

COMMITTEE OF THE WHOLE - MARCH 26, 2007

VILLA GIARDINO MARTINGROVE ROAD

Recommendation

The Director of Legal Services and the Director of Public Works, recommend that this item be received for information.

Economic Impact

Annual winter maintenance cost is estimated at \$3,000.00 and installation of curb bumpers is estimated at a one-time cost of \$2,000.00.

Communications Plan

The deputant will be advised in writing of Council's decision.

Purpose

The purpose of this report is to respond to Council direction.

Background - Analysis and Options

On September 5, 2006, a representative of Villa Giardino (YRCC 911) located at 7373 Martin Grove Road, appeared on deputation and on September 13, Council requested a report. The lands are shown on Attachment No. 1. The representative requested that the Agreement between the Villa Giardino and the City dated December 21, 1998, be amended. The Agreement sets out terms and conditions, obligations, duties and responsibilities with respect to the repair and maintenance, including snow clearing for Martin Grove Parkway, a private road running east off Martin Grove Road, providing access to Villa Giardino, and the neighbouring building, Villa D'Amica. The representative advised that the majority of the cars using the road were traveling to the City sports fields to the east and the heritage house owned by the City and presently occupied by the Shining Through Centre for Autism, and submitted four pages by Ontario Traffic Inc. containing traffic counts.

The 1998 Agreement between the City and Villa Giardino Homes Limited provides that the City sub-let and licensed a 2.2 acre parcel of land for parking and the land for the access road to Villa Giardino. One of the matters forming part of the consideration for the reduction of Market Rent to be paid for the sublease and license was that Villa Giardino agreed to be responsible for the repair and maintenance of Martin Grove Parkway. Other matters included the construction of Martin Grove Parkway and servicing to the fields, which were completed.

Section 4.3 provides that the costs incurred to repair the road shall be shared, with the City contributing two-thirds (66%) and the Villa Giardino contributing one-third. Villa Giardino is proposing this cost sharing formula be changed to the City's share being four-fifths (80%) and Villa Giardino's share being one-fifth. Villa Giardino is responsible for the total cost of snow and ice clearing in accordance with the City's snow clearing standards. They would like that cost shared on the same basis as repair.

Public Works staff inspected the road in the summer of 2006 and performed minor shoulder repair work. A preliminary estimate of base and asphalt repair cost is approximately \$35,000.00, and requires further review. Under the present Agreement, the City would therefore pay \$23,100.00 for repair. Under the proposed sharing formula, the City would contribute \$28,000.00.

The curb bumpers would be located on the roadway to prevent parking problems. The traffic data gathered in the summer indicates eastbound and westbound cars, but does not indicate car destinations (fields or Villa Giardino).

Vaughan Grove Sports Park contains four lit baseball/softball facilities and 2 premium senior soccer fields, one artificial turf senior soccer field and 2 mini soccer fields which are accessed primarily by this road. All except the ball diamonds were constructed after 1998 and would contribute to traffic on the road during the permit season (May to September). The fields are not accessed in the winter.

Relationship to Vaughan Vision 2007

This is consistent with Vaughan Vision 2007 to serve our citizens and manage our resources.

Regional Implications

None

Conclusion

Council has the authority to amend the 1998 Agreement. Should Council wish to amend the cost sharing formula, direction is requested.

Attachments

1. Location Map

Report prepared by:

