



Report n° PE2023-018

Date: April 12, 2023

Submitted by: Marie-Eve Bélanger

Subject: Assumption of Charbonneau Street

Nature/Goal

The nature of this report is to assume Charbonneau Street in Clarence Point.

Directive/Previous policy

N/A

Department's recommendation

BE IT RESOLVED THAT Council adopts Assumption By-law 2023-28 for Charbonneau Street (plan 50M-257 and Parts 1 to 20, Plan 50R-6456).

QU'IL SOIT RÉSOLU QUE le conseil adopte le règlement 2023-28 pour assumer la rue Charbonneau (Plan 50M-257 et partie 1 à 20 du Plan 50R-6456).

Background

N/A

Discussion

In the Subdivision Agreement, it is the Owner's responsibility to maintain and repair a road and any infrastructure until the City is completely satisfied that the Works have been completed to the municipality's specifications and requirements. If a dispute arises between a builder/developer regarding the Works done, then the municipality can use an assumption by-law to limit its exposure and avoid legal undertakings.

All Works have now been completed and many inspections were completed by the City's Engineer. The Department is in a position to recommend to Council that Charbonneau Street, Plan 50M-257 and Parts 1 to 20, Plan 50R-6456, be assumed along with all the Works associated with that development project..

Consultation

n/a

Recommendations or comments from committee/ other departments

n/a

Financial impact (expenses/material/etc.)

The City will now be responsible to maintain the Works for this subdivision and repair any damage or breaks from hereon.

Legal implications

The City will now assume the road and all Works related to ownership of these public assets.

Risk management

If there were a dispute between a builder/developer regarding the works to be done and no assumption by-law were in place, then the municipality would be exposed to legal undertakings. By approving this assumption By-law, Council limits the Corporation's exposure to any legal undertaking. Essentially, the practice of passing an assumption By-law is good protection for the municipality.

Strategic implications

n/a

Supporting documents

By-law 2023-28

Plan 50M-257

Plan 50R-6456