect to the land referred to herein ("Agreement") which is registered in the Land Titles Office for the Land Titles Division of Dufferin (No. 7) on May 12, 2022, as Instrument DC243202.
2. The Owner has complied with all terms of the Agreement in respect of the "Town Works" as defined therein.

The Municipality hereby grants its final acceptance for the services that are required to be completed by the Agreement and certifies that the Owner has satisfied all other obligations that it is required to fulfill for the granting of this Certificate. The registration of this Certificate will act as a complete release of the land upon the title to which it has been registered from the terms of this Agreement, save and except as provided in the following:

**- Nil -**

This Certificate of Final Acceptance is issued as of \_\_\_\_\_, 2025.

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Jennifer Willoughby  
Shelburne Town Clerk