

COMMITTEE OF THE WHOLE - OCTOBER 19, 2009

ASSUMPTION – ARTIBUS, PHASE 2 19T-97V15 / 65M-3773 WARD 3

Recommendation

The Commissioner of Engineering and Public Works recommends:

1. That Council enact the necessary by-law assuming the municipal services that are set out in the Subdivision Agreement for Plan 65M-3773 subject to Artibus Development Corporation executing an agreement with the City with respect to the maintenance of the existing noise barrier (berm and noise fence) located on lands owned by Artibus Development Corporation immediately north of Lots 120 to 131 in the Plan;
2. That the municipal services letter of credit be reduced to \$50,000 and held until the maintenance of the existing noise barrier is no longer required; and
3. That the Mayor and Clerk be authorized to execute the maintenance agreement with Artibus Development Corporation.

Contribution to Sustainability

The municipal services recommended for assumption in this report have been designed and constructed in accordance with City standards which include consideration for sustainability.

Economic Impact

Upon assumption of this development, approximately 1.2 lane kilometers of roadway and associated municipal services including sanitary sewers, watermain, street lighting, streetscaping, sidewalk, etc., will be added to the City's network of infrastructure. This additional infrastructure will incur the normal expense associated with annual operation and maintenance activities plus eventual life cycle renewal.

Communications Plan

The pertinent City departments will be notified of the assumption of this subdivision.

Purpose

This report pertains to the assumption of the municipal services in Plan of Subdivision 65M-3773 by the City.

Background - Analysis and Options

The Artibus, Phase 2, Plan of Subdivision 65M-3773 is a 131 lot residential development located on the west side of Weston Road, south of Major Mackenzie in Block 39 as shown on Attachment No.1.

The Subdivision Agreement with Artibus Development Corporation was executed on July 16, 2004, and the Plan of Subdivision was subsequently registered on September 13, 2004. The construction of the roads and municipal services in Plan 65M-3773 was completed in June 2007.

The Developer has maintained the municipal services in the subdivision during the required minimum thirteen month maintenance period and has rectified all deficiencies. In addition, the

grading of all lots in the subdivision has been certified by the Developer's engineering consultant. Accordingly, the Developer has requested that the roads and municipal services in the subdivision be assumed by the City.

All documentation required by the Subdivision Agreement for assumption has been submitted. Engineering staff, in conjunction with the Developer's Consulting Engineer, have conducted all the necessary inspections of the municipal services in the subdivision and are now satisfied with the extent of the works.

The Commissioner of Engineering and Public Works has received clearance from all pertinent City Departments including Development/Transportation Engineering, Development Planning, Building Standards, Parks Development, Parks Operations and Forestry, Public Works, and Clerks. In addition, the Reserves and Investments Department has confirmed that all of the City's financial requirements associated with this subdivision have been satisfied.

As a component of the Artibus Phase 2 development, the Developer constructed a noise barrier (berm and noise fence) on lands adjacent to the Plan to attenuate the environmental noise originating from the existing Ministry of Transportation maintenance yard within the rear yard amenity areas on Lots 120 to 131 as shown on Attachment No.1. The noise barrier is located on lands that are external to the Plan which are owned by the Developer. This noise barrier must remain in place until the impact of environmental noise on these lots is no longer a concern. Since the Artibus Phase 2 Subdivision Agreement does not address the long term maintenance of this noise barrier after assumption, it is recommended that the Developer enter into a separate maintenance agreement with the City prior to the assumption of the Phase 2 Plan. In addition, the existing municipal services letter of credit be reduced to \$50,000 and held as security for the maintenance of the noise barrier.

Relationship to Vaughan Vision 2020

The development of this subdivision and the assumption of the municipal services are consistent with Vaughan Vision 2020, which encourages management excellence through planned and managed growth and the maintenance of City assets and infrastructure. This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

There are no Regional implications with respect to the assumption of the municipal works within this subdivision development.

Conclusion

The construction of the roads and municipal services associated with the Artibus Phase 2 Plan of Subdivision 65M-3773 has been completed in accordance with the Subdivision Agreement. Accordingly, it is appropriate that the roads and municipal services in 65M-3773 be assumed subject to the Developer executing an agreement with the City with respect to the maintenance of the existing berm and noise fence located immediately north of Lots 120 to 131 in the Plan, and that the municipal services letter of credit be reduced to \$50,000.

