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Communication  
CW: Feb 5/13  
Item: 1

JAN 22 2013  
CITY OF VAUGHAN  
CLERKS DEPARTMENT

Good evening everybody

Honourable Mayor

Distinguished Councillors

Guests

My name is Peter Kostopulos and I am a resident of this beautiful city ...a proud resident.

I am here, like many other people to express our frustration for many years now. A frustration that prevents us, families, parents, children, and especially seniors to deal with the normal daily life.

I live in Amalfi Court from the time they finish the construction of what it supposed to be a quiet , nice court.

On the contrary, Amalfi court is a plan that was denied by the engineering department, the fire department and the planning department for TWO times....

Nevretheless, the third time the councillors approved on August 30<sup>th</sup> of 1999.

After the approval, the planning department went on the site and found that the two houses at the end of the street not supposed to be there...there suppose to be a U turn.

They fined the builder for a 100 THOUSAND dollars

The builder disappeared and run away to Italy.

The brother of the builder takes over in 2000, and pays the fine and continues the construction.

Still without taking into consideration the recommendation of the planning department, the engineering department and the fire department.

Mr. Rosati is a great councillor and he recognized the mistake that has been made in the construction of Amalfi court.

The recommendation of the report I indicated as B, is false. The city admitted to have made a mistake and still the cuncellors approved the plan and modified the size of the Sewers which don't follow the city standards

The report states that the location of the street light conductors is unknown.

Also, the building department at City Hall, says that the sewers start at 9 inches and finishes at 3 in the connection with the main sewer on Martin Grove...How is that possible. How did the inspectors allowed this.

Amalfi Court has been built on unknowns, impossible, not following the standards, against the requirements...all wrong...

When I asked the engineering department where the water valve inside my house was, they replied that they had nothing to do with that, because they never approved the plan.

As a result of this, today Amalfi residents suffer a tremendous loss of money to deal with property management and the discomfort of the snow and other utilities that the city should deal with.

We pay taxes like everybody else, and we don't mind have an increase to deal with the extra expenses for the city.

BUT the city has to take over the road, the common elements and pick up the garbage inside the street.

We are not second class residents. We have ten old women who live by themselves. FOUR of these poor ladies are on wheelchairs...How can they pick up the garbage and carry it for 300 meters to the main Road

Is this what you want people to say, that this City hall does not take care of it stakeholders equally???

We have the right to the same treatment as others. We recommend this board to take over AMALFI COURT.

The same case happened in Mississauga, Dundas and Mavis. The residents complained and the Mayor recognized the mistake and took over the street. We cannot allow builders to rule us. We don't want this to become the common rule to build houses, make money and forget about the people who is living in them. We ask you to follow the example of Mrs McCallion.

We took the case to Ministry of Housing and they also recognized the mistake and suggested us to hire a lawyer and fight. We don't have the money to start a lawsuit against the City and we want to resolve peacefully.

Please, listen to our concerns. You are our respected representatives...decide wisely. Listen to your residents and to your heart. You don't wish this for your own families...Don't wish this for our families.

only Two old Councilors still There  
The Rest All New

Hoslopoulos

MES Wilson  
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X As this was a private condominium development, the installation of the underground infrastructure was not inspected by City Engineering staff during its construction, and City staff have had no role in its ongoing maintenance or repair.

Building permits were issued for the each dwelling unit and inspections were conducted by the City's Building Standards Department for compliance with the Ontario Building Code. As well, a Plumbing Permit was issued for the water and sanitary sewer mains on the site and these were inspected for compliance with the Ontario Plumbing Code by the Building Standards Department.

#### Water Main

X The water main servicing the houses along the private roadway and hydrant are located beyond the south paved limit of the Amalfi Court roadway. The water main was designed to lie under the front yards of each lot along Amalfi Court. Based on the original engineering drawing, it appears that the water main sizing would meet current standards, however this would need to be confirmed to identify any costs of upgrading/revision, if required.

#### Sanitary Sewer

X The sanitary sewer is located under the pavement on Amalfi Court. The sewer pipe size appears to be smaller than the minimum MOE and City of Vaughan standard. The current material and installation cost to upgrade the sewer is estimated at \$70,000.

