



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

Meeting Date: Monday, February 24, 2025

To: Mayor Mills and Members of Council

From: Steve Wever, MCIP, RPP, Town Planner

Report: P2025-02

Subject: **Emerald Crossing (Shelburne 89 Developments Limited) Subdivision Final Acceptance – Phase 1**

Recommendation

Be it Resolved that Council of the Town of Shelburne receives Report P2025-02 regarding final acceptance of the Emerald Crossing (Shelburne 89 Developments Limited) Subdivision; and

Be it Resolved that By-law 07-2025, being a By-law to authorize final acceptance of the Phase 1 of the Emerald Crossing (Shelburne 89 Developments Inc.) Subdivision (Plan 7M-79), be read a first, second and third time and finally passed, authorizing staff to issue the final acceptance certificate upon receiving the required statutory declarations, as-constructed drawings and documentation, CCTV and a contingency deposit for curb repairs and rectifying any final landscape deficiencies within the stormwater management facility block, and the requirement to provide a surveyor's certificate for the entire subdivision prior to Phase 2 final acceptance.

Background

The Town entered into a subdivision agreement with Shelburne 89 Developments Limited in July 2021 for the Emerald Crossing (Fieldgate) plan of subdivision located to the north-east of the intersection of Highway 10/89 and County Road 124 and registered as Plan 7M-79. The agreement provides for municipal assumption of the works (or a subset thereof) within the subdivision including the roads, underground infrastructure, stormwater

management and drainage facilities, landscaping within the road rights-of-way, and the other lands dedicated into Town ownership a part of this subdivision. The owner/developer has completed the works within the Phase 1 area of the subdivision which is generally the area between Anishinaabe Drive and Highway 10/89, excluding the park block and the sanitary pumping station which remain under the required maintenance period prescribed by the agreement. At this time, the owner/developer is requesting final acceptance of Phase 1, limited to the area shown as "Phase 1 – Final Assumption" on the enclosed subdivision plan.

Analysis

The works to be assumed by the Town within the Phase 1 area of the subdivision development have been completed and certified by the developer's engineer and inspected and accepted by the Town Engineer, including:

- Anishinaabe Drive
- Ojibway Road
- Potawatomie Crescent
- Red Elm Road
- Black Cherry Crescent
- Block 218 – Stormwater Management Facility

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. Subject to Council's approval and enactment of the final acceptance by-law, staff will be in a position to issue the final acceptance certificate for the above subject to receiving the following items remaining under the Subdivision Agreement:

- The required statutory declarations;
- The required as-constructed drawings and documentation, CCTV video inspection reports and certification of acoustic fencing to the satisfaction of the Town Engineer;
- A contingency deposit for curb repairs and for rectifying any final landscape deficiencies within the stormwater management facility block.

Additionally, the owner/developer will be required to provide a surveyor's certificate for the entire subdivision prior to Phase 2 final acceptance.

The roads north of Anishinaabe Drive and the park block and sanitary pumping station are not part of the Phase 1 final acceptance recommendation and will

be addressed as part of Phase 2 final acceptance when all remaining requirements for the subdivision development have been satisfied.

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 subset of works (Phase 1) which are being assumed. Responsibility for ongoing maintenance of the roads and services within the Phase 1 area will be vested with the Town. The owner/developer will be required to review and complete curb repairs as required by the Town based on past and upcoming inspections. The stormwater management block will be monitored and the Town will maintain a contingency deposit for any damage or other issues arising prior to Phase 2 final acceptance.

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 07-2025

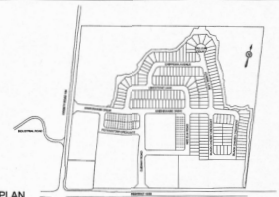
Respectfully Submitted:

Steve Wever, MCIP, RPP, Town Planner

Reviewed by:

Denyse Morrissey, CAO

PHASE 1 - FINAL ASSUMPTION
EXCLUDING PARK BLOCK 219
& PUMP STATION BLOCK



KEYPLAN
N.T.S.

BENCHMARK:
ELEVATIONS SHOWN ON THIS PLAN ARE RELATED TO GEODETIC DATUM AND ARE DERIVED FROM BENCHMARK NAD83/885519 HAVING A PUBLISHED ELEVATION OF 489.349 METRES.

