

COMMITTEE OF THE WHOLE - JUNE 19, 2012

ASSUMPTION – NORTHDAL RIDGE PHASE 2 19T-02V02, PLAN OF SUBDIVISION 65M-3821 WARD 1 – VICINITY OF DUFFERIN STREET AND HUNTERWOOD CHASE

Recommendation

The Commissioner of Engineering and Public Works recommends:

1. THAT Council enact the necessary by-law assuming the municipal services that are set out in the Subdivision Agreement for Plan 65M-3821 subject to the Owner satisfying its financial obligations as outlined in this report to the satisfaction of the City;
2. THAT the City assume the wastewater pumping station and associated sewage forcemain in the Northdale Ridge Developments Limited, Phase 1 Plan of Subdivision 65M-3544 subject to the Owner paying the City \$34,000 to fund the operating and maintenance cost of the station up to January 2014;
3. THAT the Municipal Services Letter of Credit be reduced to \$5,000 to guarantee the replacement of any dead or diseased boulevard trees identified by the Parks and Forestry Department following an inspection in June 2012. The Municipal Services Letter of Credit will be release once the Parks and Forestry Department is satisfied with the condition of the streetscaping in the subdivision; and
4. THAT the securities held by the City in connection with the Northdale Ridge Developments Limited Plans of Subdivision 65M-3544 and 65M-3821 be released after the Owner has fulfilled its financial obligations as outlined in this report.

Contribution to Sustainability

The municipal services recommended for assumption in this report have been designed and constructed in accordance with City standards which include consideration for sustainability.

Economic Impact

Upon assumption of this development, approximately 0.3 lane kilometers of roadway and associated municipal services including sanitary sewers, wastewater pumping station, watermain, street lighting, sidewalk, etc., will be added to the City's network of infrastructure. This additional infrastructure is valued at \$836,000 and will incur the normal expense associated with annual operation and maintenance activities of approximately \$45,600 as shown on the following chart:

Item Description	As Constructed Costs	Approximate Annual Operating Costs (*)
Watermain	\$ 95,300	\$12,000
Storm sewers	\$148,900	\$ 540
Sanitary Sewers	\$110,200	\$15,500
Road	\$277,600	\$ 740
Street lights	\$ 36,000	\$ 720
Street Trees	\$ 18,000	\$ 1,100
Wastewater Pumping Station	\$150,000	\$15,000
Totals	\$836,000	\$45,600

() Annual Operating Costs derived from the 2009 Municipal Performance Measures Summary and the Parks and Forestry Operations Department.*

The life cycle costs associated with this additional infrastructure will be accounted for in the City's future multi-year budgets.

Communications Plan

The pertinent City departments will be notified of the assumption of this subdivision.

Purpose

The purpose of this report is to inform Council that the construction of the municipal services in the Northdale Ridge Phase 2 subdivision has been completed in accordance with the subdivision agreement and can now be considered for assumption by the City.

Background - Analysis and Options

The Northdale Ridge Phase 2 Subdivision, Plan of Subdivision 65M-3821 is a 31 lot residential development located on the west side of Dufferin Street and north of Teston Road in Block 20 as shown on Attachment No.1. This subdivision is situated at the south slope of the Oak Ridges Moraine and is comprised of large executive lots with frontages ranging between 10m to 15m.

The subdivision agreement with Northdale Ridge Developments Limited was executed on October 4, 2004, and the Plan of Subdivision was subsequently registered on June 2, 2005. The construction of the roads and municipal services in Plan 65M-3821 was substantially completed in September 2006. The developer has maintained the municipal services in the subdivision since then which exceeds the minimum thirteen month maintenance period prescribed in the subdivision agreement.

Northdale has Co-operated with the City to Try to Addresses Lot Drainage Issues

The Northdale subdivision contains large executive lots approximately 0.30 acres in size. The development is located within the Oakridges Moraine so the underlying soils in the area are relatively porous. The grading of the lots was designed by the developer's engineering consultant in accordance with the City's urban lot grading design criteria with two notable exceptions. The length and drainage area to side yard swales on many lots exceeded the criteria because of the size of the lots. These exceptions were accepted by the City given the suburban character of the development, the porous nature of the soils, and the need to satisfy the objectives of the *Oak Ridges Moraine Act* including maintaining the hydrological functions of the area and landform conservation.

The houses in the development were constructed between 2005 and 2006. During the summer of 2006, the homeowners of lots 11, 12 and 13 raised concerns with respect to the drainage on their lots. The homeowners' key concerns related to surface water ponding and the volume of water flowing along the side yard swales during significant rain events. Northdale addressed these issues by undertaking some remedial grading works on the lots to resolve the ponding issue and adjusting the elevation of certain segments of the sidewalk along Mapledown Way to improve drainage. The topography of the lots was subsequently surveyed, which confirmed that the "as constructed" grade of the lot line swales met or exceeded the City's minimum slope of 2.0%. The consulting engineers for Northdale, Skira and Associates Ltd., subsequently issued lot grading certificates for lots 14, 15, 16 on September 26, 2006 and for lots 11, 12, 13 on December 01, 2006.

