Meeting Date:	Monday, November 10, 2025
To:	Mayor Mills and Members of Council
From:	Steve Wever, MCIP, RPP, Town Planner
Report:	P2025-12
Subject:	**Hyland Village (Tribute (Shelburne) Limited) Subdivision Final Acceptance**

Recommendation

Be it Resolved that Council of the Town of Shelburne receives Report P2025-12 regarding final acceptance of the Hyland Village (Tribute (Shelburne) Limited) Subdivision; and

Be it Resolved that By-law 49-2025, being a By-law to authorize final acceptance of the Hyland Village (Tribute (Shelburne) Limited) Subdivision (Plan 7M-74), be read a first, second and third time and finally passed, authorizing staff to issue the final acceptance certificate upon receiving the required payment for municipal fees in accordance with the Subdivision Agreement.

Background

The Town entered into a subdivision agreement with Tribute (Shelburne) Limited in October 2018 for the Hyland Village plan of subdivision located along the south side of Main Street West and registered as Plan 7M-74. The agreement provides for municipal assumption of the works within the subdivision including the roads, underground infrastructure, stormwater management and drainage facilities, parkland, landscaping and other works within the lands dedicated into Town ownership a part of this subdivision. The owner/developer has completed the works within the subdivision and has maintained the works for the duration of the required maintenance periods under the Subdivision Agreement. At this time, the owner/developer is

requesting final acceptance of all of the roads, services and other works completed pursuant to the Subdivision Agreement.

Analysis

The works to be assumed by the Town within this subdivision development have been completed and certified by the developer's engineer and inspected and accepted by the Town Engineer, including:

- Barnett Drive
- Brooks Street
- Clark Street
- Gilmour Crescent
- Henderson Way
- McMullen Street
- Stewart Street
- Block 151 (Parkland)
- Block 152 (Pathway)
- Blocks 153, 154, 155, 156 and 157 (Buffers / Drainage)
- Blocks 158 and 159 (Access / Drainage / Servicing / Pathways)
- Block 160 (Besley Drain / Natural Environment and Pathway)
- Block 161 and 162 (Stormwater Management Facilities)
- Block 163, 164, 165 and 166 (Reserves)
- Block 167 (Entry Feature)

As the maintenance period has been fulfilled, final inspections have been completed for the works to be assumed by the Town and these works have been satisfactorily completed by the developer in accordance with the subdivision agreement and Town standards, a final acceptance by-law and certificate have been prepared and are ready for consideration by Council.

Subject to Council's approval and enactment of the final acceptance by-law, staff will be in a position to issue the final acceptance certificate for the above subject to receiving the final payment for municipal fees in accordance with the Subdivision Agreement, including those associated with the final acceptance.

The required acoustic fencing has been constructed along the easterly boundary and part of the northerly boundary of the subdivision to mitigate potential noise impacts with the existing industrial use to the east, but is not included as part of the final acceptance for the overall subdivision. This acoustic fencing is subject to a separate supplementary agreement, and the required maintenance period is 8 years from certification of the completed work. The certificate is dated September 2023 and therefore the maintenance period will run to September 2031 or until any deficiencies identified have been corrected to the satisfaction of the Town, whichever takes longer. A

financial security will be retained by the Town for the acoustic fencing, until final acceptance of the fencing. After final acceptance of the acoustic fencing, the responsibility for ongoing maintenance and repair of the fencing shifts to the individual landowners for the applicable lots and blocks.

Financial Impact

Upon issuance of the final acceptance certificate, the developer is released from the subdivision agreement and the Town is required to release the remaining securities for the works which are being assumed. Responsibility for ongoing maintenance of the roads and services within the subdivision will be vested with the Town (except for the acoustic fencing, as noted above).

Policies & Implications (if any) Affecting Proposal

N/A

Consultation and Communications

Agency and public notification and consultation was completed for the draft plan and related planning approvals, in accordance with the Planning Act.

Council Strategic Priorities

Council's Strategic Priorities has three Goals - Sustainable, Engaged and Livable. There are a total of 12 targets with the three Goals. This report aligns with the Sustainable Goals within the Target:

SP2: Invest in critical infrastructure and services for the future.
SP3 Promote balanced growth

Supporting Documentation

By-law 49-2025

Respectfully Submitted:

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Steve Wever, MCIP, RPP, Town Planner

Reviewed by:

_____

Denyse Morrissey, CAO

CORPORATION OF THE TOWN OF SHELBURNE

BY-LAW NUMBER #49-2025

Hyland Village

Plan 7M-74 – Barnett Drive, Brooks Street, Clark Street, Gilmour Crescent, Henderson Way, McMullen Street, Stewart Street, Block 151 (Parkland), Block 152 (Pathway), Blocks 153, 154, 155, 156 and 157 (Buffers / Drainage), Blocks 158 and 159 (Access / Drainage / Servicing / Pathways), Block 160 (Besley Drain / Natural Environment and Pathway), Block 161 and 162 (Stormwater Management Facilities), Block 163, 164, 165 and 166 (Reserves), Block 167 (Entry Feature)