LEGEND

- STORM MANHOLE
- STORM CATCH-BASIN
- STORM DOUBLE CATCH-BASIN
- SANITARY MANHOLE
- ⊗ WATER VALVE
- ◇ HYDRANT AND VALVE
- ◇ EXISTING STORM CATCH-BASIN
- EXISTING STORM MANHOLE
- ⊗ EXISTING SANITARY MANHOLE
- ⊗ EXISTING VALVE
- ◇ EXISTING HYDRANT

- STORM SEWER
- SANITARY SEWER
- WATERMAIN
- FORCEMAIN
- EXISTING STORM SEWER
- EXISTING SANITARY SEWER
- STREET LINE
- SANITARY SERVICE
- WATERMAIN SERVICE WITH CURB STOP

- MAX 4:1 EMBANKMENT (UNLESS OTHERWISE NOTED)
- TACTILE WALKING SURFACE INDICATORS

NOTE:
ALL LOTS TO BE EQUIPPED WITH FOUNDATIONS DRAINS AND SUMP PUMPS THAT DISCHARGE TO GRADE.

RE: IMPROVED ELEVATIONS ARE IN METERS (AS PER OVERWHELED FOR 90% ARE IN METERS).

14	COUNTY RESUBMISSION	21-10-08	EJM
13	COUNTY RESUBMISSION	21-10-05	EJM
12	COUNTY RESUBMISSION	21-10-01	CKR
11	COUNTY RESUBMISSION	21-09-28	EJM
10	COUNTY RESUBMISSION	21-09-03	EJM
9	FOR WATERMAIN AND FORCEMAIN APPROVAL ONLY	21-08-25	EJM
8	TOWN SUBMISSION	21-06-08	EJM
NO	REVISION		

ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED

CLIENT: **SHELBRUNE 89 DEVELOPMENTS LTD**

CONSULTANT: **WISSON ENGINEERING & MANAGEMENT**

Town Approval
APPROVED AS TO FORM IN RELIANCE UPON THE PROFESSIONAL SKILL AND ABILITY OF THE QUALIFIED PROFESSIONALS WHO STAMPED THE DRAWINGS AS TO DESIGN AND SPECIFICATION