The homeowners of lots 11 to 16 continued to have concerns with respect to the volume of water flowing along the side yard swales during significant rain events. The side yard swales on these lots collect and convey surface water from a portion of the abutting lot(s) to the north in accordance with the approved construction drawings. In an effort to address this concern, City staff has been working with Northdale and the homeowners since 2008 to arrive at a mutually

agreeable response to the issue. Over this time period, a number of measures have been proposed including the installation of rear lot catch basins and infiltration trenches.

A meeting was held on June 28, 2011 at which a majority of the affected property owners elected for the installation of lot line infiltration trenches in the rear yard rather than a more typical rear lot catch basin option. Due to the comprehensive nature of the changes, it was necessary that all of the affected property owners accept the installation of the infiltration trenches so a formal written offer/permission to enter was sent to each of the owners on October 24th, 2011. The notice explained that the City would be proceeding to assume the subdivision on the basis of the existing approved grading if the infiltration trenches were not approved by all six property owners. None of the property owners elected to accept the offer. Accordingly, City staff and Northdale consider the matter closed.

Since the grading and drainage of all the lots within the Northdale subdivision have been certified by the consulting engineer to conform to the approved construction drawings and good engineering practices, Northdale has requested that the subdivision be assumed pursuant to the subdivision agreement.

Assuming the Temporary Wastewater Pumping Station is Appropriate Given Elapsed Time

The Northdale subdivision is within the service area of the Regional Bathurst Trunk Sanitary Sewer. Since an outlet to this Regional trunk sewer was not available in 2001 when the Northdale phase 1 subdivision proceeded, Northdale was permitted to develop on the basis of an interim sanitary sewer servicing scheme, which included the use of a temporary wastewater pumping station. Pursuant to the phase 1 subdivision agreement, Northdale is required to pay the cost of operating and maintaining this temporary pumping station until the ultimate gravity outlet to the Bathurst Trunk Sewer is available and the station is decommissioned. The Northdale temporary pumping station has been in operation since approximately the beginning of 2002.

With the recent development of the lands south of Northdale, a gravity sewer outlet is now available; however, there is still a capacity constraint in a downstream temporary pumping station in Block 12 that prevents the decommissioning of the Northdale pumping station at this time. This capacity constraint will be resolved when either an additional segment of sewer is constructed in conjunction with the development of remaining lands in the south end of Block 12 or significant improvements, valued at about \$150,000, are undertaken to the existing Block 12 temporary pumping station. The timing for the development of the remaining lands in Block 12 is unknown and the pumping station improvements are unaffordable.

The developer has been funding the operating and maintenance of the temporary pumping station for approximately 10 years now at a cost of about \$15,000 per year. This temporary pumping station was never envisioned to be in service as long as it has been, and the timing for the construction of the outlet sewer in Block 12 that will permit the decommissioning of the Northdale pumping station is expected to be a number of years away. Accordingly, Northdale has requested the City consider assuming the pumping station at this time. Given the unusual circumstance, staff considers it reasonable for the City to assume the pumping station but has negotiated a commitment from Northdale to continue to pay the City the cost of operating and maintaining the temporary pumping station until January 2014 to mitigate future operating budget impact. Based on an operation and maintenance of approximately \$15,000 per year, the commitment would amount to a \$34,000 contribution. After January 2014, the City would begin to incur the normal expense associated with annual operation and maintenance of the pumping station until it is decommissioned at some point in the future.

Notwithstanding the assumption of the temporary pumping station, Northdale is still required to pay the City the estimated cost associated with the decommissioning of the temporary pumping station and forcemain in the future, which is estimated at \$50,000 including engineering costs. In addition, prior to assumption, Northdale will be required to pay the City approximately \$66,000 in outstanding operating and maintenance costs to December 2011.

Northdale to Contribute to Downstream Oversizing Cost Before Assumption

Under the terms of their phase 1 and 2 subdivision agreements, Northdale is obligated to contribute financially to the oversizing of the downstream sanitary sewer system. Northdale has posted securities with the City to guarantee the payment of these contributions. Based on the area of the Northdale subdivisions, Northdale's contribution to the downstream sanitary sewer system is detailed in the table below:

Subdivision Name	Oversizing Cost/ha	Northdale Ph 1	Northdale Ph 2	Total Contribution
Mackenzie Ridge (19T-03V11)	\$1,073.73	\$23,074.46	\$3,017.18	\$26,091.64
Block 12 Spine Services	\$1,669.06	\$35,868.10	\$4,690.06	\$40,558.16
Total				\$66,649.80

Prior to assumption, Northdale will be required to remit these amounts to the City, and the City will in turn forward the monies to the downstream developers less the City's administration costs.