Attachments

1. Location Map

Report prepared by:

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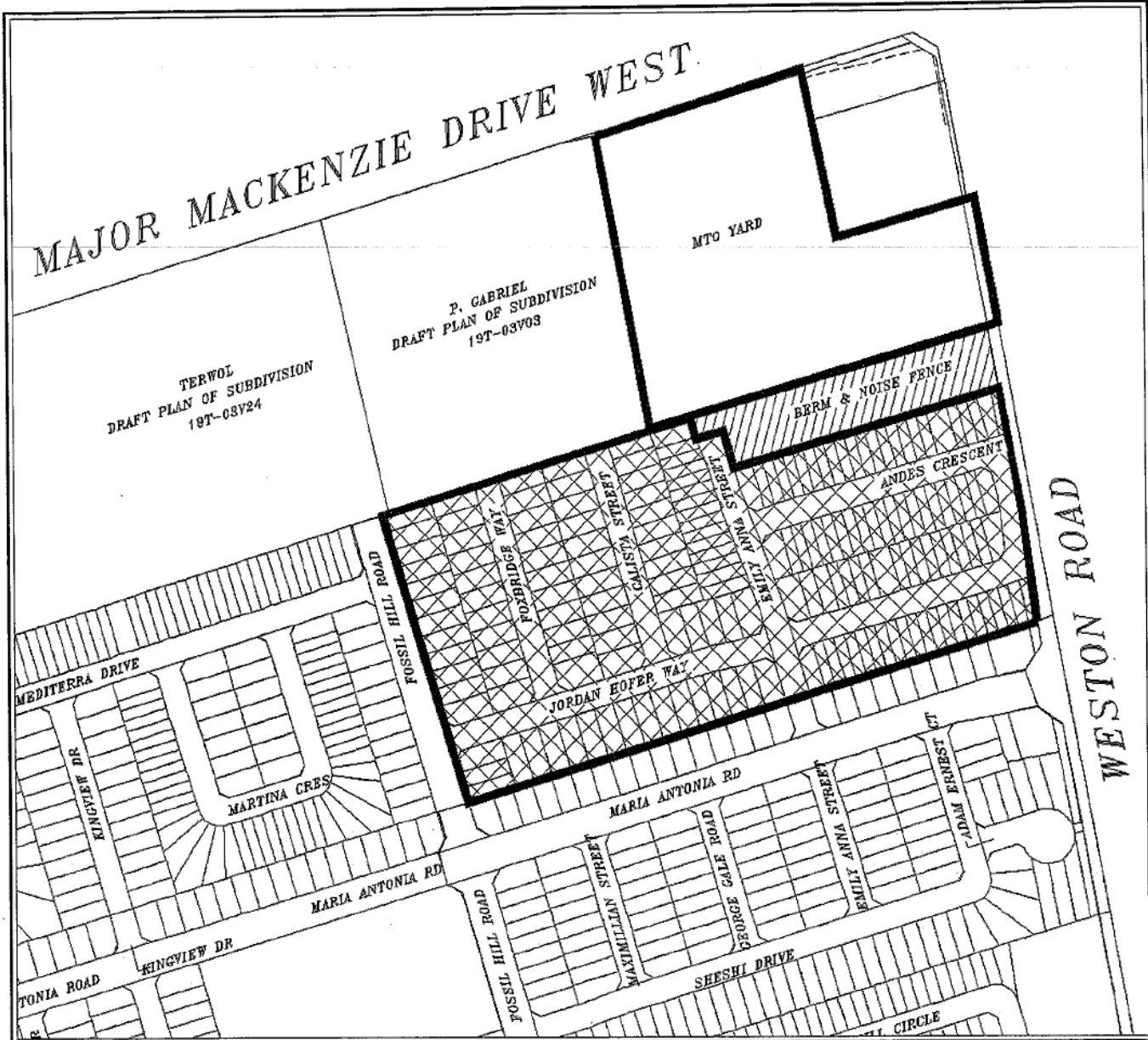
Respectfully submitted,

Bill Robinson, P. Eng.
Commissioner of Engineering and Public Works

VR/vp

Andrew Pearce, C.E.T.
Director of Development/
Transportation Engineering




ATTACHMENT No. 1

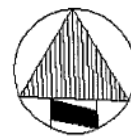


**SUBDIVISION ASSUMPTION
ARTIBUS PHASE 2
19T- 97V15 / 65M- 3773**

LOCATION: Part of Lot 20, Conc. 6

LEGEND

-  SUBJECT LANDS
-  BERM & NOISE FENCE
-  MTO YARD



NOT TO SCALE

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