DIRECTOR OF DEVELOPMENT AND OPERATIONS OR WORKS SUPERVISOR,
TOWN OF SHELBRUNE

MUNICIPALITY: **TOWN OF SHELBRUNE**

205 MAIN STREET EAST
SHELBRUNE, ON L9V 3K7

PROJECT TITLE: **SHELBRUNE COMMERCIAL AND RESIDENTIAL SUBDIVISION**

DRAWING TITLE: **GENERAL SERVICING PLAN**

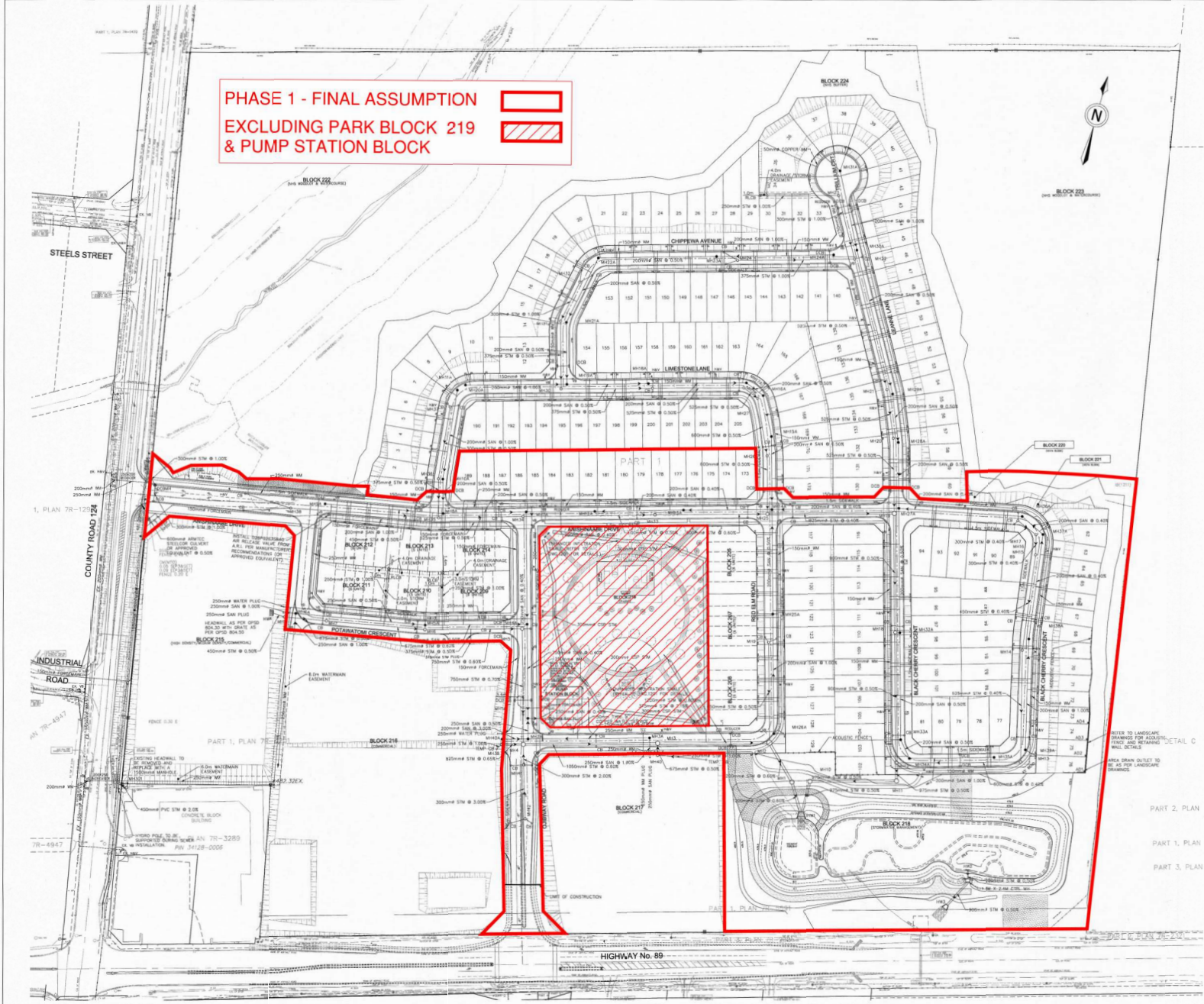
DESIGNED BY: **E.J.M.**
CHECKED BY: **G.K.R.**
APPROVED BY: **E.J.M.**

DATE: **21-10-8**

SCALE: **1:1250**

PROJECT: **15786**

DRAWING NO. **102**



CORPORATION OF THE TOWN OF SHELBURNE

BY-LAW NUMBER 07-2025

**Emerald Crossing Phase 1
Plan 7M-79 – Anishinaabe Drive, Ojibway Road, Potawatomi Crescent, Red Elm
Road, Black Cherry Crescent and Block 218 (Stormwater Management Facility)
Final Acceptance**

WHEREAS the Council of The Corporation of the Town of Shelburne entered into a subdivision agreement with Shelburne 89 Developments Limited, registered as DC235450 on October 7, 2021;

WHEREAS Shelburne 89 Developments Limited has completed all the work pursuant to the subdivision agreement, for the Phase 1 area, and has requested a Certificate of Final Acceptance;

WHEREAS the Municipal Act, 2001, s. 31, permits the Council of every municipality to establish a highway by by-law;

AND WHEREAS the Council of The Corporation of the Town of Shelburne deems it expedient to establish the lands described in Schedule "A" attached hereto and assume the same as a highway;

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

1. That the lands described in Schedule "A" attached hereto are hereby laid out and established as part of the common and public highway upon which they abut in The Corporation of the Town of Shelburne, in the Corporation of the County of Dufferin.
2. That Certificate of Final Acceptance, substantially in the form attached hereto as Schedule "B" be issued by the Town Clerk.
3. That the municipal services in Registered Plan 7M-79 (Anishinaabe Drive, Ojibway Road, Potawatomi Crescent, Red Elm Road, Black Cherry Crescent and Block 218) constructed pursuant to the subdivision agreement are hereby assumed as public services, save and except those services reserved on the Certificate of Final Acceptance.
4. That the balance of the 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, and the Town's receipt of a deposit for curb repairs, and rectification of any deficient landscape works required in the Stormwater Management Block (Plan 7M-79 Block 218) to the satisfaction of the Town's Director of Development & Operations.

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.

MAYOR

CLERK

SCHEDULE "A"

BY-LAW NUMBER 07-2025

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:

Anishinaabe Drive, Ojibway Road, Potawatomi Crescent, Red Elm Road and Black Cherry Crescent as shown on 7M-79

SCHEDULE "B"

BY-LAW NUMBER 07-2025

The Corporation of the Town of Shelburne

Certificate of Final Acceptance

Emerald Crossing Phase 1

Plan 7M-79 – Anishinaabe Drive, Ojibway Road, Potawatomi Crescent, Red Elm Road, Black Cherry Crescent and Block 218 (Stormwater Management Facility)

This Certificate of Final Acceptance is issued pursuant to a Subdivision Agreement between The Corporation of the Town of Shelburne ("Municipality") and Shelburne 89 Developments Limited ("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 October 7, 2021, as Instrument DC235450.
2. The Owner has complied with all terms of the Agreement.

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.

Jennifer Willoughby
Shelburne Town Clerk