



**Subject: Assumption By-Law for Potters Gate Subdivision Phase Two**

**Report Number:** OPD 25-051

Department: Operations and Development Department

Submitted by: Leo Ferreira, Manager of Engineering

Meeting Type: Council Meeting

Meeting Date: Monday, December 8, 2025

## **RECOMMENDATION**

- A. THAT report OPD 25-051 titled “Assumption By-Law for Potters Gate Subdivision Phase Two” be received as information; and
- B. THAT Council assumes public services/right-of-way within the Registered Plan 41M-272, more particularly described in the Subdivision Agreement between The Corporation of the Town of Tillsonburg and Oxnard Developments (2385667 Ontario Limited) dated March 12, 2019; and
- C. THAT a by-law to “assume municipal works and services in Registered Plan 41M-272” be presented to Council for consideration.

## **BACKGROUND**

On August 9, 2018, the Town of Tillsonburg entered into a Pre-Servicing Agreement with Oxnard Developments (2385667 Ontario Limited).

The subsequent Subdivision Agreement was executed on March 12, 2019, with Preliminary Acceptance of Underground Works/Services occurring on April 11, 2019.

Staff issued a Certificate of Final Acceptance of the Underground Works/Services and Certificate of Preliminary Acceptance of Above-ground Works/Services on March 7 and Marh 11, 2024 respectively.

Staff have verified that all works are compliant with the Town of Tillsonburg and Oxford County engineering design guidelines, and that all previously identified deficiencies have been corrected, concluding Phase Two and issuing a Certificate of Final Acceptance of Above-ground Works/Services on September 29, 2025.

## **DISCUSSION**

The following requirements have been satisfied per the Subdivision Agreement:

- All Environmental Compliance Approvals (ECA’s) and other applicable permits have been received

- The Town has received notification in writing from the Consulting Engineer stating that the works and services have been constructed in accordance with the approved design drawings and specifications
- The Town has received written confirmation from the Ontario Land Surveyor that all survey monuments and iron bars are in place
- All Certificates of Preliminary and Final Acceptance for Underground and Above-ground Works/Services have been issued and warranty periods lapsed
- The Town is in receipt of a Statutory Declaration from the Developer stating all accounts for work have been paid and that there are no outstanding claims or unsatisfied liens
- The Town has received proof that the Plan of Subdivision and Subdivision Agreement have been registered upon the title of the Lands
- The Town has received the final “As-Constructed” drawings

Staff have determined that the Underground and Above-ground Works/Services are in the required condition to be assumed and that all other requirements of the Subdivision Agreement have been satisfied as noted above. Therefore, Staff recommends that Council approve and pass an Assumption By-Law to assume the municipal works and services within Phase Two of the Potters Gate Subdivision.

**CONSULTATION**

Internal: Director of Operations and Development, Development Engineering Technologist & Drainage Superintendent

**FINANCIAL IMPACT/FUNDING SOURCE**

Acquired roads and services will be added to the asset inventory for future planning. The Public Works department will conduct regular maintenance activities including winter snow removal funded through its Annual Operating Budget.

**CORPORATE GOALS**

- Lifestyle and amenities
- Customer service, communication and engagement
- Business attraction, retention and expansion
- Community growth
- Connectivity and transportation
- Not Applicable

Does this report relate to a specific strategic direction or project identified in the Community Strategic Plan? Please indicate section number and/or any priority projects identified in the plan.

**Goal** – Tillsonburg residents and businesses will be connected to each other, regional networks, and the world through effective traditional and digital infrastructure.

**Strategic Direction** – Develop a robust, long-term asset management plan to inform evidence-based decisions on the maintenance, rehabilitation and replacement of municipal infrastructure.

**Priority Project** – *Ongoing Projects - Asset Management*

#### **ATTACHMENTS**

Appendix A – Registered Plan – 41M-272

Appendix B – Certificate of Final Acceptance