



REPORT N° AMÉ-19-46-R

Date	07/08/2019
Submitted by	Marie-Eve Bélanger
Subject	Amendment to Draft Plan Conditions – Bourgon/Lavigne Subdivision
File N°	D-12-VVV

1) **NATURE/GOAL :**

The nature of this report is to bring forward a new condition to the Draft Plan of Subdivision approval dealing with the Cheney pedestrian crossing. This is following the March 27, 2019 County Council meeting which approved the minutes of the Public Works Committee Report dated March 13, 2019 and June 26th, 2019 County Council meeting.

2) **DIRECTIVE/PREVIOUS POLICY :**

n/a

3) **DEPARTMENT'S RECOMMENDATION :**

ATTENDU QUE le conseil municipal, sous forme de résolution, a adopté une série de 76 conditions relatives au projet de lotissement du développement Bourgon & Lavigne pour une Partie du lot 21, Concession 10, Russell Road - Cheney, le 4 février 2019; et

ATTENDU QUE le 27 mars 2019 le Conseil des Comtés a approuvé le procès-verbal du Comité des Travaux Publics du 13 mars 2019 au sujet d'un passage piétonnier à Cheney; et

ATTENDU QUE le 26 juin 2019 le Conseil des Comtés a approuvé le procès-verbal du Comité des Travaux publics du 12 juin 2019 au sujet du partage de coûts de ce passage piétonnier, et

ATTENDU QU'IL a été résolu de partager à parts égales, entre la Cité, le promoteur et les Comtés unis, le coût de l'installation du passage piétonnier sur le chemin Russell.

ATTENDU QUE selon l'article 51 (44) de la *Loi sur l'aménagement du territoire, L.R.O. 1990 chap. P.13*, le conseil municipal peut, à sa discrétion, modifier les conditions de son approbation;

QUE le comité plénier recommande au conseil municipal d'approuver l'ajout de la condition suivante pour l'ébauche du plan de lotissement, soumise par Lascelles Engineering & Associates Limited pour Développement Bourgon and Lavigne Development Inc, dossier numéro D-12-VVV-02 :

"That the United Counties of Prescott and Russell (UCPR) are responsible to design and install a pedestrian crossing treatment on County Road 2, in Cheney. This pedestrian crossing treatment will consist of a Pedestrian Crossover Level 2 Type "B" – Intersection (2-way) as per the Ontario Traffic Manual Book 15 along with any other apparatus such as proper line painting as per Ontario Traffic Manual, referred hereto as the "Works". The design, purchase and installation costs of the Works will be divided in three (Owner, City and UCPR). As such, the UCPR will require \$12,000.00, representing the estimated shared costs of the Owner, which shall be paid by the Owner via certified cheque or bank draft at the time of signing the subdivision agreement. The design, purchase and installation of the Works will be subject to City and UCPR budget approval. If the final costs of the design, purchase and installation of the Works are above the total estimated costs of \$36,000.00, the Owner shall pay to the UCPR the shared difference of the additional costs and if the final costs are lower than the estimated shared costs the UCPR will reimburse the shared difference to the Owner. Once, the design, purchase and installation costs of the Works are fully completed, the UCPR shall invoice the City for the actual shared final costs."

WHEREAS Council, through a resolution, adopted a series of 76 conditions in regards to the subdivision project of Bourgon & Lavigne for Part of Lot 21, Concession 10, Russell Road – Cheney, on February 4, 2019; and

WHEREAS on March 27, 2019, County Council approved the minutes of the March 13, 2019 Public Works Committee meeting in regards to a Cheney pedestrian crossing; and

WHEREAS on July 26, 2019, County Council approved the minutes of the June 12, 2019 Public Works Committee meeting in regards to the sharing of the costs of the pedestrian crossing;

WHEREAS it was resolved that the cost of the installation of the pedestrian crossing on Russell Road be shared equally between the City, the developer and the Counties; and

WHEREAS Section 51 (44) of the *Planning Act*, L.R.O. 1990 chap. P.13; municipal council can, at its discretion, modify the conditions of approval.