#### Storm Sewer

The storm sewer is also located under the pavement. The system also includes several rear lot catch basins.

#### Street Lighting

X There are three decorative street lights on alternating sides of Amalfi Court, two on the north and one on the south side of the roadway located on designated lots. The location of the street light conductor to power the lights is unknown. The fixtures on this site have been in place for 12 years.

**Previous Councils have dealt with similar requests from the residents to assume the services in this complex and/or provide additional municipal services to it.**

Staff reports concerning this complex were presented to Council on November 28, 2005, and again on September 25, 2006. In 2005, the request was to provide municipal snow clearing services, as well as curbside waste collection. The 2005 staff report also noted that the cost to install new sub-drains under the curb, and the cost of new curbs and gutters, along with a new hydrant set would cost approximately \$75,000.

In 2006, Council received a report in which staff re-iterated that snow clearing was to be provided by the Condominium Corporation, as per section 15 of the Site Plan agreement, and that "the City does not provide services to any underground infrastructure such as water mains, service connections, sewers, drains etc., or any above ground infrastructure such as street lights, to this development." Staff also provided memoranda to Council concerning the assessment and the tax charges on these properties compared to other residential properties in the area. These memoranda were sent from the Director or Legal Services, dated September 22, 2006, and from the Manager of Property Tax and Assessment, dated September 25, 2006.

**Amalfi Court is one of many condominium and private roads in the City.**

There are currently 51 other condominium roads in the City which have underground infrastructure that is not maintained by the City. These include such roads as Promenade Circle, Noam Court, Nova Star Circle, Cordoba Drive, etc.

# Amendment TO Zoning By-Law Report, P. 99-41 File: DA. 99.006

The subject lands are located within Neighbourhood #1 of OPA #240 which permits a maximum density of 35 units/net ha. The proposed density is 25 units/ha, therefore, the proposed development conforms to the policies of the Official Plan.

## Zoning

The lands are zoned A Agricultural Zone by By-law 1-88 which does not permit the proposed development. Therefore an amendment to the zoning by-law is required.

The lands are proposed to be zoned R5 Residential Zone, which permits detached and semi-detached dwelling units with minimum lot frontages of 7.5 m. The residential lands immediately surrounding the subject parcel are zoned R4 Residential Zone, subject to an exception allowing row housing and small semi-detached units.

The Applicant has requested that the subject lands be rezoned R5 Residential Zone. The proposed development is a block form development on a private road. As such, the more appropriate zoning is considered to be RM2 Multiple/Residential Zone, with any necessary exceptions.

## Site Analysis

The proposed development consists of 18 bungalow, 2-storey and 2½-storey detached units. The proposed site plan incorrectly identifies 18 separate lots, rather than one block with 18 residential units. The development will function as a condominium complex, with private services being the responsibility of the condominium corporation. Individual units would be created through a future draft plan of condominium application.

## Elevations

The Applicant has submitted preliminary elevations, which are relatively attractive and include architectural features in the form of peaked roof lines and feature windows which enhance the streetscape. The final elevations shall be approved by the Urban Design + Environment and Community Planning Departments.

## Parking and Access

The proposed units include both single and detached garages. The by-law requires that the dimensions for garages be not less than 3.0m x 6.0m measured from the interior faces of the exterior walls, or from the centre line of the common wall separating a dwelling and garage. The by-law also requires a minimum parking space size of 2.7m x 6.0m. The site plan (Attachment #2) identifies parking spaces and garage sizes that do not meet the requirements of the Zoning By-law.

By-law 1-88 requires 3 parking spaces per dwelling unit. Given that the proposed development is a condominium development, an additional .25 spaces/unit for visitor parking shall be applied. Therefore, a total of 59 spaces are required. The site plan includes 68 parking spaces (including garage parking). Staff are concerned with respect to the lack of opportunity for visitor parking, even though numerically, the development provides the required parking spaces.

Staff recognize that the by-law defines a garage as a parking space, although garages are not always used to park vehicles, and it is common for a household to have two or more vehicles. Should a garage in this development, specifically, those units providing 3 spaces, be used for a purpose other than parking, a demand for on-street parking will result.

