

COMMITTEE OF THE WHOLE - SEPTEMBER 18, 2006

AMALFI COURT - CONDOMINIUM CORPORATION

Recommendation

The Commissioner of Engineering and Public Works, in consultation with the Director of Legal Services, and the Director of Building Standards recommends:

That the following report be received for information.

Economic Impact

There is no additional economic impact to the City, based on the current level of municipal services provided to this condominium corporation.

Purpose

To provide Council with information with respect to services currently provided to the Amalfi Court condominium corporation.

Background - Analysis and Options

Services Provided

At its meeting of September 11, 2006, Council approved a recommendation indicating that "The memorandum of the Manager, Property Tax and Assessment and Property Tax Supervisor, dated August, 16, 2006, submitted by Mayor Di Biase, be received and that staff be directed to bring forward a report to the Committee of the Whole meeting of September 18, 2006 addressing services provided, including snow removal, and the Letter of Credit balance."

Amalfi Court is a 7.5 meter wide street constructed under the terms of the Development Agreement, DA 99-006 (see Attachment No. 1 – Location Map). The development is a private Condominium Corporation.

In terms of road maintenance and snow removal services, the Site Plan Agreement stipulates the following in Sect. 15:

- e (i), "All snow removal and other maintenance services shall be the responsibility of the Owner/Condominium Corporation".
- g), "Snow storage shall be included on site".
- h), "On street parking shall not be permitted on the 7.5m road and purchasers shall be advised by the inclusion of a warning clause to this effect in all purchase and sale agreements".
- i), "The road allowance shall remain as a private road".

The City does not provide any salting, ploughing, or snow removal services to this, or other privately owned roads in the City. There are over 30 private streets in the City that do not receive municipal maintenance services. These include such streets as: Promenade Circle, Rotational Drive, Windflower Gate, Nova Star Drive, etc. The agreement for Amalfi Court indicates that winter road maintenance is the responsibility of the condominium corporation, and that the roadway is to remain as a private road.

As this development is all private property, the City does not maintain, or provide maintenance services to any underground infrastructure such as water mains, service connections, sewers, drains, etc., or above ground appurtenances, such as street lights, to this development. To do so, would incur potential liability on the City's behalf, and would set a precedent for requests to provide City services to all privately owned condominiums and industrial/commercial properties and streets in the City.

Letter of Credit Balance

Notices were sent to the Owner pursuant to the site plan agreement to correct deficiencies and no response was received. Accordingly, the Letter of Credit in the amount of \$60,000.00 was drawn upon on May 19, 2006. As provided in the site plan agreement, the funds are to be used to complete required works and restore any damage caused. To date, approximately \$18,000 has been paid for works required by the Engineering Department and an additional \$22,200 has been invoiced and will be paid for works required for site plan compliance. Staff are reviewing additional invoices for the remainder of works done. Funds remaining are in the amount of \$19,800.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council and complies with Vaughan Vision, specifically, A-5 "Plan and Manage Growth".

Conclusion

The City currently provides waste collection services to this condominium corporation in accordance with the development agreement. To provide winter road maintenance, would set a precedent for requests to provide similar services to all private condominium corporations, as well as other commercial/industrial properties in the City.

The Letter of Credit balance is \$19,800, and staff are reviewing additional invoices.

Attachments

Location Map

Report prepared by:

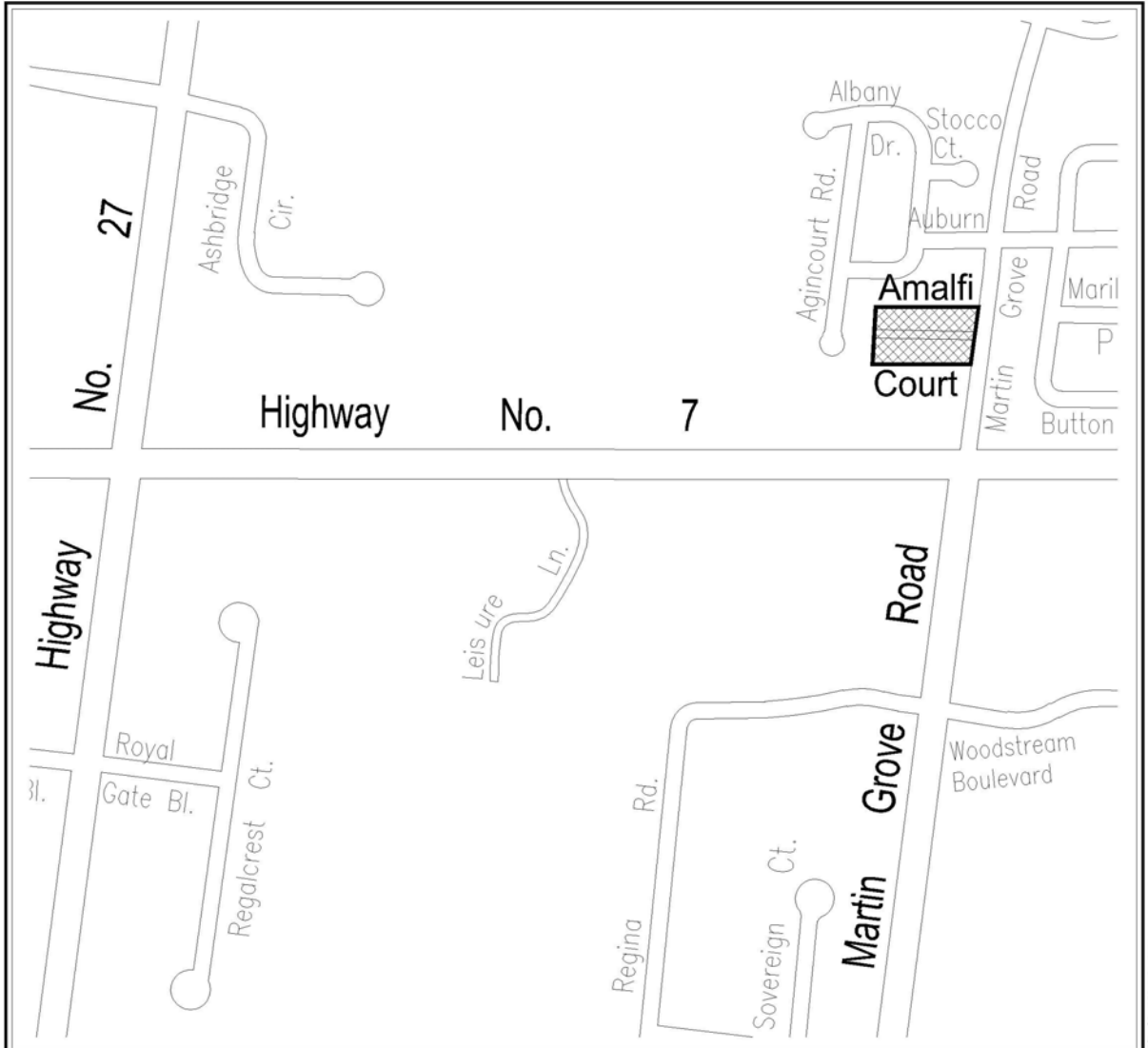
Brian T. Anthony, CRS-S, C. Tech

Respectfully submitted,

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

Brian T. Anthony
Director of Public Works

ATTACHMENT No. 1



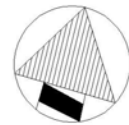
AMALFI COURT
D.A. 99 - 006

LOCATION : Part of Lot 6, Conc. 8
Block C, Plan 65M-1489

LEGEND



SUBJECT DEVELOPMENT



NOT TO SCALE