THAT the Committee recommends that municipal Council approve the following additional condition to the Draft Plan of Subdivision, submitted by Lascelles Engineering & Associates Limited for Développement Bourgon and Lavigne Developments Inc., file number D-12-VVV-02:

"That the United Counties of Prescott and Russell (UCPR) are responsible to design and install a pedestrian crossing treatment on County Road 2, in Cheney. This pedestrian crossing treatment will consist of a Pedestrian Crossover Level 2 Type "B" – Intersection (2-way) as per the Ontario Traffic Manual Book 15 along with any other apparatus such as proper line painting as per Ontario Traffic Manual, referred hereto as the "Works". The design, purchase and installation costs of the Works will be divided in three (Owner, City and UCPR). As such, the UCPR will require \$12,000.00, representing the estimated shared costs of the Owner, which shall be paid by the Owner via certified cheque or bank draft at the time of signing the subdivision agreement. The design, purchase and installation of the Works will be subject to City and UCPR budget approval. If the final costs of the design, purchase and installation of the Works are above the total estimated costs of \$36,000.00, the Owner shall pay to the UCPR the shared difference of the additional costs and if the final costs are lower than the estimated shared costs the UCPR will reimburse the shared difference to the Owner. Once, the design, purchase and installation costs of the Works are fully completed, the UCPR shall invoice the City for the actual shared final costs."

4) **BACKGROUND :**

Lascelles Engineering & Associates Ltd. (Lascelles) was retained by Développement Bourgon & Lavigne Development Inc., Mr. Jacques Bourgon & Mr. René Lavigne (the Applicant), to prepare an Application for an Approval of a Plan of Subdivision. The Phase 1 portion of the subdivision has been constructed and is nearing completion.

On November 16, 2018, the City received an application to move forward with registering and signing a Subdivision Agreement for Phase 2.

On February 4, 2019, City council gave Draft Approval for this subdivision.

On March 27, 2019, County Council approved the minutes of the March 13, 2019 Public Works Committee meeting in regards to a Cheney pedestrian crossing. It was resolved to impose the installation of the pedestrian crossing as a condition to the subdivision agreement for the proposed subdivision, south of County Road 2 in Cheney.

On June 26, 2019, County Council approved the minutes of the June 12, 2019 Public Works Committee meeting in regards to the sharing of the cost of the installation of the crossing.

On July 25th, 2019, the County Planner and Engineer forwarded the wording for the condition to be added.

5) **DISCUSSION :**

At the March 13, 2019 Public Works Committee meeting, the Committee discussed a request from the Mayor of the City of Clarence-Rockland, Mr. Desjardins, to have a pedestrian crossing installed on County 2, in Cheney. The Director of Public Works, Mr. Clermont, explained that at the public meetings for the new subdivision south of County Road 2, the crossing of County Road 2 to go to the park on the north side of County Road 2 was an issue. Since the request is mainly to serve the future subdivision, that the developer should pay for it. Mr. Clermont recommended a Level 2 type « B » crossover sign estimated at approximately \$36,000.

Following a City of Clarence-Rockland's Council meeting on May 22nd, 2019, Mr. Desjardins requested the Counties to finance a portion of the cost of the pedestrian crossing. On June 12, 2019, the Public Works Committee met and agreed that the cost would be split three ways. As such, the Counties has decided that they would require an amount of \$12,000.00 to be paid to them as part of the Subdivision Agreement. They also requested that if the estimated amount of \$36,000 is not enough to accomplish the works that a clause in the Subdivision Agreement would allow them to be paid back.