In consideration of the above, it is unrealistic that the site can provide sufficient visitor parking. To accommodate on-street parking, Staff recommend the private road width to be increased to 8.5 m, rather than the proposed 7.5 m. An 8.5 m road would provide approximately 6 on-street parking.

spaces on one side of the road and at the same time, maintain sufficient room for emergency vehicles to safely maneuver. If this width is not possible, then Staff would request an area specifically devoted to visitor parking on site.

With a 7.5m roadway, the applicant will be required to erect "No Parking" and "Fire Route" signs along the private road. Furthermore, a condition requiring that all offers of purchase and sale or lease advise all purchasers and tenants that the road for this development shall be used for access and fire route only, and that no on-street parking will be permitted anywhere along the roadway.

#### Utilities

The Developer is to design, purchase materials and install a buried hydro distribution system and a street lighting system within the confines of the development, and compatible with the existing and or proposed systems, in the surrounding plans of subdivision, all in accordance with City of Vaughan Hydro and City of Vaughan standards and specifications, latest revisions.

#### Services

The Engineering Department requires that the Applicant submit a noise study and servicing study for their approval. The site servicing plan has been red-lined, to require proper access and service and drainage details.

#### Fire Department

A 90m fire route with a 15m radius maximum to the main entrance of the most remote dwelling unit from the end of the 90m, is the required standard. A main entrance beyond the 105m (90m + 15m) fire route would require a suitable turn-around facility in the form of a turning circle or hammerhead.

The latest site plan submission identifies one unit beyond the 105m (90m + 15m) fire standard, which will have to be reviewed by the Vaughan Fire Department. A condition to this effect is included in the recommendation section of this report.

Should it be determined that a turn circle or hammerhead for emergency vehicles be provided, the Applicant shall design them in accordance with City Standard and to the satisfaction of Engineering Staff.

The final Site Servicing Plan shall be approved by the Engineering Department and a condition to this effect has been included in the recommendation section of this report.

#### Department of Urban Design + Environment

Staff have reviewed the preliminary landscape plan for the proposed development and has provided the following comments:

1. Additional landscaping is required with the boulevard on Martin Grove Road.
2. A detailed itemized landscape cost estimate is required.
3. Construction details are required for planting, fencing, decks, entry gates, concrete sidewalks, curbing on roadway. Details must be City of Vaughan standard.
4. Wood screen 1.5m x 1.8m are required between units.
5. Garbage storage, and snow storage at a rate of 2% of the total lot area are to be shown on the plan

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6. Fencing must be indicated on landscape plan, and street trees along Martin Grove Road are required every 12m.
7. It would appear that the decks at the rear of the units adjacent to the commercial development are elevated, therefore appropriate servicing will be required.

The Applicant is in the process of revising the landscape plan to reflect the red-lined comments of the department of Urban Design + Environment by which shall be approved by the Department of Urban Design + Environment as well as all cost estimate. A condition to this effect has been included in the recommendation section of this report.

#### Conclusion

Planning staff has reviewed the site plan application and have identified some concerns, and requires exceptions to facilitate this development. The main concern is the lack of opportunity for visitor parking, either in a designated lot or on-street. With the need for a clear 6.0m width for emergency vehicles, there will be no space for cars on the proposed 7.5m wide road. Staff

recommend the plan be revised to increase the private road width from 7.5m to 8.5 m to accommodate approximately 6 on-street spaces. Also, the parking spaces should meet the minimum size requirements of the by-law, by increasing the garage to 3.0m x 6.0m and parking spaces to 2.7m x 5.7m. If an 8.5m wide roadway is not provided, Staff would request that a visitor parking area be provided on-site, as per by-law requirements. All other outstanding matters, including snow storage, servicing, and landscaping will be addressed in the finalization of the site plan.

Conditions of approval have been included requiring the final site plan and site service and grading plan to be approved by Staff. Should the Committee concur, Zoning Amendment Application Z.99.009 and DA99.006 (Antonio Tallarico c/o 1231267 Ontario limited) can be approved with the adoption of the recommendation of this report.

#### Attachments

1. Location Map
2. Site Plan
3. Landscape Plan

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)