Final Acceptance

WHEREAS the Council of The Corporation of the Town of Shelburne entered into a subdivision agreement with Tribute (Shelburne) Limited, registered as DC211691 on October 3, 2019;

WHEREAS Tribute (Shelburne) Limited has completed all the work pursuant to the subdivision agreement, and has requested a Certificate of Final Acceptance;

WHEREAS the Municipal Act, 2001, s. 31, permits the Council of every municipality to establish a highway by by-law;

AND WHEREAS the Council of The Corporation of the Town of Shelburne deems it expedient to establish the lands described in Schedule "A" attached hereto and assume the same as a highway;

NOW THEREFORE THE CORPORATION OF THE TOWN OF SHELBURNE BY THE MUNICIPAL COUNCIL THEREOF ENACTS AS FOLLOWS:

1. That the lands described in Schedule “A” attached hereto are hereby laid out and established as part of the common and public highway upon which they abut in The Corporation of the Town of Shelburne, in the Corporation of the County of Dufferin.

2. That the Certificate of Final Acceptance, substantially in the form attached hereto as Schedule “B” be issued by the Town Clerk.

3. That the municipal services in Registered Plan 7M-74 (Barnett Drive, Brooks Street, Clark Street, Gilmour Crescent, Henderson Way, McMullen Street, Stewart Street, Block 151 (Parkland), Block 152 (Pathway), Blocks 153, 154, 155, 156 and 157 (Buffers / Drainage), Blocks 158 and 159 (Access / Drainage / Servicing / Pathways), Block 160 (Besley Drain / Natural Environment and Pathway), Block 161 and 162 (Stormwater Management Facilities), Block 163, 164, 165 and 166 (Reserves), and Block 167 (Entry Feature)) constructed pursuant to the subdivision agreement are hereby assumed as public services, save and except those services reserved on the Certificate of Final Acceptance.

4. That the balance of the security held pursuant to the subdivision agreement be released, after the payment of the Town’s expenses to date, including those associated with the Final Acceptance.

PASSED IN OPEN COUNCIL THIS 10th DAY OF NOVEMBER 2025.

..... **.....**
MAYOR **CLERK**

By signing this by-law on November 10, 2025, Mayor Wade Mills will not exercise the power to veto this by-law and this by-law is deemed passed as of this date.

SCHEDULE "A"

BY-LAW NUMBER 49-2025

All and Singular those certain parcels or tracts of land and premises situate, lying and being in the Town of Shelburne, in the County of Dufferin, and being composed of:

Barnett Drive, Brooks Street, Clark Street, Gilmour Crescent, Henderson Way, McMullen Street and Stewart Street, as shown on 7M-74

SCHEDULE "B"

BY-LAW NUMBER 07-2025

The Corporation of the Town of Shelburne

Certificate of Final Acceptance

Hyland Village

Plan 7M-74 – Barnett Drive, Brooks Street, Clark Street, Gilmour Crescent, Henderson Way, McMullen Street, Stewart Street, Block 151 (Parkland), Block 152 (Pathway), Blocks 153, 154, 155, 156 and 157 (Buffers / Drainage), Blocks 158 and 159 (Access / Drainage / Servicing / Pathways), Block 160 (Besley Drain / Natural Environment and Pathway), Block 161 and 162 (Stormwater Management Facilities), Block 163, 164, 165 and 166 (Reserves), Block 167 (Entry Feature)

This Certificate of Final Acceptance is issued pursuant to a Subdivision Agreement between The Corporation of the Town of Shelburne ("Municipality") and Tribute (Shelburne) Limited ("Owner").

The following are the facts upon which this Certificate was issued:

1. The Municipality and the Owner entered into an agreement with respect to the land referred to herein ("Agreement") which is registered in the Land Titles Office for the Land Titles Division of Dufferin (No. 7) on October 3, 2019, as Instrument DC211691.

2. The Owner has complied with all terms of the Agreement.

The Municipality hereby grants its final acceptance for the services that are required to be completed by the Agreement and certifies that the Owner has satisfied all other obligations that it is required to fulfill for the granting of this Certificate. The registration of this Certificate will act as a complete release of the land upon the title to which it has been registered from the terms of this Agreement, save and except as provided in the following:

- Nil -

This Certificate of Final Acceptance is issued as of _____, 2025.

_____
Jennifer Willoughby
Shelburne Town Clerk