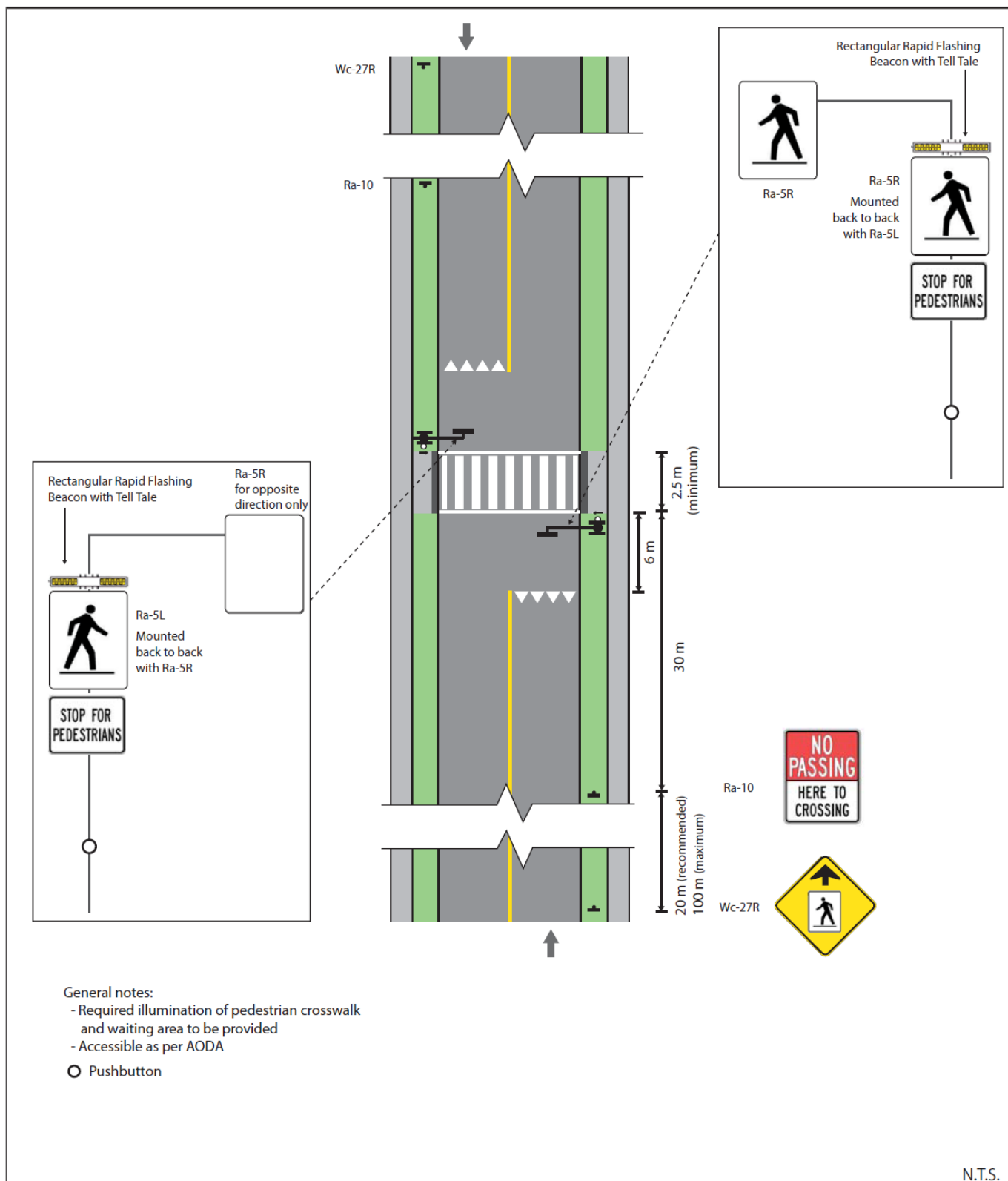


Figure 21: Pedestrian Crossover Level 2 Type B – Mid-block (2-lane, 2-way)

6) **CONSULTATION:**

Mr. Mario Élie from Lascelles Engineering was informed of the recommendation from the Counties.

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

n/a

8) **FINANCIAL IMPACT (expenses/material/etc.):**

The City will be required to pay a third of the cost of the installation of the pedestrian crossing for an approximate total of \$12,000.00. That amount will be included in the 2020 budget.

9) **LEGAL IMPLICATIONS :**

n/a

10) **RISK MANAGEMENT :**

The installation of a pedestrian crossover on Russell Road will help residents cross Russell Road safely to access the municipal park and thus removing the chance of an accident.

11) **STRATEGIC IMPLICATIONS :**

n/a

12) **SUPPORTING DOCUMENTS:**

n/a