In addition to the above, Northdale is obligated to pay its proportionate share of the oversizing cost associated with the future trunk sanitary sewer in the southern portion of Block 12, which has not been constructed yet. This future sewer link will complete the gravity outlet for the lands in OPA 332 including the Northdale subdivisions. Northdale's proportionate share of this future sewer has been estimated by the Block 12 Consulting Engineer to be about \$50,000. However, the Block 12 Developers Group has advised that they would be prepared to accept a lesser contribution of \$25,000 given the financial circumstances associated with the Northdale subdivisions. Accordingly, staff is recommending that Northdale provide the City \$25,000 as their contribution towards the future sanitary trunk sewer in Block 12 prior to the assumption of the subdivision. After receipt of the funds, the City will in turn forward the \$25,000 contribution to the Block 12 Developers Group.

The following table summarizes Northdale's remaining financial obligations.

Item Description	Northdale's Financial Obligation (\$)
Mackenzie Ridge - Sanitary Sewer Oversizing	\$26,091.64
Block 12 Spine Servicing - Sanitary Sewer Oversizing	\$40,558.16
Outstanding Temporary Pumping Station Operating Costs (*)	\$66,000.00
Future Pumping Station Operating Costs to January 2014 (*)	\$34,000.00
Pumping Station & Forcemain Decommissioning Cost	\$50,000.00
Block 12 South Future Sanitary Sewer Oversizing (L/C)	\$25,000.00
Total	<u>\$241,649.80</u>
Securities posted with the City	<u>\$370,720.00</u>

NOTE (*) – Value to be adjusted to reflect the amount owing on the day of assumption

The existing securities posted with the City will be drawn down to satisfy these payments.

City Departments Provide Clearances for Assumption

The developer has maintained the municipal services in the subdivision during the required minimum thirteen month maintenance period. The municipal services in the subdivision and the grading of all lots have been certified by the developer's engineering consultant. Accordingly,

Northdale has requested that the roads and municipal services in the subdivision be assumed by the City, and that the development securities held by the City be drawn on to pay for various cost sharing obligations and to the costs associated with the temporary sanitary pumping station and forcemain as noted above.

All documentation required by the subdivision agreement for assumption has been submitted. Engineering staff, in conjunction with the developer's consulting engineer, have conducted all the necessary inspections of the municipal services in the subdivision and are now satisfied with the extent of the works.

The Commissioner of Engineering and Public Works has received clearance from the pertinent City Departments including Development/Transportation Engineering, Building Standards, Parks Development, Development Planning, Public Works and Clerks. The Parks Operations and Forestry Department has advised they have no objections to the assumption of the subdivision subject to a \$5,000 holdback pending a final inspection of the boulevard trees in June 2012. In addition, the Reserves and Investments Department has advised they have no objections to the assumption of the subdivision subject to Northdale satisfying its outstanding financial obligations as outlined in this report.

Relationship to Vaughan Vision 2020

The development of this subdivision and the assumption of the municipal services are consistent with Vaughan Vision 2020, which encourages management excellence through planned and managed growth and the maintenance of City assets and infrastructure. This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

There are no Regional implications with respect to the assumption of the municipal works within this subdivision development.

Conclusion

The construction of the roads and municipal services associated with Northdale Ridge Phase 2, Plan of Subdivision 65M-3821 has been completed in accordance with the Subdivision Agreement. Prior to assumption, the developer has agreed to pay its financial obligations associated with the temporary pumping station and the downstream sanitary sewer oversized by the City drawing down on the existing securities posted with the City. Accordingly, it is appropriate that the roads and municipal services including the wastewater pumping station in Plan 65M-3821 be assumed, and the Municipal Services Letter of Credit be reduced to \$5,000 to guarantee the replacement of any dead or diseased boulevard trees identified by the Parks and Forestry Department following an inspection in June 2012. The reduced Municipal Services Letter of Credit will be released once the Parks and Forestry Department is satisfied with the streetscaping in the subdivision.

Attachments

1. Location Map

Report prepared by:

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Respectfully submitted,

Paul Jankowski, P. Eng.
Commissioner of Engineering and Public Works

Andrew Pearce, C.E.T.
Director of Development/
Transportation Engineering

FS/kw

ATTACHMENT No. 1



ASSUMPTION APPROVAL NORTHDAL RIDGE PHASE 2

19T-02V02

LOCATION : PART OF LOT 27
CONCESSION 3

LEGEND

 SUBJECT LANDS



NOT TO SCALE

Drawing name: O:\Engineering Services\Infrastructure Management\Infrastructure\PROJECTS\ATTACHMENT_TEMPLATE\Northdale Ridge Phase 2\Assumption_NorthdaleRidge.pdf