



REPORT N° AMÉ-19-54-R

Date	17/06/2019
Submitted by	Marie-Eve Bélanger
Subject	Assumption of Charrons Street – Succession Laviolette
File N°	D-12-P-15

1) **NATURE/GOAL :**

To assume the project of Phase 8 of the Succession Laviolette Subdivision, Plan 50M-292.

2) **DIRECTIVE/PREVIOUS POLICY :**

N/A

3) **DEPARTMENT'S RECOMMENDATION :**

THAT the Committee of the Whole recommends that Council approve the Assumption By-law 2019-62 for the Phase 8 Laviolette Subdivision (plan 50M-292) being Charron Street in Rockland.

QUE le comité plénier recommande au conseil d'approuver le règlement 2019-62 pour assumer la Subdivision Laviolette – Phase 8 (plan 50M-292), soit la rue Charron à Rockland.

4) **BACKGROUND :**

On May 28th, 2019, the letter of credit was released to the Succession Laviolette since their work was completed as per the Subdivision Agreement's plans.

5) **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 and the securities have been released for the Phase 8 Laviolette Subdivision. The Infrastructure and Planning Department is in a position to recommend to Council that "rue Charron Street, Plan 50M-292" be assumed along with all the works associated with this project.

6) **PUBLIC MEETING:**

N/A

7) **RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :**

N/A

8) **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 now on.

9) **LEGAL IMPLICATIONS :**

The City will now assume the road and all works related to the project.

10) **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.

11) **STRATEGIC IMPLICATIONS :**

N/A

12) **SUPPORTING DOCUMENTS:**

Plan 50M-292

By-law 2019-62