



PE2023-040

Date: October 11th, 2023

Submitted by: Marie-Eve Bélanger

Subject: Assumption of Subdivision Michel Paquette (Voie Ferrée Street)

Nature/Goal

The nature of this report is to assume Voie Ferrée Street in the Michel Paquette Subdivision project in Cheney

Directive/Previous policy

N/A

Department's recommendation

BE IT RESOLVED THAT By-law 2023-062, being a by-law to assume for public use, Voie Ferrée Street (plan 50M-304) defined as being the Michel Paquette project in Cheney, be adopted.

QU'IL SOIT RÉSOLU QUE le règlement 2023-062, visant à assumer comme voie public, la rue Voie Ferrée (Plan 50M-304) définit comme le projet de Michel Paquette à Cheney, soit adopté.

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 been completed for the Michel Paquette project and many inspections were completed by the City's Engineer. The Department is in a position to recommend to Council that the project, being Voie Ferrée Street, Plan 50M-304 be assumed along with all the Works associated with the 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 2023-062

Plan 50M-304