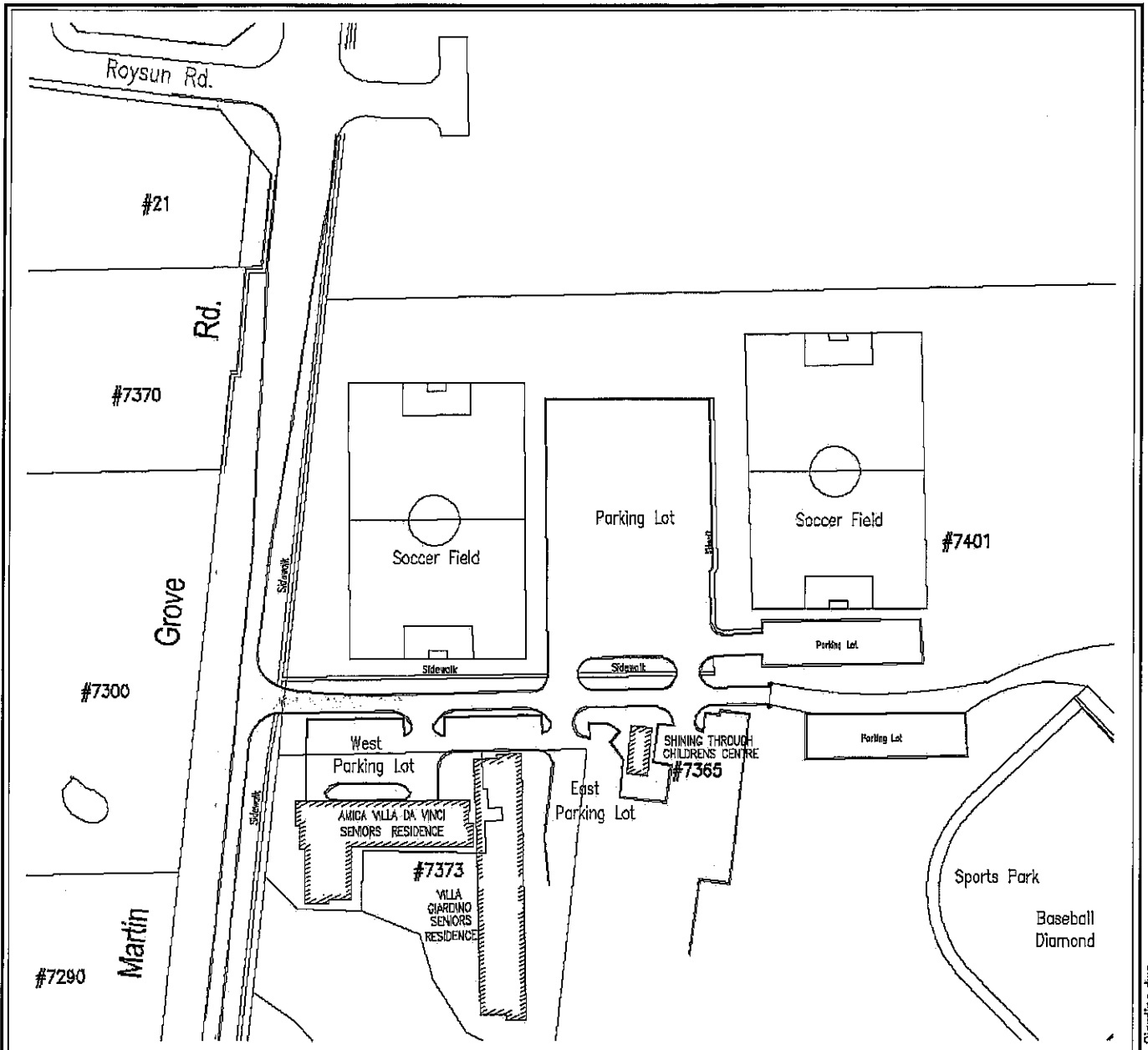
Heather A. Wilson
Director of Legal Services

Respectfully submitted,

Heather A. Wilson
Director of Legal Services

Brian Anthony
Director of Public Works

ATTACHMENT No. 1



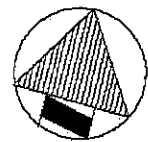
VILLA GIARDINO 7373 MARTIN GROVE ROAD

LOCATION : Part of Lot 3
Concession 7

LEGEND



SUBJECT PROPERTY



NOT TO SCALE

Drawing name: R:\ENGDRAFT\LEGAL\Heather Wilson\Villa Giardino.dwg